



6. 11:00 a.m. Paul Shroyer, Financial Director
  - Review and Discussion on the IT Help Desk Staff Policy - Discussion
  - Capital Project Evaluation and Cost Sheet Packet - Discussion/Action
  - Approval of IBR#s: 1009,1010 and 1011 - Discussion/Action
  - Unclaimed Property Update - Discussion/Action
7. 11:15 a.m. John Reisenweber, Director of the Development Authority
  - 2009 Ag Development Grant - Discussion/Action
  - JCDA office Renovation - Discussion/Action
8. 11:30 a.m. Stacie Rohn, Focus
  - Ratify decision of approval of West Virginia Justice Assistance Grant - Discussion/Action
9. 11:45 a.m. John Skoglin, CBRE, Inc
  - Kodak Facility - Discussion/Action
10. 12:15 p.m. Stephanie Grove, Assisting Prosecutor
  - Employment Agreement for Director of Capital Planning and Management, Possible Executive Session - Discussion/Action

**NEW BUSINESS:**

11. Priorities for the upcoming quarter - Discussion/Action
12. Discussion concerning the County Administrator position - Possible Executive Session, West Virginia Code §6-9A-4 - Discussion/Action

**DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY REPORTS**

**COUNTY ADMINISTRATOR REPORTS**

**COUNTY COMMISSION REPORTS**

13. ADJOURN

**CORRESPONDENCE:**

Quarterly usage of the NACo Prescription Drug Discount Card Program received from the National Association of Counties.

Letter received from the West Virginia Department Transportation Division of Highways concerning the Statewide Transportation Improvement Program (STIP) written comment submissions being received no later than April 25, 2012.

Letter received from West Virginia Association of Counties and a memo from Minority Leader Tim Armstead concerning Housing Development Fund requirement for local approval.

Notice of Open House on May 2, 2012 beginning at 11:00 a.m. received from the Jefferson County Maintenance Department.

Letter received from Mayor Peggy Smith concerning a Public Hearing to consider the City of Charles Town's proposed Draft Zoning Ordinances.

Letter received from Robert D. Aitcheson and Douglas S. Rockwell concerning the proposed fire fees.

Letter received from Amy Mathews Amos concerning the Conditional Use Permit conditions for Twin Oaks Subdivision, LLC.

Invitation received from American Public University System's President, Dr. Wallace E. Boston to the APUS Solar Array Ribbon Cutting on Monday, April 23, 2012.

West Virginia Election Calendar Overview 2012 Primary Election - Jefferson County received from Voter's Registration.

Bank Securities/Bonding - County Bank Accounts received from Sheriff Shirley.

Weekly Settlement for Hollywood Casinos at Charles Town Races and Slot received for week ending April 14, 2012 received from the West Virginia Lottery.

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



**SPECIAL SESSION:**

**(TO LAY THE LEVY)**

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 in the County Commission meeting room of the Old Charles Town Library, 200 E. Washington Street, Charles Town, West Virginia on Tuesday, April 17, 2012, beginning at 10:00 o'clock a.m.

**PRESENT:** Patsy Noland, President  
Dale Manuel, Vice President  
Walter Pellish, Commissioner  
Frances Morgan, Commissioner  
Lyn Widmyer, Commissioner  
Sandra Slusher McDonald, Interim County Administrator  
Paul Shroyer, Director of Financial Management  
Deborah S. Stellato, Administrative Assistant

**In re: LEVY ORDER AND LEVY RATES APPROVED FOR FISCAL YEAR 2012 - 2013**

The meeting was called to order at 10:05 a.m. by Commissioner Noland.

The purpose of the meeting was to Lay the Levy for FY2012 - FY2013.

The Pledge of Allegiance was led by Commissioner Widmyer.

Paul Shroyer, Director of Financial Management, was present and reported on the Levy Order and Rate Sheet for FY2012 - FY2013.

Motion by Ms. Morgan to adopt the Levy Order and Levy Rates for Fiscal Year 2012 - 2013 and to forward the proper documents to the State Auditor's Office. Motion seconded by Mr. Manuel and unanimously approved.

**AUTHORIZED RATES**

Thirteen and nine hundredths cents	(13.09) Class I Property
Twenty-Six and eighteen hundredths cents	(26.18) Class II Property
Fifty-Two and thirty-six hundredths cents	(52.36) Class III and Class IV Property

There being no further business, motion by Mr. Pellish to adjourn the Special Session to Lay the Levy. Motion seconded by Ms. Morgan and unanimously approved.

Upon rising, the Commission adjourned until the regular meeting on Thursday, April 19, 2012 at 9:30 a.m..

\_\_\_\_\_  
PATRICIA A. NOLAND, PRESIDENT

Attachment: Levy Order and Rate Sheet FY2012 - FY2013

**COUNTY, WEST VIRGINIA  
LEVY PAGE  
REGULAR CURRENT EXPENSE LEVY  
2012 - 2013**

Current Year	Column E Certificate of Valuation Assessed Value for Tax Purposes	Levy Rate/\$100	Taxes Levied
<b>Class I</b>			
Personal Property	\$ _____	13.09	\$ _____
Public Utility	_____		_____
<b>Total Class I</b>	\$ _____		\$ _____
<b>Class II</b>			
Real Estate	\$ 1,862,054,220	26.18	\$ 4,874,858
Personal Property	3,098,300		8,111
<b>Total Class II</b>	\$ 1,865,152,520		\$ 4,882,969
<b>Class III</b>			
Real Estate	\$ 526,134,420	52.36	\$ 2,754,840
Personal Property	242,201,600		1,268,168
Public Utility	67,197,520		351,846
<b>Total Class III</b>	\$ 835,533,540		\$ 4,374,854
<b>Class IV</b>			
Real Estate	\$ 274,629,100	52.36	\$ 1,437,958
Personal Property	60,882,900		318,783
Public Utility	31,040,161		162,526
<b>Total Class IV</b>	\$ 366,552,161		\$ 1,919,267
<b>Total Value &amp; Projected Revenue</b>	\$ 3,067,238,221		\$ 11,177,090
Less Delinquencies, Exonerations & Uncollectable Taxes		4.19% .....	468,320
Less Tax Discounts		1.80% .....	192,758
Less Allowance for Tax Increment Financing - see worksheet (Subtracted from regular current expense taxes levied only)		.....	_____
<b>Total Projected Property Tax Collection</b>			<b>10,516,012</b>
Less Assessor Valuation Fund (Subtracted from regular current expense taxes levied only)		1.75% .....	184,030
<b>Net Amount to be Raised by Levy of Property Taxes For Budget Purposes (Transfer amount to Worksheet GCRev - Account No. 301-01)</b>			<b>\$ 10,331,982</b>

**Minutes**  
**Jefferson County Commission**  
**Thursday, April 19, 2012**

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A meeting of the Jefferson County Commission was held on Thursday, April 19, 2012 in the County Commission meeting room at the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Patricia Noland, Dale Manuel, Lyn Widmyer, Walt Pellish and Frances Morgan. Also present were Sandy Slusher McDonald, Interim County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddy, Bailiff. (An audio tape of the April 19, 2012 meeting is available through the Jefferson County Commission Office.)

**PLEDGE OF ALLEGIANCE**

Commissioner Morgan led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Motion by Ms. Morgan to approve the Minutes of the April 12, 2012 regular meeting as amended. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to approve the Minutes of the April 12, 2012 Special Session 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 \$111,832.65, being purchase order numbers: 51009, 50097, 51182, 51184, 51183, 51185, 51186, 51187, 51188, 50702, 49612 and 50788. Motion seconded by Ms. Widmyer and unanimously approved.

**APPROVAL OF ACCOUNTS PAYABLE**

Motion by Ms. Morgan to approve the accounts payable in the amount of \$115,952.87. Motion seconded by Mr. Manuel and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
067008	439	AMERICAN PLANNING ASSOC	50703	\$ 205.00	\$ -	\$ 205.00
067009	425	ABH SERVICES, INC.	51139	\$ 280.00	\$ -	\$ 280.00
067010	425	ALLIANCE ELECTRIC LLC	51138	\$ 3,382.50	\$ -	\$ 3,382.50
067011	401	ANALYTICAL SERVICE, INCOR	51019	\$ 5,705.00	\$ -	\$ 5,705.00
067012	424	B-K OFFICE SUPPLY INC	51136	\$ 391.00	\$ -	\$ 391.00
067012	424	B-K OFFICE SUPPLY INC	51146	\$ 678.00	\$ -	\$ 678.00
067013	406	ELIZABETH JUNE BOWERS		\$ -	\$ 102.00	\$ 102.00
067014	402	WV ASSOC OF COUNTY CLERK	51052	\$ 650.00	\$ -	\$ 650.00
067015	424	CENTRAL ELEVATOR	51133	\$ 160.00	\$ -	\$ 160.00
067015	425	CENTRAL ELEVATOR	51133	\$ 480.00	\$ -	\$ 480.00
067016	439	DAWN E.CHILDS		\$ -	\$ 117.00	\$ 117.00
067017	424	DAYCON	51128	\$ 4,383.09	\$ -	\$ 4,383.09



**PRESENTATIONS:**

1. Motion by Mr. Manuel to adopt and execute the Resolution recognizing May 6, 2012 as Martin Delany Day. Motion seconded by Ms. Widmyer and unanimously approved.

The Resolution was presented to George Rutherford, President of the West Virginia Branch of the NAACP in honor of Mr. Delany's many important contributions to the progress of Black people in America. Mr Rutherford invited the Commissioners to a birthday party on Sunday, May 6, 2012 beginning at 3:00 p.m. at the Star Lodge and the Opportunity Learning Center. Further, the African American Heritage Festival will host a birthday for Mr. Delany on August 17, 2012 in the County Employee Parking Lot. Everyone is invited.

**RESOLUTION**

**MARTIN DELANY DAY  
MAY 6, 2012**

**WHEREAS**, Martin Robison Delany was born in Charles Town, Virginia (now West Virginia) near the intersection of Charles and Washington Streets on May 6, 1812; and

**WHEREAS**, Martin Delany was taught by his mother, Pati, to read which violated Virginia law that prohibited Blacks from reading; and

**WHEREAS**, Martin and his Mother as well as his five siblings left Charles Town and moved to Chambersburg, Pennsylvania where Blacks could openly read and write without persecution; and

**WHEREAS**, Martin Delany later became a barber and a laborer, later a physician's assistant and then a physician; and

**WHEREAS**, Martin Delany married Catherine A. Reynolds and fathered eleven children and in 1843 began publishing "The Mystery," an influential weekly focusing on Black issues and was the only such publication in all the United States; and

**WHEREAS**, from 1847 to 1849 he co-edited "The North Star" newspaper with Black leader Frederick Douglas; and

**WEHREAS**, after being nominated to Harvard Medical School, white northern students protested the presence of Delany and two other Black students and they were forced to leave the school; and

**WHEREAS**, in 1852 Delany published "The Condition, Elevation, Emigration and Destiny of the Colored People of The United States," and he argued there was no hope for the long-term success of Blacks and urged emigration to Africa; and

**WHEREAS**, in 1858 he spoke to a convention in Chatham, Ontario, Canada at the request of John Brown, but did not encourage Brown's Raid on Harpers Ferry, Virginia; and

**WHEREAS**, he traveled to Africa and England lecturing and confronted the American Ambassador at a convention which caused an international diplomatic incident; and

**WHEREAS**, in 1863 after the Emancipation Proclamation, he renewed his faith in the American dream, persuaded and recruited Blacks to fight for the Northern States and became a part of the Massachusetts 104<sup>th</sup> Regiment; and

**WHEREAS**, in 1865 Delany met with President Abraham Lincoln and proposed that the Union army commission Black field officers. President Lincoln was highly impressed with him and wrote Secretary of War DE. M. Stanton asking him to give Delany the first field officer commission given to a Black, calling him an "... extraordinary and intelligent Black man;" and

**WHEREAS**, in 1868 Major Delany resigned his commission and became active in Reconstruction Era politics. He ran for Lt. Governor of South Carolina, losing, but with strong support, and was appointed trial justice by the Republican Party. Later he was appointed as Sub-Assistant Commissioner for the newly-formed Freedman's Bureau; and

**WHEREAS**, in 1885 Martin Delany died at home in Wilberforce, Ohio.

**NOW, THEREFORE, BE IT RESOLVED** that the Jefferson County Commission does hereby recognize May 6, 2012 as Martin Delany Day in honor of the 200<sup>th</sup> anniversary of his birth.

Adopted this 19th day of April, 2012.

JEFFERSON COUNTY COMMISSION

By: \_\_\_\_\_  
Patricia A. Noland, President

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

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

\_\_\_\_\_  
Walter Pellish, Commissioner

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

2. Stuart Stickel, Director, and Salli Martin, Auditor from the West Virginia State Auditor's Office were present and conducted an exit interview for FY2010 and 2011. They noted that they found nothing out of the ordinary.
3. **Paul Shroyer, Director of Financial Management** presented a budget analysis for the month ending March 31, 2012. He will prepare a budget analysis for each month of the fiscal year.

**The Commission took a break at 10:52 a.m.**

**The Commission reconvened the regular meeting at 11:00 a.m.**

4. **Fred Blackmer**, provided an update of the past compatibility assessment meeting regarding Morgan's Grove Market Conditional Use Permit, specifically future stream monitoring of Town Run. Mr. Blackmer requested

that the County Commission include Town Run in any and all stream monitoring programs that it supports or funds.

Motion by Mr. Pellish to include the Town Run in any and all stream monitoring programs that the Commission supports or funds. Motion seconded by Ms. Widmyer and approved 4 to 1 with Ms. Morgan voting against.

5. **Lynn Fields, Deputy Clerk, Probate**, requested that the Commission approve the opened estates and proposed closure of estates as presented to the Commission Jennifer Maghan, County Clerk, in place of Ms. Fields.

Motion by Ms. Morgan to enter into a Fiduciary Quarterly Review Session. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to approve the opening and closing of estates as presented. Motion seconded by Mr. Pellish and unanimously approved.

**Request by Ms. Maghan to approve the admission to record** of the decision of the Fiduciary Commissioner D. Frank Hill, III regarding a claim against the estate of Norman Wilt.

Motion by Mr. Manuel to admit the decision of Fiduciary Commissioner D Frank Hill, III to record as presented by Ms. Maghan. Motion seconded by Ms. Morgan and unanimously approved.

6. **John Reisenweber, Director of the Jefferson County Development Authority**, request that the Commission adopt and authorize the President of the Commission and the County Clerk to execute the Resolution of Participation and Cooperation (Local Economic Development Grant Program from the WV Development Office in the amount of \$31,008.00).

Motion by Mr. Manuel to adopt and authorize the President of the Commission and the County Clerk to execute the Resolution of Participation and Cooperation (Local Economic Development Grant Program from the WV Development Office in the amount of \$31,008.00) as presented. Motion seconded by Mr. Pellish and unanimously approved.

#### **NEW BUSINESS:**

7. **George Rutherford** request that the Commission approve the use of the County Parking Area on August 17, 2012 to be used as part of the Martin Robison Delany 200<sup>th</sup> Anniversary celebration.

Motion by Ms. Morgan to approve the use of the County parking Area on August 17, 2012 as part of the Martin Robison Delany 200<sup>th</sup> Anniversary celebration. Motion seconded by Mr. Manuel and unanimously approved.

8. **Commissioner Widmyer** led a discussion regarding letters of interest from new applicants and requests for reappointments to Commissions and Boards to be received at least one week prior to any County Commission decision.

Ms. Widmyer moved that letters of interest from new applicants and requests for reappointment to Commissions and Boards be received in the Commission Office at least one week prior to any action by the Commission. Ms. Morgan seconded the motion.

Mr. Manuel made an amendment to change the motion to read that “the County Commission encourages those submitting letters of interest or requests for reappointment to Boards and Commissions to do so at least one week prior to the Commission taking any action. Ms. Morgan seconded the amendment and the amendment was approved 4 to 1 with Ms. Widmyer voting against.

#### **DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY REPORTS:**

- Jefferson County Farmland Protection Board
- Historic Landmarks Commission

#### **COUNTY ADMINISTRATOR REPORTS:**

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

- Mentioned the FOCUS grant application in the amount of \$18,386.00.

#### **COUNTY COMMISSIONER REPORTS:**

##### **Commissioner Morgan:**

- Advised the Commission that she will not be able to attend the Commission meeting Thursday, May 17, 2012
- Attended the Jefferson County Emergency Services Agency Community Informational Meeting
- Attended the Jefferson County Emergency Services Agency regular meeting
- Attended the Special Session to Lay the Levy
- Participated in potential County Administrator interviews
- Participated in interviews for a Director for the Berkeley/Jefferson Day Report Center
- Attended a Historic Landmarks Commission meeting

##### **Commissioner Pellish:**

- Attended the Jefferson County Emergency Services Agency Community Informational Meeting
- Attended the Jefferson County Emergency Services Agency regular meeting
- Attended the Special Session to Lay the Levy
- Participated in potential County Administrator interviews
- Attended a Jefferson County Development Authority meeting
- Suggested that the Commission revisit the IT and impact fee issues

##### **Commissioner Widmyer:**

- Noted for the record a letter received from the Water Advisory Committee thanking Nichelle Hosby, Executive Secretary for the Commission, for her assistance.
- Ms. Widmyer reminded the Commission that it was also responsible for submitting quarterly reports just like the Department Heads and Electeds.
- Visited the Charles Town Farmers' Market
- Attended Parks and Recreation's Health Expo
- Attended Parks & Recreation's regular meeting

- Advised the Commission that the Grand Opening of Moulton Park is scheduled for May 19, 2012 at 10:00 a.m.
- Noted that there are still problems with stormwater management ponds
- Noted that Windmill Crossing still does not have a buffer

**Commissioner Manuel:**

- Attended the Jefferson County Emergency Services Agency Community Informational Meeting
- Attended the Jefferson County Emergency Services Agency regular meeting
- Attended the Special Session to Lay the Levy
- Participated in potential County Administrator interviews
- Attended the NAACP forum on County Government
- Attended a Jefferson Center meeting
- Attended a Jefferson County Council on Aging meeting
- Attended a Parks and Recreation meeting

**Commissioner Noland:**

- Attended the Jefferson County Emergency Services Agency Community Informational Meeting
- Attended the NAACP forum on County Government
- Attended the Special Session to Lay the Levy
- Participated in potential County Administrator interviews
- Attended a Jefferson County Council on Aging meeting
- Attended a presentation by Showtime – a 4H Group

There being no further business, motion by Mr. Pellish to adjourn the meeting. Motion seconded by Mr. Manuel and unanimously approved. Upon rising, the meeting was adjourned until Thursday next, April 26, 2012 at 9:30 a.m.

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PATRICIA A. NOLAND, PRESIDENT



**PURCHASE ORDERS TO BE APPROVED**  
**April 26, 2012**

DEPARTMENT	PURCHASE ORDER	AMOUNT	VENDOR	DESCRIPTION
ANIMAL CONTROL	50687	\$ 162.38	Valley Pet Cemetery	Carcass Disposal
	50898	\$ 141.79	Webster Pet	Materials/supplies
	51147	\$ 150.68	Hillside Vet	Vet Services
	51148	\$ 147.37	Alpha Tech Pet. Inc	Hydro sprayer
	51149	\$ 250.00	WV Board of Veterinary Medicine	CAET inspection fee
	51150	\$ 125.00	National Animal Control Assoc.	Yearly membership dues
	51151	\$ 163.38	Valley Pet Cemetery	Animal Disposal
	51152	\$ 250.00	Blue Ridge Vet Assoc.	Vet Care
	51155	\$ 371.74	Hillside Vet	Vet Services
ASSESSOR	53294	\$ 977.64	CASTO & HARRIS	Assessor binders
	53297	\$ 140.00	NADA APPRAISAL GUIDES	Appraisal guides
COUNTY CLERK	51053	\$ 166.50	Charles Town Copy	Poll worker manuals
	51054	\$ 48,440.73	CASTO & HARRIS	Primary Election Ballots
COURTHOUSE	51192	\$ 1,428.69	Daycon	Cleaning supplies
ENGINEERING	51018	\$ 120.00	Sheriff of Jefferson County	Deposit tickets for Impact Fees

	51020	\$	320.00	Canaan Valley Institute	WV Floodplain Conference
	51021	\$	150.00	WV Code Officials Association	Summer meeting registration
	51022	\$	120.00	WV Code Officials Association	Annual membership dues
	51023	\$	4,640.00	Analytical Services	County-wide water study
OTHER BUILDINGS	51190	\$	285.00	RCS Security	Additional Master Unit & Power Supply
	51194	\$	773.00	Alliance Electric	lights in Mason Bldg, receptacles/pull ground wire
	51195	\$	1,657.61	Miller & Anderson	Remove/install new condenser fan blade
PLANNING	50704	\$	1,009.83	BK Office Supply	Materials/supply
PROSECUTING ATTORNEY	50745	\$	366.00	Embassy Suites	Lodging winter meeting
SHERIFF	50896	\$	528.97	Galls	Uniforms
	50899	\$	1,000.00	International Polygraph	Professional services
	50900	\$	190.00	Jefferson Urgent Care	Professional services
	50901	\$	192.00	Software Systems	Contracted Services
VARIOUS	50897	\$	1,000.00	Sheriff of Jefferson County	Reimbursement for concealed weapon fund for Animal Control
GRAND TOTAL		\$	65,268.31		

Printed at 11:22 a.m. on 4/23/12

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

## AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Departments of Planning and Zoning

Estimation of amount of time needed for appointment: 15 minute appointment

Date Requested – 1<sup>st</sup> Choice: 04/26/12

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

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

Subject: **Third Quarterly Report of the Planning and Zoning Departments, Planning Commission and Board of Zoning Appeals Report and Discussion of FY 2012 Work Plan**

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

**Attached is a Summary Quarterly Report regarding the work completed and pending for the Departments of Planning and Zoning, the Jefferson County Planning Commission and the Jefferson County Board of Zoning Appeals, as well as a more detailed spread sheet, as requested by the County Commission. The spreadsheet has been reviewed by both the Planning Commission and the Board of Zoning Appeals at their respective meetings prior to being forwarded to the County Commission.**

**Additionally, staff would like to briefly discuss moving forward with startup activities related to the 2014 Comprehensive Plan Update rather than initiating the US 340 South Corridor Plan previously added to the Work Plan by the County Commission. Clarification of the County Commission's priorities is sought.**

**For your reference, the Departments of Planning and Zoning's FY 2012 Work Plan is also attached**

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

N/A

Attachments:

- 1) **Planning & Zoning 3<sup>rd</sup> Quarterly Report FY 2012, Summary and Spreadsheet**
- 2) **Departments of Planning and Zoning's FY 2012 Work Plan (revised 5/24/11)**



# JEFFERSON COUNTY, West Virginia

## Departments of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor  
Charles Town, WV 25414

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)

Phone: (304) 728-3228

Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Fax: (304) 728-8126

### MEMORANDUM

**TO:** Jefferson County Commission  
**FROM:** Jennifer M. Brockman, AICP, Director, Planning and Zoning;  
Jefferson County Planning Commission;  
Jefferson County Board of Zoning Appeals  
**DATE:** April 18, 2012  
**RE:** Summary of Planning and Zoning Departments, Planning Commission and Board of Zoning Appeals 3<sup>rd</sup> Quarter FY 11-12 Update Report (full spreadsheet report attached)

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#### 1. Projects Undertaken:

##### a. Zoning Map Amendments (PC):

- Hott – CC Public Hearing 10/6/11 – Withdrawn 2/2/12
- Gibson – CC Public Hearing 1/5/12 – approved 1/12/12
- Capriotti – PC Public Hearing Scheduled 4/24/12

##### b. Conditional Use Permits/Neighborhood Compatibility Meetings (BZA):

- Aspen Green – NCM (2/15/12) and CUP Public Hearing held; approved 2/16/12
- Corum – NCM held 3/2/12; Public Hearing scheduled 4/19/12

##### c. Zoning Text Amendments (PC):

- Planning Commission Public Workshop regarding proposed new commercial zoning categories -- 2/14/12
- Planning Commission Public regarding possible amendments related to provisions for recreation land uses throughout the County – 3/13/12

##### d. Subdivision Regulation Text Amendments (PC):

- Amendments to Articles 20 & 26 regarding the maximum square footage requirements for minor site plans in various zoning districts – discussion of alternatives with PC1/10/12; Approved by CC 1/19/12

##### e. Long Range Planning:

- US 340 East Gateway Corridor Plan -- Final Public Meeting 1/19/12; Presentation of Draft Plan at Joint Meeting of PC/CC 3/8/12

**2. Projects Completed (see above for details):**

- a. Gibson Rezoning
- b. Aspen Green CUP
- c. Subdivision Text Amendments – Articles 20 & 26
- d. Approval of Major Site Plans or Subdivisions:
  - Wild Goose Farm Final Plat (13 Single Family Lots and 1 Non-Residential lot for horse breeding/boarding and will contain a riding/training facility on 173.80 acres)

**3. Proposed Projects/Underway:**

a. Zoning Map Amendments (PC):

- Capriotti – PC Public Hearing Scheduled 4/24/12

b. Conditional Use Permits/Neighborhood Compatibility Meetings (BZA):

- Corum – NCM held 3/2/12; Public Hearing scheduled 4/19/12

c. Zoning Text Amendments:

- Draft Amendments to Planning Commission regarding proposed new commercial zoning categories – Public Hearing scheduled 4/10/12
- Draft Amendments regarding possible amendments related to provisions for recreation land uses throughout the County scheduled to be provided to Planning Commission 6/12/12

d. Major Site Plans or Subdivisions Under Review:

- Breckenridge East Final Plat (9 single-family lots/ 1 residue on 74.895 acres; Public Hearing 4/10/12)
- Harvest Hills Phase 2, Section 2 Final Plat (22 single-family lots on 8.84 acres; Public Hearing 4/24/12)
- Cambridge Manufactured Home Development Subdivision Final Plat (2 mobile home lots on 27.0671 acres; Public Hearing 4/24/12)
- Kensington Townhome Subdivision variance related to Bonding and Recording (Public Hearing 5/15/12)
- Briggs Animal Adoption Center Concept Plan Public Workshop (6/12/12)
- Aspen Greens Preliminary Plat; Final Plat (submission anticipated early 5/12; Public Hearing tentatively 6/12/12)
- Daniel's Forest Final Plat for Bonding and Recording (administrative)

e. Long Range Planning:

- US 340 East Gateway Plan -- Review comments requested from 340 Plan TAC and Planning Commission members; draft for public input anticipated to be authorized 5/15/12 for possible Public Hearing 6/12/12
- 2014 Comprehensive Plan – Summer intern hired to update existing conditions, data and land use and conduct some analysis for base analysis; initiate 2014 Update process recommendations and time frames for consideration by PC and CC

**4. Items Requiring Commission Attention (Upcoming):**

- a. Capriotti Rezoning Request Public Hearing– upon recommendation from Planning Commission (tentatively 5/12)
- b. Amendments regarding proposed new commercial zoning categories – upon recommendation from Planning Commission (tentatively 5/12)
- c. Possible Amendments related to provisions for recreation land uses throughout the County -- upon recommendation from Planning Commission (tentatively 8/12)
- d. US 340 East Gateway Plan Adoption as amendment to Comprehensive Plan -- upon recommendation from Planning Commission (tentatively 8/12)

3rd Quarterly Report (January - March 2012) FY 2012 Work Plan Departments of Planning and Zoning and Planning Commission and Board of Zoning Appeals						
PRIORITY	PROJECTS	TIME FRAMES from FY 11-12 Work Plan	Status or Number Completed (July 11 - Sept 11)	Status or Number Completed (Oct 11 - Dec 11)	Status or Number Completed (Jan 12 - March 12)	ANTICIPATED RESULTS
	Day to Day Customer Service	on-going	196	149	171	
	Walk in Customers - general information, zoning requests, process questions		26	29	38	
	Information Request Forms		6	6 issued; 1 denied	6 Issued / 2 Pending	
	Zoning Certificates issued		471	469	467	
	Call-in customers - general info, zoning, questions		803	874	863	
	E-mail to general planning/zoning mailboxes (note: individuals receive over 100 per month each)					
	Day to Day Development Review Responsibilities:	on-going				
	Minor Site Plans		1	3	0	
	Limited Site Plan		1	0	0	
	Major Site Plans, including Concept Plans		4	1	1	
	Merger Deeds, Lot Line Adjustments		5	7	5	
	Conservation Easement Review		--	7	0	
	Minor Subdivision Plats		3	3	0	
	Major Subdivision Plat (Concept, Preliminary, Final)		0	1	3	
	Conditional Use Permits/Neighborhood Compatibility Meetings		0	1 CUP/1 NCM (Bakerton)	2 CUP Approved (Bakerton 1/19/12; Aspen Green 2/16/12) 2 NCM Held (Aspen Greens 2/15/12; Corum 3/2/12)	Corum CUP Public Hearing Scheduled 4/19/12 SS, JH, JMB
	Zoning Variances (requirements, dimensional variances, CUP Time extensions)		11	5	14 Variances / 2 "CUP"	
	Subdivision Waivers including requests related to time frames or requirements		2	1	3 Waivers / 1 Variance	
	Pre-proposal Conferences		6	8	11	
	Zoning Map Amendments (Rezoning)		3 new (Sanderson Approved by CC 6/30/11)	PC and CC Public Hearings: Hott (CC 10/6/11 - no action); Gibson (PC 11/8/11); Corum (PC 11/8/11; CC 12/8/11 - denied)	Gibson CC Public Hearing (1/5/12; approved 1/22/12); Hott rezoning withdrawn 2/2/12	Capriotti Rezoning Public Hearing scheduled for 4/24/12 SR, SB, AP, JMB
	Staff to Planning Commission meetings, including staff reports and presentations	on-going	4 Regular Meetings 6 staff report related to land development applications	2 Regular Meetings; 9 staff reports related to land development applications; Amendments to By-laws approved by CC 10/6/11	3 Regular Meetings; 4 staff reports related to land development applications	
	Staff to Board of Zoning Appeals meetings, including staff reports and presentations	on-going	3 BZA meetings 11 staff reports for land development applications	2 BZA meetings 5 staff reports for land development applications	3 BZA meetings; 12 staff reports for land development applications Bakerton CUP approved by BZA 1/19/12	

**3rd Quarterly Report (January – March 2012)  
 FY 2012 Work Plan Departments of Planning and Zoning  
 and Planning Commission and Board of Zoning Appeals**

PRIORITY	PROJECTS	TIME FRAMES from FY 11-12 Work Plan	Status or Number Completed (July 11 – Sept 11)	Status or Number Completed (Oct 11 – Dec 11)	Status or Number Completed (Jan 12 – March 12)	Outstanding Tasks	REQUIRED RESOURCES/STAFF	REQUIRED HEARINGS	ANTICIPATED RESULTS
	Staff Training – new skills, planning and zoning related functions	on-going	None this Quarter	Seth Rivard and Steve Barney – Land Use and Zoning Law Litigation (11/2/11); Dawn Childs - ArcGIS Desktop I; GIS Workflows and Analysis and ArcGIS Desktop II; Tools and Functionality (12/5-12/9/11)	None this Quarter	April - new PC member training; April - PC training Bonding and Recording; APA National Conference (April 2012) - Steve Barney			
	Various non-PC and non-BZA Meetings including participation in County Commission; other agencies such as WAC, JCDA, Health Department, PSD, HEP/PO TAC, WIP II Work Group; other Region 9 Meetings as requested; and follow up meetings with applicants and their representatives	on-going	JB - 126 meetings attended; SR - 69 meetings attended; SB - 84 meetings attended	JB - 100 meetings attended; SR - 67 meetings attended; SB - 72 meetings attended	JB - 134 meetings attended SR - 85 meetings attended SB - 95 meetings attended				
Special Project	Proposed Subdivision Regulations Amendments		Proposed Am to Articles 20 & 26 re: Add'l minor site plan sq. footage (PC vote 7/26/11; CC 8/18/11; CC PH 9/15/11); Proposed Am to Article 24 combining Submission & Completeness Reviews for Site Plans and Plats (PC PH 7/12/11; PC vote 7/12/11; CC 8/18/11; CC PH 9/15/11)	Proposed Am to Articles 20 & 26 re: Add'l minor site plan sq. footage (CC PH follow up 10/6/11; add'l follow up work session 11/9/11 & 11/10/11; requested add'l alternatives); Proposed Am to Article 24 combining Submission & Completeness Reviews for Site Plans and Plats (CC Workshop 11/3/11; approved with edits by CC, 11/9/11)	Proposed Am to Articles 20 & 26 re: Add'l minor site plan sq. footage (new alternatives to PC 1/10/12; approved by CC 1/19/12)		SR, SB, JB	possibly	
Special Project	Proposed Zoning Ordinance Amendments		Policy Neutral Am. Approved by CC 7/7/11; Am to Article 4A Home Occ./Cottage Ind (PC vote 7/26/11; CC 8/18/11; CC PH 9/15/11); Am to Article 12 (PC PH and vote 7/12/11; CC 8/18/11; PC PH 9/15/11)	Am to Article 4A Home Occ./Cottage Ind (Approved by CC with edits 11/3/11); Am to Article 12 (Approved by CC 11/10/11); Kick-off Roundtable Discussion with recreation providers 10/21/11 and follow up meeting with industry 12/20/11; drafting new Commercial Zoning categories for PC review and action at January meeting	Public Workshop/input into proposed new commercial zoning categories (2/12); Workshop regarding new ordinance language related to Recreation Uses (3/12)	Public Hearing proposed new commercial zoning categories (4/10/12)		SR, SB, JB	possibly

**3rd Quarterly Report (January - March 2012)**  
**FY 2012 Work Plan Departments of Planning and Zoning**  
**and Planning Commission and Board of Zoning Appeals**

PRIORITY	PROJECTS	TIME FRAMES from FY 11-12 Work Plan	Status of Number Completed (July 11 - Sept 11)	Status of Number Completed (Oct 11 - Dec 11)	Status of Number Completed (Jan 12 - March 12)	Outstanding Tasks	REQUIRED RESOURCES/STAFF	REQUIRED HEARINGS	ANTICIPATED RESULTS
Special Project	340 Corridor East Gateway Study	Spring 2011 - January 2012	6/16/11 meeting summary and follow up; preparation for and follow up to 3rd Public Meeting 9/17/11 meeting, including development of 3 land use alternatives based on public input and Traffic Analysis Zones for data analysis; Metro Quest Phase 2 preparation	Joint meeting with HF NPS and Trail Blazers 10/18/11; MetroQuest Phase 2 open 10/7/11 - 11/11/11; Public Meeting #4 to chose preferred alternative 12/16/11 (KOA); drafting text and finalizing maps and working with HEPMPO consultants	Final Public Workshop 1/19/12; Joint PC/CC Meeting Presentation of Draft 3/8/12	Planning Commission Review and Next Steps 4/10/12	SR, SS, JB		
Special Project	340 Corridor South Study	Spring 2012 - Winter 2013	No Work this quarter	No Work this quarter	No Work this quarter				
Special Project	2014 Comprehensive Plan	Fall 2012 - Spring 2014 (18 month); adoption 2014	No Work this quarter	No Work this quarter	Summers interns solicited and interviewed/recommended to CC for Summer hire to assist with Base Analysis for Comp Plan Update				
Special Project	Urban Tree Canopy Plan Adoption		Urban Tree Canopy Draft Plan & Goals Meetings: Shepherdstown (8/18/11), Bolivar (9/6/11); County PC PH (7/26/11)	Approved and adopted by County Commission after Public Hearing 11/3/11	completed		JB		
Special Project	Urban Growth Boundaries		Shepherdstown UGB recommended to CC 9/15/11	drafted letter on behalf of CC to Shepherdstown requesting more information for CC signature	No Work this quarter		JB		
Special Project	Participation in WIP II Meetings held by DEP and follow up Chesapeake Bay activities		WIP II Developed Lands Work Group 8/3/11; Ches. Bay WIP II Summit 8/30/11; speaker at 6th Annual Chesapeake Bay Forum 9/30/11	monthly conference calls	monthly conference calls		JB		
Special Project	Review and Potential Implementation of Region 9 Model Stormwater Regulations		WIP II meetings (above)	coordinating with County Engineer in effort to apply for grant to facilitate the incorporation of these regulations in local ordinances	No Work this quarter		JB, SR, engineering		

**3rd Quarterly Report (January - March 2012)**  
**FY 2012 Work Plan Departments of Planning and Zoning**  
**and Planning Commission and Board of Zoning Appeals**

PRIORITY	PROJECTS	TIME FRAMES From FY 11-12 Work Plan	Status or Number Completed (July 11 - Sept. 11)	Status or Number Completed (Oct. 11 - Dec. 11)	Status or Number Completed (Jan. 12 - March 12)	Outstanding Tasks	REQUIRED RESOURCES/STAFF	REQUIRED HEARINGS	ANTICIPATED RESULTS
Special Project	2011 Summer Intern hired to initiate data analysis		Summer Intern worked May through mid-Sept 2011; researched existing conditions data, 2010 Census data, community facilities data, etc in preparation for 2014 Comp Plan Update; also assisted with TAZs and land use alternatives for US 340 East Gateway Plan	no further action at this time	Completed				

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

Name: Jennifer Maghan, County Clerk

Department or Entity: County Clerk

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

Date Requested – 1<sup>st</sup> Choice: April 26, 2012

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

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

**Subject: Request to convert the former mailroom located in the County Courthouse into a break room/kitchen area for the County Clerk's office**

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:



*Jennifer S. Maghan, County Clerk*

100 East Washington Street, Charles Town, West Virginia 25414  
304-728-3215 (office) 304-728-1957 (fax)  
jmaghan@jeffersoncountywv.org      Jeffersoncountyclerkwv.com

March 26, 2012

To: Sandy McDonald

Re: Request to convert the former mailroom located in the County Courthouse into a break room/  
kitchen area for the County Clerk's office.

Hi Sandy,

Thanks for taking the time a last week to discuss turning the old mail room into a very much needed break room for the employees at the County Clerk's office. We went ahead and pulled the quotes together as you suggested and i included a cover letter. Please let me know if there is anything else that I need to submit.

We are crossing our fingers that the Commission will grant us this request!

Thanks again!

Jennifer Maghan



*Jennifer S. Maghan, County Clerk*

100 East Washington Street, Charles Town, West Virginia 25414  
304-728-3215 (office) 304-728-1957 (fax)  
jmaghan@jeffersoncountywv.org      Jeffersoncountyclerkwv.com

**March 26, 2012**

**Request to convert the former mailroom located in the County Courthouse into a break room/ kitchen area for the County Clerk's office.**

**Our Current Situation**

Currently, the County Clerk's office is the only agency in Jefferson County Government without a break room or food preparation area. Our team of fifteen Clerks either eats lunch at our desks or in the former court room, but only when witnesses are not scheduled to be in there and certainly not during election time where the doors must remain locked or are being used for early voting. When we do decide to eat at the office, we have to do our dishes in the restroom by the commode.

**The Request**

**We officially request that the County Commission fund the renovation of a break area for the County Clerk's office spending no more than \$1000 to do so.**

The Clerk's office currently owns a refrigerator that we purchased jointly a few years ago.

Our office only needs a few items to turn this great little space into a safe and hygienic place to prepare food, save money by not going out to eat and to enjoy our lunch and breaks in our workplace - similar to the options that other offices in Jefferson County Government enjoy.

**We request the following:**

- Kitchen sink with running water, counter with cabinet to wash and store dishes \$150 for sink and faucet
- A small coil top range and countertop microwave. (\$513 for coil top range and microwave)
- Small shelf above range for microwave.
- Construction and plumbing assistance from the Jefferson County Maintenance department.

Orsini's gave us a great quote on the appliances and if Maintenance Department would be able to help create a break area for the Clerk's office we would be ever so appreciative of your consideration and support in this matter.

Very Truly,

  
Jennifer Maghan  
Jefferson County Clerk



# THE COUNTY COMMISSION OF JEFFERSON COUNTY

Charles Town, West Virginia 25414

## REQUISITION

No. 51049

VENDOR:

The Home Depot

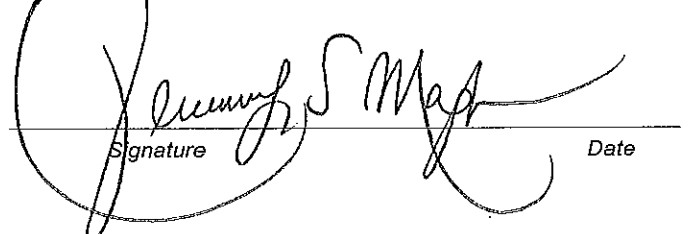
DELIVER TO:

Jefferson County Courthouse  
600 East Washington St.  
25414

QUANTITY	DESCRIPTION - BUDGET LINE - ITEM NUMBER	PRICE	UNIT	AMOUNT
1	Glacier Bay Top-Mount Sink - Kitchen			49 95
1	MOEN Torrance Single-Handle Side Sprayer Kitchen Faucet in Chrome			.99 00
				\$ 148 95

1. ENTER NAME AND MAILING ADDRESS OF VENDOR IN SPACE PROVIDED
2. PROVIDE MAILING AND/OR SHIPPING ADDRESS. ITEMS THAT ARE SHIPPED MUST HAVE STREET ADDRESS.
3. PROVIDE A DESCRIPTION OF ITEMS(S) BEING REQUESTED.
4. INCLUDE BUDGET LINE-ITEM NUMBER TO BE CHARGED FOR EACH ITEM.
5. SIGN AND FORWARD TO COUNTY COMMISSION. UPON APPROVAL, A COUNTER-SIGNED COPY WILL BE RETURNED FOR YOUR RECORDS.

THE ITEMS REQUESTED ABOVE ARE NECESSARY AND FOR THE EXCLUSIVE USE OF THIS DEPARTMENT.

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

PURCHASE OF THE ABOVE REQUESTED ITEMS APPROVED. FUNDS HAVE BEEN ENCUMBERED.

  
 \_\_\_\_\_  
 Signature Date 4/12/12



# THE COUNTY COMMISSION OF JEFFERSON COUNTY

Charles Town, West Virginia 25414

## REQUISITION

No. 51048

VENDOR:

DELIVER TO:

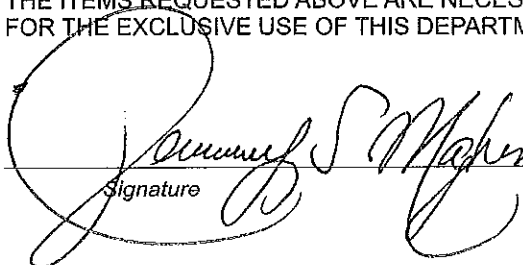
Orsini's Appliances  
C.T. WV

Jefferson County Clerk's  
Office

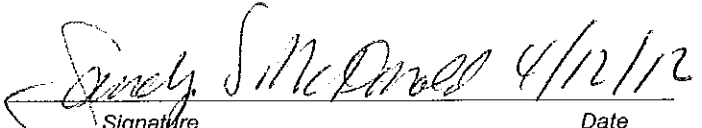
QUANTITY	DESCRIPTION - BUDGET LINE - ITEM NUMBER	PRICE	UNIT	AMOUNT
1	Frigidaire Control Top 30" Coil range			385
1	Frigidaire Counter top Microwave			99
				<u>2% TAX</u>
				513 04

1. ENTER NAME AND MAILING ADDRESS OF VENDOR IN SPACE PROVIDED
2. PROVIDE MAILING AND/OR SHIPPING ADDRESS. ITEMS THAT ARE SHIPPED MUST HAVE STREET ADDRESS.
3. PROVIDE A DESCRIPTION OF ITEMS(S) BEING REQUESTED.
4. INCLUDE BUDGET LINE-ITEM NUMBER TO BE CHARGED FOR EACH ITEM.
5. SIGN AND FORWARD TO COUNTY COMMISSION. UPON APPROVAL, A COUNTER-SIGNED COPY WILL BE RETURNED FOR YOUR RECORDS.

THE ITEMS REQUESTED ABOVE ARE NECESSARY AND FOR THE EXCLUSIVE USE OF THIS DEPARTMENT.

 3.26.12  
 Signature Date

PURCHASE OF THE ABOVE REQUESTED ITEMS APPROVED. FUNDS HAVE BEEN ENCUMBERED.

 4/12/12  
 Signature Date



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

**AGENDA REQUEST FORM**

Name: Mike Wiley

Department or Entity: Beallair Homes, LLC

Estimation of amount of time needed for appointment: 10 Minutes

Date Requested – 1<sup>st</sup> Choice: April 19, 2012

Date Requested – 2<sup>nd</sup> Choice: April 26, 2012

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

**Subject: Request from Beallair Homes, LLC for the County Commission’s consideration of the First Amendment to Agreement Regarding Bonding Obligations and Declaration of Covenants, Conditions and Restrictions Beallair Phase 2 Subdivision.**

Please provide the County Commission with a description of your request or presentation, including any background information: **Beallair Homes, LLC hereby respectfully requests the Jefferson County Commissioner’s acceptance and approval of the attached request for subsequent recordation within the Clerk’s Land Records.**

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

***“I hereby approve the First Amendment to Agreement Regarding Bonding Obligations and Declaration of Covenants, Conditions and Restrictions Beallair Phase 2 Subdivision submitted by Beallair Homes, LLC, and request same to be recorded in the Clerk’s office after the President’s signature and notarization thereon.”***

Attachments: **Request letter, First Amendment, recorded Agreement**



April 18, 2012

Patsy Noland, President  
Jefferson County Commission  
P.O. Box 250  
124 East Washington Street  
Charles Town, WV 25414

RE: Beallair Phase 2 Tolling of Bonding Amendment Request

Dear President Noland:

Beallair Homes, LLC herby requests the County Commission's (the "Commission) consideration of the enclosed "First Amendment to Agreement Regarding Bonding Obligations and Declaration of Covenants, Conditions and Restrictions Beallair Phase 2 Subdivision" (the "Amendment"). The enclosed Amendment essentially requests a one-time release of thirteen (13) of the tolled eighty-four (84) lots from the Agreement, and retains sixty-four (64) lots in the Agreement. Please note that the County's engineering and legal staff have reviewed this Agreement and their comments have been incorporated therein.

For your information, in accordance with the "*Jefferson County Land Development Site Improvements Bonding & Bond Surety Policy*", Beallair Homes, LLC previously requested, and the Commission approved the "Agreement Regarding Bonding Obligations and Declaration of Covenant, Conditions and Restrictions Beallair Phase 2 Subdivision" (the "Agreement") on July 20, 2011, in accordance with the "*Tolling of Bonding*" process. The agreement was subsequently recorded in the Land Records or the County Clerk's office in Deed Book 1096 at Page 647 (copy enclosed) on July 21, 2011. Also as required by the aforementioned process, we provided the Commission with \$10,000 cash surety as well as a Deed of Merger.

We are requesting the Amendment because there has been interest from prospective buyers in our ability to offer additional lots for sale. However, we continue to proceed cautiously with our development's project expenses and cannot develop the entire phase at this time due to financial constraints discussed below. We note the Agreement was presented due to the difficulties and hardships on our business created during the "great recession"; namely, more stringent project financing requirements from our lenders (e.g. - lower loan to value ratios and appraisals which severally discount cash flow). Additionally, lenders are weary of providing acquisition and development (A&D) loans, and request complete underwriting and appraisals at each loan extension. This leads to land development loan concessions from the developer, including greater loan curtailments, increased equity contributions, removal of letter of credit facilities and higher interest rates. Also as mentioned, significantly lower loan-to-value ratios and appraised land values forced us to toll Phase 2. Because of these challenges detailed above, we are forced to revise our business model to seek alternative project funding sources. In turn, this requires us to proceed with larger developments such as Beallair into smaller segments to align with

THE WORMALD COMPANIES

6236 Corporate Drive, Suite 300, Frederick, MD 21709 | MD 401.695.6611 | Fax 401.695.6625

[www.wormald.com](http://www.wormald.com)

Patsy Noland, President  
Beallair Phase 2 Tolling Agreement Amendment  
April 18, 2012  
Page 2 of 2

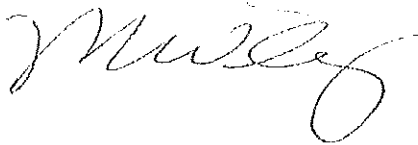
available cash for improvements. Given the consequences of the recession still impacting the Jefferson County real estate market, we believe it is likely these lender financing restrictions and land development business models will remain commonplace for some time.

With this Amendment, we acknowledge this is a one-time request, that the County will continue to retain the \$10,000 cash surety and Deed of Merger, and that any subsequent action on the Agreement would require a full release thereof, with a restoration of the Site Improvements bond at then-current prices. Therefore, we trust the enclosed will be considered favorably for approval by the Commissioners.

If you have any questions regarding any of the enclosed, please do not hesitate to contact me at your earliest convenience by telephone at (301) 695-6614 x204 or by email at [mike.wiley@wormald.com](mailto:mike.wiley@wormald.com).

Sincerely,

**BEALLAIR HOMES, LLC**



Michael T. Wiley, PE, PS  
Vice President

Encl.

cc: Edward E. Wormald  
Robert K. Wormald, Jr.  
Tom Kozeny  
Roger Goodwin, PE  
Becky Burns  
Stephanie Grove, Esq.  
Nichelle Adams Hosby  
Sandy Slusher McDonald  
File: BA-2,1.1/6.2.9.2

**FIRST AMENDMENT  
TO  
AGREEMENT REGARDING BONDING OBLIGATIONS AND  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS**

**Beallair Phase 2 Subdivision**

**THIS FIRST AMENDMENT TO AGREEMENT REGARDING BONDING OBLIGATIONS AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS** (this "First Amendment to Agreement") is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2012, by **BEALLAIR HOMES, LLC** ("Declarant"), and the **COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA** (the "County Commission").

**WHEREAS**, Declarant entered into an agreement entitled "*AGREEMENT REGARDING BONDING OBLIGATIONS AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS*" (the "Agreement"); said Agreement was subsequently recorded in the Jefferson County Clerk's Office in Deed Book 1096 Page 547 on July 21, 2011; and

**WHEREAS**, the Agreement contains covenants associated with Declarant's Land which has been legally subdivided (the "Subdivision") into Beallair Phase 2 Subdivision consisting of eighty-four (84) single family lots (the "Lots") pursuant to and in accordance with the subdivision ordinance of Jefferson County, West Virginia in effect on July 18, 1979 (the "Subdivision Ordinance"), and as shown on that certain plat entitled "Final Plat Showing Lots 50-133 and Residue Parcel A Beallair - Phase 2" recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Plat Book 23 Page 91 (the "Final Plat"); and

**WHEREAS**, in accordance with Section 2 (a) (i) of the Agreement, Declarant posted a cash surety with the County Commission, in the amount of \$10,000.00 (the "Site Stability Bond"); and

**WHEREAS**, due to moderate improvement in the economic conditions in the homebuilding industry, the Declarant would like to offer for sale certain Lots within the Subdivision, and, accordingly, is requesting that the County Commission modify one-time only, a portion of the Agreement for those certain Lots, while retaining the provisions of the Agreement for all remaining Lots within the Subdivision, until such time as the Declarant is ready to request a termination of the Agreement, and release the remaining Lots from the terms of the Agreement, so as to commence construction of the remaining Infrastructure Improvements; and

**WHEREAS**, as permitted within Section 9 of the Agreement, Declarant desires to modify Section 3 of the Agreement's "*Covenant Not to Commence Construction*" and Section 4 of the Agreement's "*Covenant Prohibiting Construction of Homes or Sale or Transfer of Lots*", one time only, for Lots 77 through 89, inclusive, within the Subdivision, by releasing said Lots (the "released Lots") from the aforementioned Agreement;

**WHEREAS**, in consideration of the County Commission's consideration of this First Amendment, Declarant hereby agrees to comply with all provisions of the County's Bonding Policy for the released Lots as outlined in Section 2 (b) (ii) and (iii) of the Agreement, and to retain all provisions of the Agreement for the Lots that will remain (the "remaining Lots") controlled by the Agreement;

**WHEREAS**, the County Commission has determined that it is in the best interests of Jefferson County to modify the Agreement one-time only, to permit sale and construction for the released Lots, and retain all provisions of the Agreement for the remaining Lots, until such time as the Declarant requests termination of the Declaration, and complies with all provisions of the Bonding Policy in order to commence construction of the Infrastructure Improvements for the remaining Lots, subject to the condition that Declarant execute and record this First Amendment to Agreement which shall run with the Land and be enforceable by the County Commission.

**NOW, THEREFORE**, in consideration of the premises and the covenants and agreements hereinafter set forth, Declarant declares as follows:

1. **Incorporation of Recitals; Defined Terms.** The foregoing recitals are hereby incorporated into this Declaration by this reference as if fully set forth herein. Capitalized terms used herein and not defined or cross-referenced herein shall have the meanings ascribed to such terms in the Subdivision Ordinance.
2. **Binding Effect.** The terms of this Declaration shall constitute covenants running with the land and shall bind the Land described herein and inure to the benefit of and be binding upon the Declarant and all parties having any right, title or interest in the Land (or any part thereof), their heirs, successors, successors-in-title and assigns. This Declaration is not intended to supersede, modify, amend, or otherwise change the provisions of any prior instrument affecting the land burdened hereby.
3. **Amendment of Agreements.** As a concession between Declarant and the County Commission, amendments to this First Amendment to Agreement, and subsequent amendments to the Agreement will not be permitted. However, Declarant shall retain the rights of termination of the Agreement as

outlined therein by complying with the Bonding Policy and restoring the Infrastructure Bond for the remaining Lots.

4. **Declaration Shall Continue Notwithstanding Breach.** It is expressly agreed that no breach of this Declaration shall entitle the Declarant to cancel, rescind, or otherwise terminate this Declaration.
5. **Term of this Declaration.** This Declaration shall be effective as of the date first above written and shall continue in full force and effect.
6. **Term of the Previous Agreement.** All terms and provisions within the aforementioned Agreement, recorded at the Jefferson County Clerk's office, dated July 21, 2011, Book 1096, Pg. 547, shall continue in full force and effect only for the remaining Lots (lots 50-76, lots 90-133 & Residue Parcel A of the Beallair Subdivision, Phase 2).
7. **Recordation.** This First Amendment to Agreement shall be recorded in the Office of the Clerk of the Jefferson County Commission in both the name of the developer and the project name. It shall be the Declarant's responsibility to record the agreement and provide the Bonding Administrator with confirmation of such recordation in the form of the deed book and page number reference.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

Beallair Phase 2

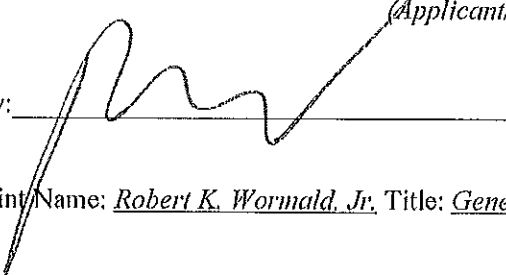
(Subdivision Name)

Jefferson County Planning Commission File No. 05-41

Robert K. Wormald, Jr., General Manager, Beallair Homes, LLC

(Applicant/Developer Name)

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



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

4/16/12

Print Name: Robert K. Wormald, Jr. Title: General Manager

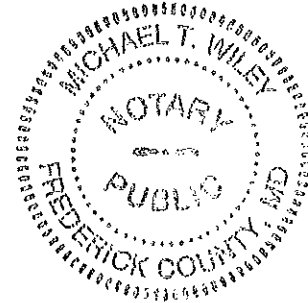
**(Notary Certification Shall Be On The Same Page As The Signatures Being Notarized)**

STATE OF MARYLAND, COUNTY OF FREDERICK, to wit:

I Michael T. Wiley, a Notary Public in and for the State and County aforesaid, do hereby certify that Robert K. Wormald, Jr., as General Manager of Beallair Homes, LLC whose name is signed to the foregoing, this day personally appeared before me in my State and County aforesaid and acknowledged their signatures above (and the Corporate Seal as the genuine Seal of the said corporation).

Given under my hand this 16<sup>th</sup> day of April, 2012.

Michael T. Wiley



My Commission Expires: 10/28/2013

COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

By: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Print Name: Patricia A. Noland, President, Jefferson County Commission

**(Notary Certification Shall Be On The Same Page As The Signatures Being Notarized)**

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, to wit:

I \_\_\_\_\_, a Notary Public in and for the State and County aforesaid, do hereby certify that \_\_\_\_\_ and \_\_\_\_\_, as \_\_\_\_\_ and \_\_\_\_\_, respectively of the \_\_\_\_\_, whose names are signed to the foregoing, this day personally appeared before me in my State and County aforesaid and acknowledged their signatures above (and the Corporate Seal as the genuine Seal of the said corporation).

Given under my hand this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Jennifer S. Maghan  
Clerk, County Commission of Jefferson County, WV

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

Name: Randy Hilton

Department or Entity: Friends of Happy Retreat

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: 4/26/12

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

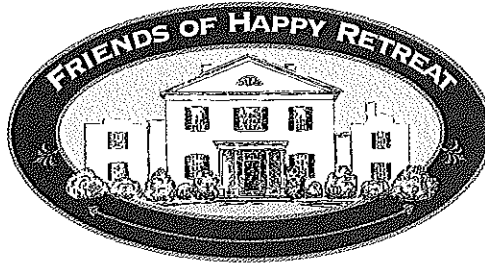
If a specific date is needed, please provide reason for specific date:

Subject: Request for funding in the amount of \$5,000

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

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

Attachments:



Jefferson County Commission  
124 E. Washington Street  
Charles Town, WV 25414

February 16, 2012

Dear Members of the County Commission:

The Washington Homes Tour, sponsored by the Friends of Happy Retreat Board of Directors, has been a successful annual event for the past four years. The one day event has attracted 400 – 500 + visitors the day of the tour since its inception. The tour has become one of the largest one day heritage tourism events showcasing the Washington Family history and heritage of Jefferson County. Tour attendance comes from local, in state and out of state sources with our draw and outreach expanding every year.

The amazing success of the tour is wonderful, but we are outgrowing the ability of our Board of Directors to manage this event without more involvement of other groups and governmental entities. We have been fortunate to have many sponsors over the last four years, including the City of Charles Town; Jefferson County Convention and Visitors Bureau; Ranson Convention and Visitors Bureau; The Guild of Professional Tour Guides of Washington DC; American Public University; Bank of Charles Town; Jefferson Historical Society; Wormald Companies; Allstate Insurance, the Kohlhepp Agency; Hoxton Financial Services; United Bank; BB&T Shepherdstown; Blue Ribbon Property Management; Sherwin Williams; C.T. Carpet One Floor & Home; Charles Town Holiday Inn Express; Quality Hotel Conference Center; Reese's Nursery and Landscaping; Valley Homes and Style; The Observer; Roth Design. In addition to sponsors, we have had local businesses support the tour such as Albert & Arnolds Wine and Cheese Shop and Best Cookies.com and we partner with the Shepherd University Department of Music and Historic Preservation for the success of the tour.

Project management of the tour to include, planning, coordination, communication, advertising, scheduling and day of onsite requirements require hundreds of hours of donated volunteer labor. Upwards of 65 volunteers are required to make the one day event a success with the majority of the volunteers required the day of the tour as docents to share the heritage and history of the homes and surrounding area with visitors.

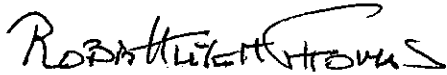
The Washington Homes Tour brings hundreds of people to our county. We would like the County Commission to acknowledge the importance of continuing this event as a major heritage tourism event and we believe it is appropriate for the County Commission to help sponsor and fund the event. For this reason, we are asking \$5,000.00 from the County Commission. The funds will be used to expand our advertising which is key in continued expansion of our advertising outreach and solicit the services of a qualified individual to assist in project management activities of the tour.

RECEIVED

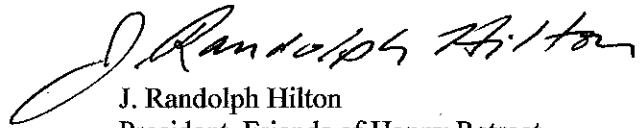
Our goal is to "raise the bar" and level of professionalism of the tour and to expand our advertising outreach. Funding is required to achieve our goals and it is important that we have a set base of funds to start planning with and add to those funds with sponsorships from other sources.

We hope you will give thought and consideration to our request and if you have not had the opportunity to join us on the tour, we are available to give you a more in depth view of what is required in planning and implementing the tour as well as what goes on the day of the tour.

Thank you for your consideration of our request.



Robin Huyett Thomas  
Chair, Washington Homes Tour  
Board Member, Friends of Happy Retreat



J. Randolph Hilton  
President, Friends of Happy Retreat



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

Name: Paul Shroyer, Financial Director

Department or Entity: Commission

Estimation of amount of time needed for appointment: 10 min.

Date Requested – 1<sup>st</sup> Choice: 4/19/12 4-26-12

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

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

Subject: **Review and Discussion on the IT Help Desk Staff Policy**

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

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

Attachments:

new

## IT Help Desk Support Staff Policy

### Effective Date of Policy:

This written policy supersedes all previous verbal discussions with IT Help Desk Support Personnel and the Director of Financial Management. Changes stated in this written policy shall become effective immediately upon approval by the County Commission.

### Change of Departments:

Effective with the April 12, 2012 Payroll, IT Help Desk Personnel were transferred from Dept #422 to Dept. #401.

### Supervision of Staff:

IT Help Desk Personnel will report directly to the Director of Financial Management. In the absence of that supervisor, IT Help Desk Personnel shall report to the Assistant County Administrator or the County Administrator.

### Normal Working Hours:

The normal duty hours of IT Help Desk Staff shall be day shift when other county offices are open and assistance can be provided to those offices. Flex time will be allowed when special request are made of the Help Desk and deviation from the normal hours of the Courthouse are required; Flex Time is restricted to the hours of 6 AM through 6 PM unless otherwise approved by supervisory personnel.

### Compensatory Hours Worked:

As required by WV State Code; all compensatory time over the normal (40) hours week shall be taken off within the current pay period but not later than the next regular pay period. No compensatory time shall be carried forward beyond the next regular pay period.

### Primary Responsibility of IT Help Desk Personnel:

The primary responsibility of IT Help Desk Personnel will be the completion of work request made to the Help Desk by County Offices. Those work request are to be completed on a priority basis as judged by IT Help Desk Personnel. Any question of priority shall be discussed with supervisory personnel as listed above.

### Working from a Remote Location:

Any work performed from a remote location shall be considered part of the normal (40) hour work week. Supervisory personnel shall be notified of all work performed from a remote location.

### Special Projects:

IT staff may assist with special projects of other County Departments with the approval supervisory personnel. Work on special projects should be on the basis of Project Planning or IT needs of the project. Assistance with Special Projects shall be on a short term basis, hours not days, and shall be discussed with supervisory personnel before becoming involved with Special Projects. In no case shall assistance with Special Project come before the primary duties of IT Help Desk Personnel as state above.

**Assistance to other departments:**

IT staff may assist other County Departments with the approval supervisory personnel. Work with other county departments shall on the basis of Project Planning or IT needs of the project. Assistance to other county departments shall be on a short term basis, hours not days, and shall be discussed with supervisory personnel before committing to any assistance to other county departments. In no case shall assistance to other county departments come before the primary duties of IT Help Desk Personnel as state above.





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

Name: Paul Shroyer, Financial Director

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: 4/26/12

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

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

Subject: Capital Project Evaluation and Cost Sheet Packet

Approval of IBR#s: 1009, 1010 and 1011

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **move to approve Internal Budget Revisions # 1009, 1010 and 1011**

Attachments:

Capital Project Evaluation and Cost Sheet Packet

**Planning:**

A Capital Project Evaluation, Cost Sheet and Narrative needs to be prepared for each Capital Project Request submitted to the County Commission for consideration.

**Various Considerations:**

Each Consideration list (4) brief topics to be considered in the Evaluation. If you need to change a topic to better fit the Evaluation of your proposed project, feel free to make changes. (This work sheet if prepared in Excel Software)

**Cost Sheet:**

Each project submitted for consideration must have a Cost Sheet Attached. Please try make the cost estimates as accurate as possible.

**Narrative:**

The narrative should explain the various consideration you want the commission to make in their evaluation of the project. The narrative should also address the cost and benefits of the project if approved.

(This form is prepared in Excel Software)

Capital Project Narrative

Benefits of this projects:

--

Cost verses Benefit of this Project:

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Capital Projects Evaluation Sheet

This worksheet list various considerations to be made in the process of approving expenditures from the Capital Outlay Fund. Any part of a consideration used to rate the capital project request submitted will be assigned a point value between (0) and (5) for rating the value of the project. The total value of the various consideration rated will be a consideration in the approval of all Capital Projects. Rating should be supported by the attached narrative. This form is formatted in Excel Software, if you need to change the wording in any cell of a Consideration to make a better point about your propose project, please free to change this form.

**Consideration #1: Cost Reduction of Current Operations:**

The cost of this project would be recovered in cost savings in (2) years?	The cost of this project would be recovered in cost savings in (3) years?	The cost of this project would be recovered in cost savings in (4) years?	The cost of this project would be recovered in cost savings in (5) years?		
Rating by submitter					Total 0
Rating by Commission					Total 0

**Consideration #2: Needed replacement for a current capital asset:**

Asset has been in service for (3) years, served it's useful life, and needs replaced.	Asset has been in service for (4) years, served it's useful life, and needs replaced.	Asset has been in service for (5) years, served it's useful life, and needs replaced.	Asset has been in service more than (5) years, served it's useful life, and needs replaced.		
Rating by submitter					Total 0
Rating by Commission					Total 0

**Consideration #3: New technology to better serve the public.**

This project would provide better access to county records for the public through computer technology.	This project would allow for quicker service to the public through computer technology.	This project would provide for a larger data base of information for public access.	This project is would reduce the time required to access and evaluate data.		
Rating by submitter					Total 0
Rating by Commission					Total 0

**Consideration #4: Capital Improvement Project-Office Space:**

Additional office space is needed due to additional Staff requirements.	Changes are needed in current office space to provide for more service contact points with the public.	Changes are needed in current office space to provide better traffic flow for the public "in" and "out" of the office service area.	Volume of work handled by the department has increased to the point additional space is needed.		
Rating by submitter					Total
					0
Rating by Commission					Total
					0

**Consideration #5: Additional Office Space needed due to county growth:**

Additional office space in needed to relocate Complete departments	Consolidated departments in one location would provide better service to the public.	Some reduction in operation cost could be realized in a consolidated office complex.	Smaller office building could be sold to cover part of the cost of a larger office complex.		
Rating by submitter					Total
					0
Rating by Commission					Total
					0

**Consideration #6: New Capital Asset needed due to county growth, Equipment:**

Additional equipment is needed to service additional buildings and real property	Additional equipment will allow department to provide quicker service to our customers.	Assets needed at two locations.	Increase departmental activity requires the addition of an additional asset.		
Rating by submitter					Total
					0
Rating by Commission					Total
					0

**Project Cost Sheet  
Jefferson County, West Virginia**

**Briefly describe project:**

**Note: Use this one page cost sheet if all cost can be presented on one page. Otherwise use the tabs at the bottom of the page to access a full page to list Planning Cost, In house labor cost, Contract Labor Cost, and Hardware and Material Cost. The cost from those pages will carry forward to this page.**

**Planning Cost:**

	Activity:	Hourly rate	Hours req	Cost
1				
2				
3				
4				
5				
	<b>Total from Planning Cost Page:</b>			0

**In house labor cost:**

	Position	Hourly rate	Hours req	Cost
1				
2				
3				
4				
5				
	<b>Total from In House Labor Page:</b>			0

**Contract Labor Cost:**

	Company Name:			Cost
1				
2				
3				
4				
5				
	<b>Total from Contract Labor Page:</b>			0

**Hardware & Materials Cost:**

	Item description:	Item cost	Items Req'd	Cost
1				
2				
3				
4				
5				
	<b>Total from Contract Labor Page:</b>			0

	<b>Total Project Cost</b>		\$	0
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**Project Cost Sheet**  
**Jefferson County, West Virginia**

<b>Total Planning Cost:</b>				\$	0
<b>Planning Cost:</b>					
	<b>Activity:</b>		<b>Hourly rate</b>	<b>Hours req</b>	<b>Cost</b>
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**Project Cost Sheet  
Jefferson County, West Virginia**

**Total In House Labor Cost**

\$

0

**In house labor cost:**

	Position	Hourly rate	Hours req	Cost
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**Project Cost Sheet  
Jefferson County, West Virginia**

Total Contract Labor Cost				\$	0
<b>Contract Labor Cost:</b>					
	<b>Company Name:</b>				<b>Cost</b>
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**Project Cost Sheet**  
**Jefferson County, West Virginia**

**Total cost Hardware & Materials**

\$

0

**Hardware & Materials Cost:**

	<b>Item description:</b>	<b>Item cost</b>	<b>Items Req'd</b>	<b>Cost</b>
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Topic: Budget Revision, IBR 1009

Requested by: E-911 Center

Processed by: Paul Shroyer

Presented to County Commission: 4/26/2012

Change requested: Realign Current Funding

The E-911 Center is requesting budget adjustments to reduce salary & wage appropriations by \$13,500, Insurance appropriations by \$12,000, and Maintenance & repair Auto by \$4,700.

From those adjustments the E-911 Center is requesting to increase overtime \$20,000, part time help \$5,000, training & education \$3,200 and contractual service \$1,500.

These adjustments are being made from within the existing budget and no additional funding is required.



Topic: Budget Revision, IBR 1010

Requested by: Jefferson County Assessor

Processed by: Paul Shroyer

Presented to County Commission: 4/26/2012

Change requested: Realign Current Funding

The Assessor is requesting the transfer of \$500.00 from Maintenance and Repair to Contractual Services. This transfer is necessary to cover the monthly cost of the new copier placed in Assessor's Office as part of the copiers replacement program.



Topic: Budget Revision, IBR 1011

Requested by: Jefferson County Sheriff/Animal Control

Processed by: Paul Shroyer

Presented to County Commission: 4/26/2012

Change requested: Realign Current Funding

For Dept 716, Animal Control, the Sheriff is requesting an increase in Professional Services by \$3,000 and a reduction of \$1,000 in Maintenance and Repair Automotive, \$1,000 in Automotive Supplies, and \$1,000 in Uniforms.

This budget request is a realignment of current funding and requires no additional funding.



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

Name: Paul Shroyer, Financial Director

Department or Entity: County Commission

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

Date Requested – 1<sup>st</sup> Choice: 4/26/2012

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

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

Subject: Unclaimed Property Update

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

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

Attachments:

**Claim Form and Instructions**

<b>1</b>	Claimant's Individual - First & Last Name OR Business <b>Jefferson County Commission</b>	<b>2</b>	Claimant's Mailing Address <b>P.O. Box 250</b>
<b>2a</b>	Claimant's Street Address <b>124 E. Washington Street</b>	<b>3</b>	City State Zip <b>Charles Town WV 25414</b>
<b>4</b>	Claimant's Phone No. & Email Address - If applicable <b>(782-3282) 782-3282</b>	<b>5</b>	Claimant's Social Security # OR Business FEIN _____
<b>6</b>	Was yours the listed name? YES <input checked="" type="checkbox"/> or NO <input type="checkbox"/> (check one) - If NO, Print the Listed Name:	<b>7</b>	Is the Owner Deceased? Yes or No (circle one) - If Yes what is the status of the estate? Open, Closed, or Never Opened (circle one)  - If Open print the Administrators Name:

The following must be included with this form: (We may require additional information on ANY claim submitted)

- Copy of Driver's License or other valid photo identification &
- Copy of Social Security Number
- If the owner is deceased: copy of Death Certificate
- Open Estate: Copy of Letters of Administration
- Closed Estate: Copy of Will, if any, and all estate documents
- Never Opened: Estate Declaration & Table of Heirship

If you have any questions filing this claim, please follow the instructions on the next page



Under penalty of perjury, each of the undersigned claimants agrees to the following: that all the information on this form and the attachments is true and complete; that, to the best of his/her knowledge, he/she has a legal or equitable interest in abandoned property being held by the State of West Virginia Treasurer; that he/she will only accept payment of property to which he/she is entitled under the West Virginia Unclaimed Property Act; that will immediately return any property to which he/she becomes aware that he/she is not entitled; and will indemnify and hold harmless the Unclaimed Property Division, the State Treasurer's Office, their officers and employees, and the State of West Virginia against claims to the property by another claimant.

Claimant Signature(s): (all claimants must sign and have notarized)

\_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

Subscribed and sworn to before me \_\_\_\_\_ Day of \_\_\_\_\_

State WV County \_\_\_\_\_ My Commission Expires \_\_\_\_\_

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

Notary Stamp

**Federal Privacy Notice Act:** Providing your Social Security number (SSN) is optional, however, if you choose not to provide your SSN, there may be insufficient information available to determine whether you are the owner of the unclaimed property held by the Division.

**Exception:** SSNs must be provided on a W-9 form by recipients of interest-bearing or security-related instrument property. The Division is required to report names and SSNs of recipients of certain types of payments to the Internal Revenue Service (IRS). If your payment includes interest paid to you, you will receive an IRS 1099INT form. If you received cash as the result of security related transaction, you will receive an IRS 1099B form. If your payment included any accrued cash dividends on securities, you will receive an IRS 1099MISC form. All IRS information tax reports are mailed during January following the end of the current calendar year. If you have any questions regarding your tax liability, please consult with an appropriate tax specialist.

If you provide your SSN, the Division will only disclose it to employees involved in paying your claim, to the federal government as required by law and in administering the Unclaimed Property Act.

For Office Use Only:

RFA: \_\_\_\_\_ PR: \_\_\_\_\_ CM/DUP: \_\_\_\_\_ FIMS: \_\_\_\_\_

Mail completed form to:

Office of State Treasurer  
 Unclaimed Property Division  
 Post Office Box 4228  
 Charleston, WV 25364

## Claim Form Instructions

**Box 1 - Claimant Name:** Print your name and provide a copy of your current driver's license (if out of state) or other valid photo identification. If your name has changed, please provide proof of the name change i.e. copy of marriage certificate, divorce decree, etc.

**Box 2 and 3 - Claimant's Address:** Print current mailing and/or street address. If this is a post office box please provide on the second line your street address i.e. Route 3 Sugar Grove Lane.

**Box 4 - Claimant Phone Number and email address:** Print primary contact phone number and email address if applicable.

**Box 5 - Claimant's Social Security Number (SSN) or Federal Employer Identification Number (FEIN):** if the property is in the name of an individual, claimant must provide SSN on the claim form and a copy of social security card or documentation with owner's name and SSN.

If the property is in the name of a business, claimant must provide proof of the business's FEIN in the form of a recent tax document, IRS 941 form, Workers Compensation Insurance documents or notification of FEIN from the IRS. Provide valid identification of the claimant i.e. unexpired photo identification and/or employee id signing the claim form.

In addition to the proof of FEIN one of the following is required:

A resolution or agreement indicating the claimant's authority to claim the property on behalf of the business, or Recent federal income tax filing or copy of Secretary of State's office filing, indicating the level of authority of the claimant signing the claim form. The filing must show that the claimant signing the claim form has authorization to claim this account on behalf of the company.

**Box 6 - Was yours the listed name?:** if you are the listed name, circle YES. If you circled NO please provide the following: A copy of the Power of Attorney or other documentation showing your authority to file on their behalf. Also, send a copy of the owner's identification that discloses their SSN and other proof of identification i.e. insurance card or voter's registration card. If the owner is a minor, provide a copy of their state birth certificate and SSN.

**Box 7 - Owner Deceased:**

If you are claiming for a deceased owner and an estate is open, circle OPEN, then print name of estate administrator or executrix. Only the Administrator or Executrix may claim for an estate; payments are made to an Estate in care of the Administrator or Executrix.

If an estate is closed, circle CLOSED and send a copy of the Estate documents and the Will, if any.

If an estate was never opened, circle NEVER OPENED and send an Estate Declaration Form and Table of Heirship.

For both open and closed estates provide a copy of the death certificate, documentation of SSN of the owner if it is not on the death certificate, copy of the Will document, copy of the Final Distribution of Estate, if applicable and a completed W-9 form. If there is a surviving spouse noted on the death certificate also provide a copy of their SSN and unexpired driver's license.

**Note:** If the claimant is the surviving spouse the Estate Declaration Form is not required.

Claimant must provide proof of estate's FEIN in the form of a recent tax document or IRS notification.

For those that complete a W-9 form the 1099 forms that generate annually will be completed with the claimants' SSN and signatures that are provided with their claim. For example, if there are four claimants and only one W-9 form completed then that claimant will be responsible for the tax consequences for the total amount of the applicable property. See the Federal Privacy Notice Act on the front of the Claim Form page with applicable property types.

If you can not provide documentation as requested, please attach a letter explaining why you are entitled to this property or any special circumstances that may apply to this claim.



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

Name: John Reisenweber on behalf of JCDA Board of Directors

Department or Entity: Jefferson County Development Authority

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: April 26, 2012

Date Requested – 2<sup>nd</sup> Choice: May 3, 2012

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

Subject: **The 2009 Ag Development Grant**

**The JCDA office renovation**

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):

N/A



State of West Virginia  
DEPARTMENT OF AGRICULTURE  
Gus R. Douglass, Commissioner

Janet L. Fisher  
Deputy Commissioner

Bob Tabb  
Deputy Commissioner

Steve Miller  
Assistant Commissioner

April 17, 2012

Mr. John Reisenweber  
Jefferson County Development Office  
150 East Burr Blvd., First Floor  
Kearneysville, WV 25430

RE: Jefferson Co. Development Authority

Dear Mr. Reisenweber:

It is unfortunate that circumstances have resulted in legal actions taken to date that have become a distraction in accomplishing our mutual goals for the development of farmers' markets in the Eastern Panhandle. It is the desire of the West Virginia Department of Agriculture (WVDA) to bring closure to the West Virginia Farmers' Market Matching Funds Grant AGREEMENT # 2009FM01 relating to the Jefferson County Development Authority's development of the Farmers' Market at Bardane project.

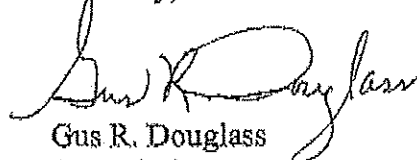
At your request, the WVDA is proposing an out of court settlement consisting of the following:

- 1) The matching fund participants made up of local farmers and groups be wholly reimbursed for their contributions with submittal of proof of reimbursement;
- 2) The Farm Bureau be wholly reimbursed for their contribution with submittal of proof of reimbursement;
- 3) Return of \$10,000 to the WVDA;
- 4) Remaining funds in the Matching Fund program, if any, will be spent in support of local farmers' market initiatives and will remain with the Jefferson County Development Authority (JCDA) with accounting responsibility to the WVDA from the JCDA Agriculture Development Officer on a quarterly basis.

Mr. John Reisenweber  
Jefferson County Development Office  
April 17, 2012  
Page 2

If the terms of the agreement are acceptable, the WVDA will discontinue legal proceedings against the Jefferson County Development Authority upon the above conditions being agreed to and met. We request a response from you and the JCDA no later than May 1, 2012 with indication of a time frame for resolution.

Sincerely,



Gus R. Douglass  
Commissioner

GRD/dw

**REGULAR TERM:**

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

At a Regular Term of the County Commission of said County and State continued and held at the Jefferson County Courthouse thereof on Thursday December 11, 2008 beginning at 9:30 o'clock a.m.

**PRESENT:** Frances B. Morgan; Commission President;  
A.M.S. (Rusty) Morgan, III; James Surkamp;  
C. Dale Manuel; Greg Corliss; Commissioners

**IN RE: PLEDGE OF ALLEGIANCE**

Commissioner Surkamp conducted the Pledge of Allegiance

**IN RE: APPROVAL OF MINUTES**

Motion by Manuel, second by Corliss to dispense with the reading of the Minutes for the meeting held on Thursday, December 4, 2008 and to approve the Minutes as presented. Motion carried.

**IN RE: APPROVAL OF PURCHASE ORDERS**

Motion by Manuel, second by Corliss to approve the following Purchase Orders for the week of December 11, 2008 totaling \$145,448.64: 42455, 46376, 46377, 46378, 46379, 46380, 46381, 46386, 46301, 45995, 45996, 45953, 46401, 46402, 45013, 46278, 46280, 46353, 46354, 46355, 46356, 46433, 46234, 46236, 46237, 46238, 46357, 46360 and 44548. Motion carried.

**IN RE: APPROVAL OF ACCOUNTS PAYABLE**

Motion by Corliss, second by Manuel to approve the list of Accounts Payable totaling \$143,198.01 dated December 11, 2008. Motion carried.

CK#	Dept	Vendor	PO#	PO Amt	Amt wo PO	Ck Amt
057504	425	ALLEGHENY POWER		\$0.00	\$451.15	\$451.15
057505	PAYROLL	AMERICAN FAMILY LIFE ICU		\$0.00	\$4,362.38	\$4,362.38
057506	711	ASSOC ST.FLOODPLAIN	46279	\$100.00	\$0.00	\$100.00
057507	PAYROLL	CHILD SUPPORT BUREAU		\$0.00	\$72.00	\$72.00
057508	425	B-K OFFICE SUPPLY INC	46345	\$886.79	\$0.00	\$886.79
057509	424	BOLAND SERVICES	45112	\$166.00	\$0.00	\$166.00
057509	425	BOLAND SERVICES	45112	\$427.00	\$0.00	\$427.00
057509	425	BOLAND SERVICES	45163	\$385.00	\$0.00	\$385.00
057510	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$49.85	\$49.85
057511	PAYROLL	BUREAU F/CHILD SPRT ENF		\$0.00	\$212.31	\$212.31
057512	401	CASTO & HARRIS INC		\$0.00	\$203.94	\$203.94
057513	402	COMPLETE SYSTEM SUPPORT	46207	\$301.24	\$0.00	\$301.24
057514	700	*CREAMERS AUTO SERVICE	46350	\$86.40	\$0.00	\$86.40
057515	425	CHARLES TOWN COPYING SRV	46344	\$14.40	\$0.00	\$14.40
057516	PAYROLL	CHILD SUPPORT ENFORCE AG		\$0.00	\$27.69	\$27.69
057517	700	COMPLETE AUTO REPAIR SRV	46352	\$1,117.58	\$0.00	\$1,117.58
057518	433	DELL MARKETING LP	42446	\$380.59	\$0.00	\$380.59
057519	425	DEHAVEN SEVEN-UP CORP		\$0.00	\$45.00	\$45.00
057520	PAYROLL	EQUITABLE THE EQUIVEST		\$0.00	\$15.00	\$15.00
057521	712	EARTHLINK INC		\$0.00	\$21.95	\$21.95
057522	424	J.C.EHRLICH		\$0.00	\$30.00	\$30.00
057522	425	J.C.EHRLICH		\$0.00	\$389.00	\$389.00
057523	700	EMERGENCY EQUIP,LIGHTING	46167	\$255.00	\$0.00	\$255.00

**REGULAR TERM:**

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

At a Regular Term of the County Commission of said County and State continued and held at the Jefferson County Courthouse thereof on Thursday December 11, 2008 beginning at 9:30 o'clock a.m.

**PRESENT:** Frances B. Morgan; Commission President;  
A.M.S. (Rusty) Morgan, III; James Surkamp;  
C. Dale Manuel; Greg Corliss; Commissioners

**IN RE: PLEDGE OF ALLEGIANCE**

Commissioner Surkamp conducted the Pledge of Allegiance

**IN RE: APPROVAL OF MINUTES**

Motion by Manuel, second by Corliss to dispense with the reading of the Minutes for the meeting held on Thursday, December 4, 2008 and to approve the Minutes as presented. Motion carried.

**IN RE: APPROVAL OF PURCHASE ORDERS**

Motion by Manuel, second by Corliss to approve the following Purchase Orders for the week of December 11, 2008 totaling \$145,448.64: 42455, 46376, 46377, 46378, 46379, 46380, 46381, 46386, 46301, 45995, 45996, 45953, 46401, 46402, 45013, 46278, 46280, 46353, 46354, 46355, 46356, 46433, 46234, 46236, 46237, 46238, 46357, 46360 and 44548. Motion carried.

**IN RE: APPROVAL OF ACCOUNTS PAYABLE**

Motion by Corliss, second by Manuel to approve the list of Accounts Payable totaling \$143,198.01 dated December 11, 2008. Motion carried.

CK#	Dept	Vendor	PO#	PO Amt	Amt wo PO	Ck Amt
057504	425	ALLEGHENY POWER		\$0.00	\$451.15	\$451.15
057505	PAYROLL	AMERICAN FAMILY LIFE ICU		\$0.00	\$4,362.38	\$4,362.38
057506	711	ASSOC ST.FLOODPLAIN	46279	\$100.00	\$0.00	\$100.00
057507	PAYROLL	CHILD SUPPORT BUREAU		\$0.00	\$72.00	\$72.00
057508	425	B-K OFFICE SUPPLY INC	46345	\$886.79	\$0.00	\$886.79
057509	424	BOLAND SERVICES	45112	\$166.00	\$0.00	\$166.00
057509	425	BOLAND SERVICES	45112	\$427.00	\$0.00	\$427.00
057509	425	BOLAND SERVICES	45163	\$385.00	\$0.00	\$385.00
057510	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$49.85	\$49.85
057511	PAYROLL	BUREAU F/CHILD SPRT ENF		\$0.00	\$212.31	\$212.31
057512	401	CASTO & HARRIS INC		\$0.00	\$203.94	\$203.94
057513	402	COMPLETE SYSTEM SUPPORT	46207	\$301.24	\$0.00	\$301.24
057514	700	*CREAMERS AUTO SERVICE	46350	\$86.40	\$0.00	\$86.40
057515	425	CHARLES TOWN COPYING SRV	46344	\$14.40	\$0.00	\$14.40
057516	PAYROLL	CHILD SUPPORT ENFORCE AG		\$0.00	\$27.69	\$27.69
057517	700	COMPLETE AUTO REPAIR SRV	46352	\$1,117.58	\$0.00	\$1,117.58
057518	433	DELL MARKETING LP	42446	\$380.59	\$0.00	\$380.59
057519	425	DEHAVEN SEVEN-UP CORP		\$0.00	\$45.00	\$45.00
057520	PAYROLL	EQUITABLE THE EQUIVEST		\$0.00	\$15.00	\$15.00
057521	712	EARTHLINK INC		\$0.00	\$21.95	\$21.95
057522	424	J.C.EHRLICH		\$0.00	\$30.00	\$30.00
057522	425	J.C.EHRLICH		\$0.00	\$389.00	\$389.00
057523	700	EMERGENCY EQUIP,LIGHTING	46167	\$255.00	\$0.00	\$255.00

057527	711	FIFTH THIRD BANK	46277	\$42.00	\$0.00	\$42.00
057527	402	FIFTH THIRD BANK		\$0.00	\$29.95	\$29.95
057527	413	FIFTH THIRD BANK		\$0.00	\$87.72	\$87.72
057527	413	FIFTH THIRD BANK		\$0.00	\$109.25	\$109.25
057527	413	FIFTH THIRD BANK		\$0.00	\$247.84	\$247.84
057527	413	FIFTH THIRD BANK		\$0.00	\$110.17	\$110.17
057527	433	FIFTH THIRD BANK		\$0.00	\$12.66	\$12.66
057527	700	FIFTH THIRD BANK		\$0.00	\$275.57	\$275.57
057527	700	FIFTH THIRD BANK		\$0.00	\$788.28	\$788.28
057527	711	FIFTH THIRD BANK		\$0.00	\$447.63	\$447.63
057527	711	FIFTH THIRD BANK		\$0.00	\$54.34	\$54.34
057527	712	FIFTH THIRD BANK		\$0.00	\$14.95	\$14.95
057527	712	FIFTH THIRD BANK		\$0.00	\$160.11	\$160.11
057527	712	FIFTH THIRD BANK		\$0.00	\$75.00	\$75.00
057527	712	FIFTH THIRD BANK		\$0.00	\$352.36	\$352.36
057527	712	FIFTH THIRD BANK		\$0.00	\$8.00	\$8.00
057527	712	FIFTH THIRD BANK		\$0.00	\$14.30	\$14.30
057527	712	FIFTH THIRD BANK		\$0.00	\$146.82	\$146.82
057527	716	FIFTH THIRD BANK		\$0.00	\$52.99	\$52.99
057528	425	GRAINGER, INC	46347	\$126.24	\$0.00	\$126.24
057529	PAYROLL	ING		\$0.00	\$410.00	\$410.00
057530	700	JEFF CO DEPUTY SHERIFF'S		\$0.00	\$779.95	\$779.95
057530	700	JEFF CO DEPUTY SHERIFF'S		\$0.00	\$18.25	\$18.25
057531	402	JEFFERSON PUBLISH CO INC	46385	\$321.53	\$0.00	\$321.53
057531	439	JEFFERSON PUBLISH CO INC	46426	\$286.78	\$0.00	\$286.78
057532	425	JEFFERSON RENTAL	46346	\$75.00	\$0.00	\$75.00
057533	413	JEFFERSON UTILITIES INC		\$0.00	\$20.12	\$20.12
057533	425	JEFFERSON UTILITIES INC		\$0.00	\$261.61	\$261.61
057534	712	DR ROBERT JONES		\$0.00	\$1,000.00	\$1,000.00
057535	PAYROLL	JEFFERSON SECURITY BANK		\$0.00	\$4,919.00	\$4,919.00
057536	439	LORMAN EDUCATION SERVICE	46434	\$366.00	\$0.00	\$366.00
057537	PAYROLL	COMPTROLLER OF MARYLAND		\$0.00	\$548.33	\$548.33
057538	424	VERIZON BUSINESS		\$0.00	\$1,111.31	\$1,111.31
057539	PAYROLL	MD Child Support Account		\$0.00	\$140.00	\$140.00
057540	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$765.21	\$765.21
057541	711	NAT'L EMERGENCY MGMT ASS	45609	\$200.00	\$0.00	\$200.00
057542	402	PIPER OFFICE SUPPLY, INC	46202	\$32.70	\$0.00	\$32.70
057543	712	PSYCHOLOGICAL HEALTH ASS	46253	\$375.00	\$0.00	\$375.00
057544	712	PUBLIC SAFETY CENTER INC	45986	\$2,000.00	\$0.00	\$2,000.00
057544	712	PUBLIC SAFETY CENTER INC	46254	\$129.75	\$0.00	\$129.75
057545	700	PAMELA PATTERSON	46166	\$541.65	\$0.00	\$541.65
057546	424	ROACH OIL COMPANY		\$0.00	\$302.21	\$302.21
057546	425	ROACH OIL COMPANY		\$0.00	\$507.16	\$507.16
057547	405	TRACY P. RICE, CCR	46235	\$51.00	\$0.00	\$51.00
057548	425	RCS SECURITY	46349	\$5,817.00	\$0.00	\$5,817.00
057549	700	JOHN E. REID & ASSOC	46169	\$200.00	\$0.00	\$200.00
057550	700	ROY'S SERVICES CENTER	46348	\$150.00	\$0.00	\$150.00

057553	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$31,921.00	\$31,921.00
057553	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$39.23	\$39.23
057553	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$23.81	\$23.81
057554	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$16.40	\$16.40
057555	406	SHEETZ FLEET FUELING		\$0.00	\$261.07	\$261.07
057555	424	SHEETZ FLEET FUELING		\$0.00	\$631.38	\$631.38
057555	440	SHEETZ FLEET FUELING		\$0.00	\$257.26	\$257.26
057555	700	SHEETZ FLEET FUELING		\$0.00	\$5,731.31	\$5,731.31
057555	711	SHEETZ FLEET FUELING		\$0.00	\$128.77	\$128.77
057555	712	SHEETZ FLEET FUELING		\$0.00	\$276.08	\$276.08
057555	716	SHEETZ FLEET FUELING		\$0.00	\$376.31	\$376.31
057556	425	SHERWIN-WILLIAMS	46312	\$28.71	\$0.00	\$28.71
057557	425	SHENANDOAH VALLEY WATER		\$0.00	\$451.50	\$451.50
057558	700	THOMASSEN FORD MERCURY	46351	\$181.28	\$0.00	\$181.28
057559	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51
057560	425	HAGEMEYER	46314	\$3,045.87	\$0.00	\$3,045.87
057561	402	UNITED SYSTEMS & SOFTWARE		\$0.00	\$195.00	\$195.00
057561	403	UNITED SYSTEMS & SOFTWARE		\$0.00	\$167.00	\$167.00
057562	716	KETCH-ALL COMPANY	46111	\$292.00	\$0.00	\$292.00
057563	PAYROLL	CHASE BANK TEXAS		\$0.00	\$100.00	\$100.00
057564	712	PANHANDLE ACCIDENT RECON	46255	\$1,800.00	\$0.00	\$1,800.00
057565	716	VALLEY PET CEMETERY		\$0.00	\$461.70	\$461.70
057566	712	VERIZON		\$0.00	\$114.50	\$114.50
057567	402	XEROX CORPORATION	45583	\$527.18	\$0.00	\$527.18
<b>TOTALS</b>					<b>\$22,631.28</b>	<b>\$120,566.73</b>

**IN RE: LEGISLATIVE ISSUES**

Commissioner F. Morgan reported on the Legislative Regional Meeting she attended where the following topics were discussed: Regional Jail fees, Community Corrections alternatives, the "ICE" program, House and Senate Committee assignments and Annexation matters.

**IN RE: BONDING AND ACTIVITY REPORT**

- JEFFERSON COUNTY JUDICIAL BUILDING - PRELIMINARY PROJECT BUDGET
- TASK UPDATE

Kirk Davis, Interim Planning Director appeared before the Commission to provide an update on Jefferson County construction and building projects.

Mr. Davis presented the Commission with a campus construction status report including expenses for downtown buildings.

Mr. Davis reported on the specifications of the Rockwell Construction contract for renovations being made to the Mason Building. Motion by Manuel, second by Corliss to approve the Rockwell Construction Contract Agreement as presented. Motion carried.

Mr. Davis discussed security measures being implemented for the Probation Office.

Mr. Davis provided the Commission with a draft expenditure report for the Judicial Center upgrades as well as a letter from Judge Sanders regarding Judicial Center space allocation. The Commission requested Mr. Davis provide a cost analysis of Judicial Center renovations.

Mr. Davis provided the Commission with a proposed purchasing policy and budget management projections.

Mr. Davis provided a status report for the Grand Opening Celebration for the new Sheriff's Office and Communications Center projected for spring 2009. Commissioner Corliss discussed ideas for the Sheriff's Office and Communications Center Grand Opening celebration.

Mr. Davis reported on the purchase of new signage for the George Street entrance of the Jailhouse Annex.

**IN RE: APPROVAL OF CONTRACTOR AGREEMENT - ROCKWELL CONSTRUCTION - ENGINEERING DEPARTMENT**

This matter was discussed under agenda item, "Bonding and Activity Report: Jefferson County Judicial Building - Preliminary Project Budget and Task Update".

**IN RE: REVIEW OF 911 CENTER AND LAW ENFORCEMENT OPEN HOUSE PLANS WITH RESPECT TO FUNDS FOR THIS ACTIVITY BEING REDUCED FROM \$3,000 TO \$1,200 WITH TWO COMMISSIONERS VOTING FOR NO MORE THAN \$500, AS WELL AS THE RATIONALE FOR ORDERING OF 600 ENGRAVED INVITATIONS WITH RIBBONS**

This matter was discussed under agenda item, "Bonding and Activity Report: Jefferson County Judicial Building - Preliminary Project Budget and Task Update".

**IN RE: PUBLIC COMMENT**

Paul Rosa appeared before the Commission to request that the Commission consider hosting an Open Meetings Law Seminar with Mr. Brewer from the WV Ethics Commission in January 2009.

**IN RE: JANE PETERS - DEVELOPMENT AUTHORITY UPDATE**

Jane Peters, Development Authority Director appeared before the Commission for a Development Authority update.

Ms. Peters reported on current Economic Development projects, initiatives and marketing strategies to promote business development. Ms. Peters provided an update on commercial, business and agriculture growth within Jefferson County and provided the Commission with copies of the Fall 2008 Development Authority newsletter.

On behalf of the Development Authority Board, Ms. Peters read aloud a Resolution recently adopted by the Board in support of the year round Farmer's Market.

**RESOLUTION**

*Whereas, the Jefferson County Development Authority supports the development of a broad range of business and industry; and,*

*Whereas, the agriculture industry has historically been a significant part of the economy of Jefferson County; and,*

*Whereas, the Jefferson County Development Authority has encouraged the retention and growth of agriculture in Jefferson County through the establishment of an Agriculture Development Program and the employment of a competent and experienced Agriculture Development Officer; and,*

*Whereas, the success and positive impact of the current seasonal Farmers Market Program has convinced the Board that an expanded year round program with additional services could be critical to the enhancement and preservation of our rural-agricultural economy; and,*

*Whereas, the enhancement and preservation of a rural-agricultural economy results in the preservation of open space and farm land; and,*

*Whereas, the Jefferson County Development Authority has expressed its support for the application of Jefferson County for a grant to the West Virginia Department of Agriculture develop such a facility by making a commitment of \$10,000.00 as part of the required local match;*

*Therefore, be it resolved that the Jefferson County Development Authority supports this project and urges the Jefferson County Commission to make a commitment of funds in the amount of \$30,000.00 necessary to complete the local match and allow the application to the West Virginia Department of Agriculture.*

*Resolved unanimously by the Board of Directors of the Jefferson County Development Authority on December 9, 2008.*

/s/  
William H. Cheslev, President



Motion by Surkamp to allocate \$20,000.00 for the WV Farmer's Market Grant Program, amended second by Manuel that \$30,000.00 is allocated for the WV Farmer's Market Grant Program as presented by Ms. Boles, Agriculture Development Officer.

Mr. Jim Huyett appeared before the Commission to express his support for the year round Farmer's Market. Mr. Huyett provided his opinion on the proposed year round farmer's market and reported on product processing and distribution expenses. Mr. Huyett discussed the availability of year round farmer's markets in neighboring states and reported on local marketing strategies for Jefferson County.

Motion by Corliss, second by Surkamp to allocate \$30,000.00 for the WV Farmer's Market Grant Program to include grant contingencies for land and building expenses.

Motion by R. Morgan to postpone voting on this matter due to other financial responsibilities currently pending. Motion died due to lack of a second.

Earlier motion by Corliss, second by Surkamp to allocate \$30,000.00 for the WV Farmer's Market Grant Program to include grant contingencies for land and building expenses. Motion carried.

The Commission agreed by consensus that Leslie D. Smith, County Administrator would provide a letter of support for the WV Farmer's Market Grant Program funding allocation.

**IN RE: JIM HUYETT - FARMERS MARKET DISCUSSION**

This matter was discussed under agenda item: "Kellie Boles - Request Matching Funds for WV Farmer's Market Grant Program".

**The Commission took a 10-minute break at 11:05 a.m.**

**IN RE: APPOINTMENTS OF ALTERNATE MEMBERS TO THE BOARD OF ZONING APPEALS**

No action was taken on this agenda item.

**IN RE: APPOINTMENTS TO THE JEFFERSON COUNTY AMBULANCE AUTHORITY**

No action was taken on this agenda item.

**IN RE: JENNIFER S. MAGHAN - COUNTY CLERK'S REPORT**

No County Clerk's report was given.

**IN RE: KAREN OLDEN - PROBATE**

- THE ESTATE OF RAYMOND MYERS
- THE ESTATE OF JOSEPH CHRISTIAN

Karen Olden, Probate Clerk appeared before the Commission to request approval of the following:

Motion Manuel, second by R. Morgan to appoint Frank Hill as executor for the Estate of Raymond Myers. Motion carried.

Motion by Manuel, second by F. Morgan to resend the order for the Joseph Christian Estate due to an administrative error previously executed by this Commission on November 20, 2008. Motion carried.

Motion by Manuel to set a hearing date in the Estate of Joseph Christian. Commissioner Manuel withdrew his motion upon consensus of the Commission that Leslie D. Smith, County Administrator place this matter on the agenda at a later date.

**IN RE: DON JACOBS - WAGE & CLASSIFICATION CONSULTANT**

Don Jacobs, Consultant appeared before the Commission with a wage and classification study presentation and report. Mr. Jacobs provided an overview of his study and provided recommendations to the Commission. Mr. Jacobs recommended the Commission authorize a retroactive 3% pay raise to county employees including elected officials with the implementation of a merit system to assist with future pay increases.

Motion by Manuel, second by Corliss to allocate 50% of the funds as recommended by Mr. Jacobs and conduct a budget analysis to further determine available funding for implementation of the additional 50% at a later date.

After further discussion on the county budget, Commissioner Manuel withdrew his original motion.

Mr. Drain requested the Commission and other county officials provide a written response on the audit findings reported to the WV State Auditor's Office by December 29, 2008.

**IN RE: AUDIT MANAGEMENT REPRESENTATION LETTER FOR FISCAL YEAR ENDED 2007**

This matter was discussed under agenda item: "Draft Audit Report for Fiscal Year Ended 2007".

**The Commission recessed for lunch at 12:40 p.m. The Commission reconvened at 1:30 p.m.**

**IN RE: STEPHANIE GROVE - LEGAL UPDATE AND REPORT**

Stephanie Grove, Assistant Prosecuting Attorney appeared before the Commission for the weekly legal update and report.

Ms. Grove provided the Commission with copies of the weekly "to do list". Ms. Grove provided a status update on the Arcadia case; the Baldau v. Caparotti case with a letter from David Hammer, Esquire and the Board of Health case.

Ms. Grove discussed the CLE seminars and conferences she attended during the week of December 1, 2008.

Ms. Grove provided her legal recommendations with regard to the Commission scheduling an Open Meetings Law seminar with Mr. Brewer from the WV Ethics Commission. The Commission agreed by consensus that Ms. Grove be authorized to call Mr. Brewer and organize a Open Meetings Law seminar for January 2009.

The Commission requested that Ms. Grove research legal options available to them with regard to PATH and provide a report of her findings.

**IN RE: MOTION THAT EVERY JEFFERSON COUNTY GOVERNMENT EMPLOYEE BE GIVEN A CHRISTMAS BONUS**

Motion by Manuel, second by Corliss that every Jefferson County government employee be given a Christmas bonus in the amount of \$250.00. Motion failed by a 2-3 vote; Commissioners F. Morgan, R. Morgan and Surkamp voted no.

Motion by F. Morgan, second by Manuel that every Jefferson County government employee be given a Christmas bonus in the amount of \$125.00. Amended motion by Corliss that every Jefferson County government employee be given a Christmas bonus in the amount of \$125.00 excluding those employees who previously received a bonus this fiscal year. Motion carried by a 3-2 vote; Commissioners R. Morgan and Surkamp voted no.

**IN RE: APPROVAL OF 2009 HOLIDAY SCHEDULE**

Motion by Manuel, second by Corliss to approve the 2009 holiday schedule. Motion carried.

Motion by Manuel, second by Surkamp to grant Jefferson County employees' holidays on Friday, December 26<sup>th</sup> and Friday, January 2<sup>nd</sup> if declared and/or granted by Governor Manchin. Motion carried.

**JEFFERSON COUNTY COMMISSION HOLIDAY SCHEDULE 2009**

NEW YEAR'S DAY	THURSDAY, JANUARY 1, 2009
MARTIN LUTHER KING'S BIRTHDAY	MONDAY, JANUARY 19, 2009
PRESIDENT'S DAY	MONDAY, FEBRUARY 16, 2009
MEMORIAL DAY	MONDAY, MAY 25, 2009
WEST VIRGINIA DAY	FRIDAY, JUNE 19, 2009
INDEPENDENCE DAY	FRIDAY, JULY 3, 2009
LABOR DAY	MONDAY, SEPTEMBER 7, 2009
COLUMBUS DAY	MONDAY, OCTOBER 12, 2009
VETERANS DAY	WEDNESDAY, NOVEMBER 11, 2009

IN ADDITION TO THE DAYS LISTED ABOVE, THE COMMISSION WILL OBSERVE AS HOLIDAYS, ANY NATIONAL, STATE OR OTHER ELECTION DAY THROUGHOUT THE COUNTY, AND ALL DAYS WHICH MAY BE APPOINTED OR RECOMMENDED BY THE GOVERNOR, OF THIS STATE, OR THE PRESIDENT OF THE UNITED STATES, AS DAYS OF THANKSGIVING, OR FOR THE GENERAL CESSATION OF BUSINESS, ANY DAY OR PART THEREOF DESIGNATED BY THE GOVERNOR AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE, FOR STATE EMPLOYEES STATEWIDE MAY ALSO BE TIME OFF FOR COUNTY EMPLOYEES IF THE COUNTY COMMISSION ELECTS TO DESIGNATE THE DAY OR PART THEREOF AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE FOR COUNTY EMPLOYEES. ANY ENTIRE OR PART STATE WIDE DAY OFF DESIGNATED BY THE GOVERNOR MAY, FOR ALL COURTS, IS TREATED AS IF IT WERE A LEGAL HOLIDAY, AS PROVIDE FOR IN 2-2-1 OF THE WEST VIRGINIA CODE, AS AMENDED.

Dated: December 11, 2008

/s/  
Frances B. Morgan, Commission President

**IN RE: SCHEDULE BUDGET WORK SESSIONS**

Motion by Surkamp, second by R. Morgan to conduct a budget work session on Monday, December 15, 2008 at 10:00 to include newly elected Commissioner Patsy Noland and newly elected Commissioner Lyn Widmyer. Motion carried by a 4 to 1 vote; Commissioner Manuel voted no.

**Commissioner Corliss left the meeting at 2:15 p.m.**

**IN RE: PLANNING DIRECTOR SEARCH COMMITTEE MEETING**

Commission members met with Kirk Davis, Interim Planning Director, Robert Reynolds and Tom Trumble from the Planning Director Search Committee to discuss Planning Director search objectives.

Committee members reported on the selection process and their review of applicant qualifications and discussed interview strategies for selected candidates for Planning Director for Jefferson County.

Commission members, Mr. Reynolds and Mr. Trumble agreed to authorize Mr. Davis to contact selected candidates in order to obtain references and schedule interviews and report all dates to Committee and Commission members.

**IN RE: CITY OF CHARLES TOWN'S DOWNTOWN ECONOMIC REDEVELOPMENT COMMITTEE - REQUEST FOR LETTER OR RESOLUTION OF SUPPORT - ON TRAC PROGRAM**

Motion by R. Morgan, second by Manuel to approve the Resolution of Support as presented by the City of Charles Town's Downtown Economic Redevelopment Committee for the TRAC Program. Motion carried.

**RESOLUTION**

**A RESOLUTION OF THE COUNTY COMMISSION OF JEFFERSON COUNTY FOR THE SUPPORT OF THE WEST VIRGINIA ON TRAC PROGRAM**

*WHEREAS, the WV ON TRAC (Organization, Training, Revitalization and Capacity) program was established in the Main Street West Virginia and endorsed by Governor Joe Manchin to assist small cities and towns in developing a public/private effort to increase capacity in "downtown and neighborhood commercial" areas, and*

*WHEREAS, up to fifteen (15) of West Virginia cities and/or towns will be selected to participate in the 2009 program, and*

*WHEREAS, the City Councils of Charles Town and Ranson have expressed a desire to work cooperatively on projects and share a common boundary, size, challenges and opportunities which make joint participation in the ON TRAC Program desirable, and*

*WHEREAS, the cities of Charles Town and Ranson have participated in an EPA Brownfield Assessment Pilot Program which created the concept of the Charles Town-Ranson Commerce Corridor and identified the need for jointly redeveloping the area, and*

*WHEREAS, the cities of Charles Town and Ranson have committed to providing office support as well as material and moral support to the success of this effort, and*

*NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Jefferson County, West Virginia, that the County Commission of Jefferson County supports the establishment of the Charles Town-Ranson Commerce Corridor and the subsequent joint effort to apply for selection and the participation in the 2009 WV ON TRAC program with the specific goal of creating a network and providing assistance to West Virginia communities so they may boost economic vitality in the heart of their town or neighborhood.*

Dated: December 11, 2008

/s/  
Frances B. Morgan, President  
Jefferson County Commission

Attest:

/s/  
Jennifer S. Maghan, County Clerk

**IN RE: COMMUNITY PARTICIPATION PROGRAM - LIST OF PROJECTS FOR FISCAL YEAR 2009**

Leslie D. Smith, County Administrator reported on the status of Community Participation Program projects and the Commission's responsibility as fiscal agent for the projects.

Motion by Manuel, second by R. Morgan to approve the list of Community Participation Program projects for Fiscal Year 2009 as presented. Motion carried.

**IN RE: APPROVAL OF EMPLOYMENT - AERIAL CARROLL - CIRCUIT CLERK'S OFFICE**

Motion by Manuel, second by Surkamp to approve the employment of Aerial Carroll in the Circuit Clerk's office. Motion carried.

**IN RE: UPDATE ON IMPACT FEE CREDIT REQUEST - NEW ELEMENTARY SCHOOL ON JOB CORPS ROAD**

Mark Schiavone, Capital Planning and Management Director appeared before the Commission to report on the Impact Fee Credit request from the Jefferson County Board of Education in support of a future Elementary School on Job Corps Road.

Mr. Schiavone reported on the upcoming meeting with Board of Education officials and legal staff to further discuss this matter.

**IN RE: FRIENDSHIP FIRE COMPANY - ANNUAL MEMBERSHIP AWARDS BANQUET**

The Commission agreed by consensus to defer with matter until January 8, 2009.

**IN RE: COUNTY COMMISSION REPORTS**

Commissioner Manuel reported on the PATH meeting he attended.

Commissioner F. Morgan requested the Commission attendance and participation at the PATH Public Hearing on Tuesday, December 16, 2008 due to her inability to attend.

Commissioner F. Morgan reported on the upcoming Region VII meeting on January 12, 2009 she will be attending.

Commissioner F. Morgan reported on the upcoming Community Criminal Justice Board meeting on December 17, 2008 she will be attending.

Commissioner Manuel reported on the upcoming Santa Toy Shop event he will be attending.

Commissioner F. Morgan reported on the upcoming conference call at 4:30 p.m. today with County Commissioner's Association members she will participating in.

**IN RE: COUNTY ADMINISTRATOR REPORTS**

Leslie D. Smith, County Administrator reminded the Commission of the PATH Public Hearing on Tuesday, December 16, 2008 at Washington High School.

Leslie D. Smith, County Administrator presented the Commission with the Sheriff's financial report.

Leslie D. Smith, County Administrator presented the Commission with the weekly expenditure and revenue report.

Leslie D. Smith, County Administrator presented the Commission with an update on the County's

Correspondence received from Vincent A. Hodge concerning MARC.

Financial Summary for the quarter ending September 2008 received from the Development Authority.

Notice of a Public Hearing on the City of Martinsburg's Five Year Consolidated Plan for the Community Development Block Grant and HOME on Thursday, December 11, 2008, at 6:00 p.m.

Correspondence received from Senator Robert C. Byrd concerning PATH.

Correspondence received from Senator Robert C. Byrd concerning MARC.

Resolution received from the Jefferson County Public Service District concerning the Mountain Communities water system.

Meeting minutes received from the Jefferson County Public Service District.

Harpers Ferry National Historical Park Community Bulletin received.

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

Memorandum received from Roger Goodwin, Chief County Engineer, concerning the Mountain Communities Water Study.

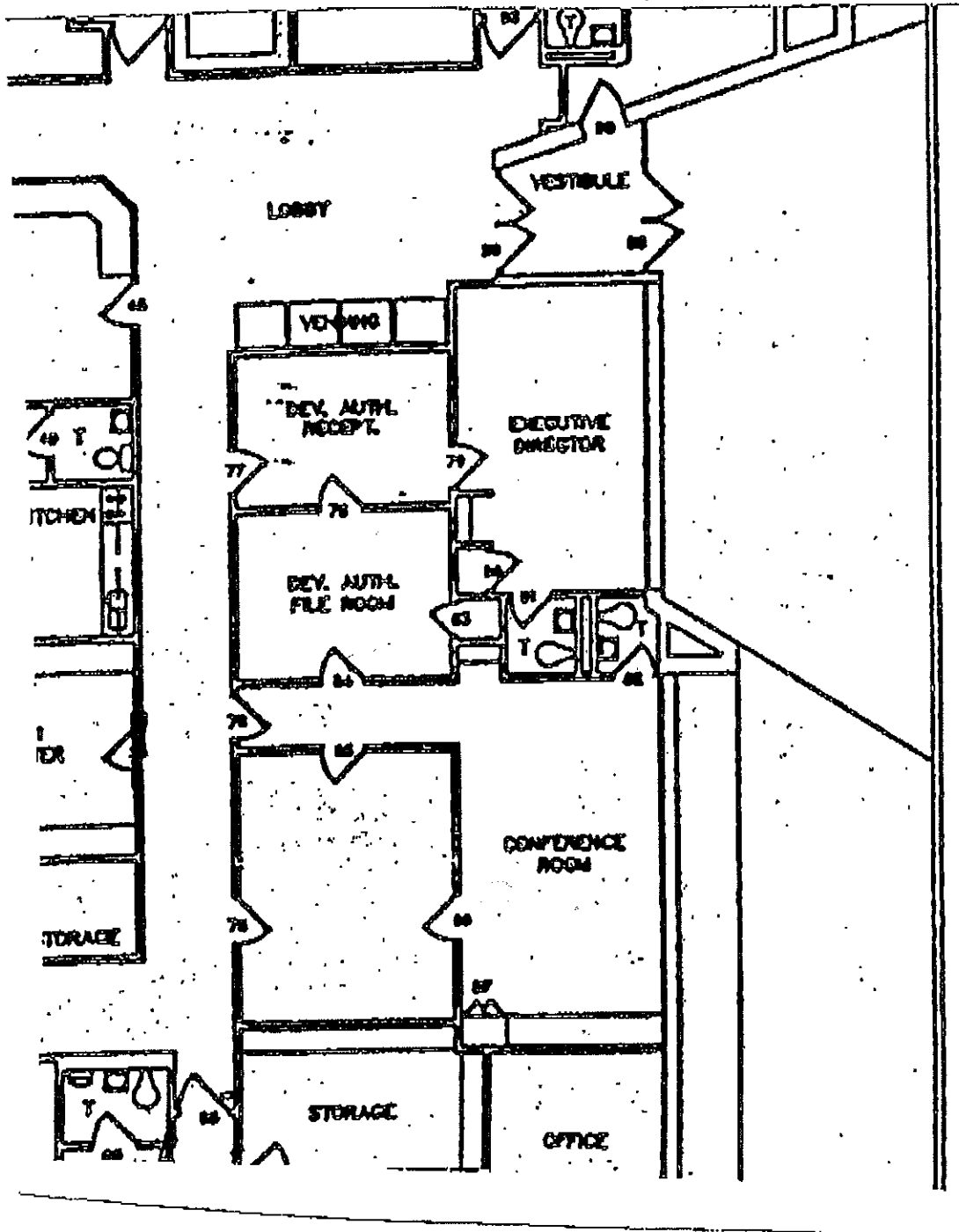
Upon rising, the Commission recessed until Thursday morning beginning at 9:30 o'clock a.m.

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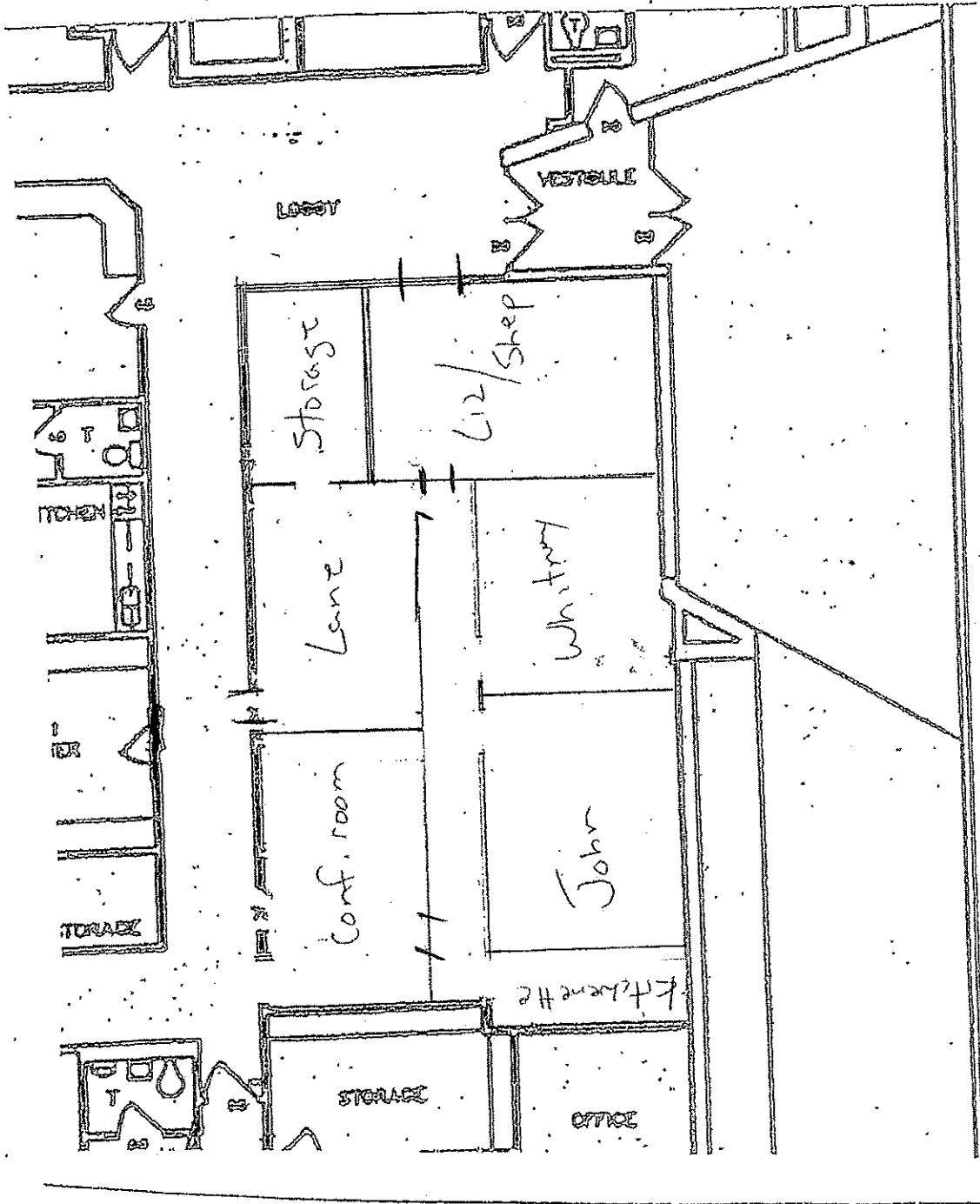
Frances B. Morgan, Commission President

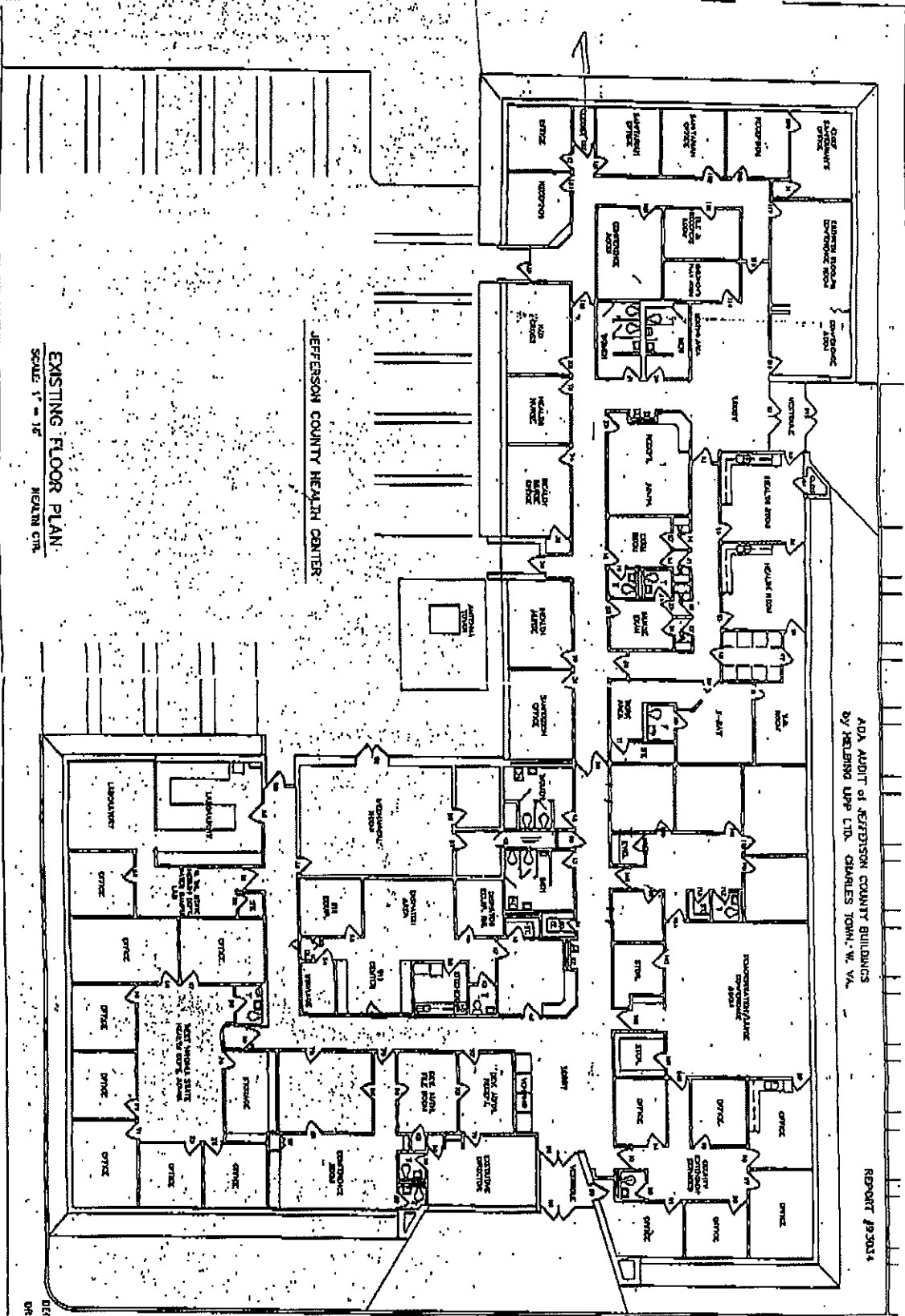


# Current Plan



# Proposed





**EXISTING FLOOR PLAN**  
 SCALE: 1" = 12'  
 HEALIN CTR.

JEFFERSON COUNTY HEALTH CENTER

ADA AUDIT of JEFFERSON COUNTY BUILDINGS  
 by HELENSA UPP LTD. CHARLES TOWN, W. VA.

REPORT #P30314

DR



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

Name: Stacie Rohn

Department or Entity: FOCUS

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

Date Requested – 1<sup>st</sup> Choice: April 26, 2012

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

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

**Subject: Ratify decision of approval of West Virginia Justice Assistance Grant**

Please provide the County Commission with a description of your request or presentation, including any background information: **This is a grant that FOCUS has received for the past 3 years and had originally been applied for with the organizations non-profit status. The State of WV has made it a requirement this year that the grant be dispersed via a governmental pass through agency. The County Commission is only being asked to serve as the government pass through agency and no funding assistance is requested.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Ratify the decision to authorize the President of the County Commission to affix her signature to the appropriate documents**

Attachments: Grant document

FY 2012 West Virginia  
Justice Assistance Grant Program  
Application Forms



**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

All correspondence to DJCS, which is required and/or occurs as a result or action of any of the following Special Conditions and Assurances, or as a result of the administration of any DJCS grant program, should be mailed to the following address:

West Virginia Division of Justice & Community Services  
1204 Kanawha Boulevard, East  
Charleston, West Virginia 25301

**1. LAWS OF WEST VIRGINIA:**

This grant application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by DJCS, regardless of the original funding source. This grant is on a "REIMBURSEMENT ONLY" mechanism.

**2. LEGAL AUTHORITY:**

The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

**3. RELATIONSHIP:**

The relationship of the grantee to DJCS shall be that of an independent contractor, not that of a joint enterprise. The grantee shall have no authority to bind DJCS for any obligation or expense without the express prior written approval from DJCS.

**4. COMMENCEMENT WITHIN 60 DAYS:**

This project must be operational within 60 days of the project starting date, as specified in the grant contract agreement. If the project is not operational within 60 days of the specified project starting date, the grantee must report by letter to DJCS, the steps taken to initiate the project, the reasons for delay, and the expected starting date.

**5. OPERATIONAL WITHIN 90 DAYS:**

If the project is not operational within 90 days of the specified project starting date, the grantee must submit a second statement to DJCS explaining the delay in implementation. Upon receipt of the 90-day letter, DJCS may cancel the project and redistribute the funds to other project areas and/or eligible applicants.

**6. WRITTEN APPROVAL OF CHANGES:**

The grantee must obtain prior written approval from DJCS for all project changes (programmatic, fiscal or otherwise).

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

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**7. CIVIL RIGHTS COMPLIANCE:**

Grantee will comply with all federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, grantees will take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

Grantees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities.

**8. PRESS RELEASE:**

Pursuant to the Stevens Amendment, any release of information pertaining to this grant must include the following information:

1. grant amount;
2. State involvement (name of state entity responsible for administering the grant); and,
3. Federal involvement if applicable (name of federal entity responsible for administering the grant).

**9. LOBBYING:**

Grantee will comply with any and all lobbying provisions and/or restrictions as outlined in OMB circular A-122, and/or relevant State laws.

**10. ACCESS TO RECORDS:**

DJCS, through any authorized representative, shall have access to and the right to examine all records, books, papers, or documents related to the grant and to relevant books and records of contractors.

**11. CONFLICT OF INTEREST:**

No public official or employee of the grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can reasonably be expected to result in any benefit or remuneration to that individual or that individual's immediate family.

**12. POLITICAL ACTIVITY:**

The Hatch Act restricts the political activity of executive branch employees of the federal government, District of Columbia government and some state and local employees who work in connection with federally funded programs. In 1993, Congress passed legislation that significantly amended the Hatch Act as it applies to federal and D.C. employees (5 U.S.C. §§ 7321-7326). (These amendments did not change the provisions that apply to state and local employees. 5 U.S.C. §§ 1501- 1508.)

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**13. RELEASE OF INFORMATION:**

All records, papers and other documents kept by recipients of grant funds are required to be made available to DJCS. These records and other documents submitted to DJCS and its grantees, including plans and application for funds, reports, etc., may be subsequently required to be made available to entities under Federal Freedom of Information Act, 5. U.S.C. §552, or Chapter 29B, Article 1 (West Virginia Freedom of Information) of the West Virginia Code.

DJCS recognizes that some information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement, personnel or juvenile sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under state control is subject to requests made pursuant to the Chapter 29B, Article 1 of the West Virginia Code, all determinations concerning the release of information of this nature are made on a case-by-case basis by DJCS, and may fall within one or more of the available exemptions under the Act.

Grantees must consult applicable state and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive in nature. Applicants may also consult DJCS regarding concerns or questions about the release of potentially sensitive information under state and local laws.

**14. NATIONAL AND STATE EVALUATION EFFORTS:**

The grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

**15. OBLIGATION OF PROJECT FUNDS:**

Funds may not, without prior written approval from DJCS, be obligated prior to the effective start date or subsequent to the termination date of the project period. Obligations outstanding as of the project termination date shall be liquidated within thirty (30) days.

**16. USE OF FUNDS:**

Funds awarded through DJCS may be expended **ONLY** for the purposes and activities specifically covered by the grantee's approved project description and budget. By attaching their signature, the grantee recognizes that any deviations from the original grant budget are unallowable.

**17. ALLOWABLE AND UNALLOWABLE COSTS:**

Allowable and unallowable costs incurred under this grant shall be determined in accordance with General Accounting Office principles and standards.

**18. PEER REVIEW SUB GRANTEE EVALUATION PROCESS:**

The applicant agrees to discharge if necessary - at the request of DJCS - knowledgeable, competent personnel (preferably a Project Director) to participate in a contemplated "peer review" process/advisory council. The purpose of this process would be to assist DJCS in making grant funding recommendations and furthered policy development regarding individual grant programs throughout the State. This would be no more than 2-3 days per annum.

**WEST VIRGINIA  
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SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**19. NON-SUPLANTING:**

Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from state grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The grantee hereby certifies that funds made available under this grant will not be used to supplant other funding sources.

**20. MATCHING CONTRIBUTION:**

The grantee will have available, and will expend as needed, adequate resources to defray that portion of the total costs as set forth in this application as "match" and as approved by the West Virginia Division of Justice & Community Services. The applicant assures that the matching funds required to pay the grant portion of the cost of each program and project, for which funds are made available, shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Matching contributions are subject to the same expenditure guidelines established by the West Virginia Division of Justice & Community Services for this program. All grantees must maintain records that clearly show the source, the amount and the timing of all matching contributions. Please be reminded that match is not "required"; however, if it is committed and indicated on the budget pages of this application, then this special condition is affected.

**21. PROJECT INCOME:**

All income earned by the grantee as a result of the conduct of this project, must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by DJCS as are established for granted funds. All grantees must maintain records that clearly show the source, the amount and the timing of all project income. There is no waiver provision for the project income requirement.

**22. CONSULTANT FEES:**

Approval of this grant does not indicate an approval of consultant rates in excess of \$450 per day. Specific and detailed justification must be submitted to, and approved by DJCS prior to obligation or expenditure of such funds.

**23. SUSPENSION OF FUNDING:**

DJCS may suspend, in whole or in part, terminate, or impose other sanctions on any grantee funds for the following reasons:

- Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program;
- Failure to submit reports;
- Filing a false certification in this application or in another report or document; or,
- Other cause shown.

**24. SANCTIONS FOR NONCOMPLIANCE:**

In the event of the grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, DJCS shall impose such contract sanctions, as it may deem appropriate, including but not limited to:

- Withholding of payments to the grantee until the grantee complies;
- Cancellation, termination or suspension of the contract, in whole or in part; or,
- Refrain from extending any further assistance to the grantee until satisfactory assurance of future compliance has been received.

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**25. SUBMISSION/RELEASE OF PUBLICATIONS/PRESS RELEASES:**

The grantee shall submit one copy of all reports and proposed publications resulting from this agreement to DJCS twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements:

"This document [product] was prepared under a grant from the West Virginia Division of Justice & Community Services (or simply "DJCS"). Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the State of West Virginia or the Division of Justice & Community Services."

"This project supported by Grant No. \_\_\_\_\_ awarded by the West Virginia Division of Justice & Community Services and the U.S. Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also included the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United State Department of Justice."

**26. PROPERTY ACCOUNTABILITY:**

The grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a grant by DJCS. This obligation continues as long as the property is retained by the grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from DJCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to DJCS. Property must be used for the intended grant purposes, if not being used in accordance with terms of the grant property will revert back to DJCS.

**27. CRIMINAL PENALTIES:**

Whoever embezzles or endeavors to embezzle, willfully misapplies, steals or obtains by fraud any funds, assets, or property which are the subject of grant or contractor or other form of assistance pursuant to this title, whether received directly or indirectly from the administration; or whether receives, conceals, or retains such funds, assets, or property to his use or gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to the Act shall be subject to prosecution under the provisions of Section 1011 of Title 18, United States Code. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to the Act, whether received directly or indirectly from the administration, shall be subject to the provisions of Section 871 of Title 18, United States Code.

**28. REPORTS:**

Each grantee shall submit such reports as DJCS shall deem reasonably necessary to the execution of monitoring, stewardship and evaluation of programmatic and fiscal responsibilities.

**29. PURCHASING:**

When making purchases relevant to the grant, the grantee will abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government or other agency.

**WEST VIRGINIA  
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**STANDARD CONDITIONS AND ASSURANCES**

**30. COLLABORATION W/OTHER FED. AND STATE GRANTS:**

Where warranted, this initiative/grantee shall make every effort to support or assist other federally funded or State grant programs in any manner, including but not limited to, providing personnel, supplies, equipment and any other resources deemed necessary by DJCS.

**31. INFORMATION SYSTEMS:**

With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

- a. That all computer programs (software produced under this grant) will be made available to DJCS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
- b. To provide a complete copy of the computer programs and documentation, upon requests, to DJCS. The documentation will include, but not be limited to, system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
- c. That whenever possible all application programs will be written in standardized programming languages (i.e. Cobol, Fortran, C, C++, XML, etc.) or will adhere to Open Database Connectivity format for use on general operating systems that can be utilized on at least three different manufacturers of computer hardware with similar size and configuration capabilities.
- d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Criminal Justice Systems Clearinghouse (916/392-2550) should be contacted to determine availability of software prior to any development effort.

**32. INCIDENT BASED REPORTING COMPLIANCY:**

Grant applicants (cities & county commissions) will not be considered for funding if the applicant is not current with submitting Incident Based Reporting (IBR) information to the West Virginia State Police (if applicable). Grantees must remain current with submitting IBR information to the West Virginia State Police or grant funding will be withheld until such time as that grantee becomes IBR compliant.

**33. TIME EXTENSIONS:**

In general, time extensions for this program will not be granted. Unexpended grant funds remaining at the close of the grant period shall be deobligated.

**34. USE OF GRANT FUNDS TO ENACT LAWS, POLICIES, ETC.:**

Grantee understands and agrees that it cannot use any grant funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.

**35. LIMITED ENGLISH PROFICIENCY:**

Grantee must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency. For more information on the civil rights responsibilities that grantees have in providing language services to limited English proficiency individuals, please see the website [www.lep.gov](http://www.lep.gov).

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**36. COMPUTER EQUIPMENT:**

Grantees purchasing computer equipment (hardware, software, or peripherals) with grant funds are required to adhere to the established bidding procedures for their respective units of government or agency. To ensure reputable vendors are obtained, grantees may consider utilizing the current applicable State computer contract. The following are minimum hardware requirements, as well as software requirements, established by DJCS for this grant program, which must be recognized when purchasing computer equipment, in whole or in part, utilizing grant funds:

**Minimum Hardware Requirements:**

- Intel Pentium III 733 MHz Processor; 133MHz front side bus
- 512K L2 Cache
- 128 MB SDRAM 100 MHz expandable to at least 384 MB
- 10 Gig. EIDE Ultra ATA 7200RPM Hard Drive
- 3.5" 1.44 MB Floppy Diskette Drive
- 48X Max Internal CD-ROM drive or 8X DVD-ROM drive
- 3 PCI, 1 16-bit ISA slot, 1 PCI/ISA (shared), 1 AGP slot
- ATI 8 MB AGP 2X Rage Pro Video Card
- 1 Parallel, 2 Serial, 2 USB
- 101/104-Key Keyboard (PS/2)
- PS/2 Port Compatible Mouse

**Recommended Hardware Components:**

- Mid-tower case
- 16-Bit 3D Sound Blaster Compatible w/ 64 voice wavetable and speakers (may be integrated)
- 3Com 10/100 PCI Ethernet Network Card
- APC UPS Backup power protection (adequate size to handle power load)
- Iomega Internal Zip Disk Drive

**Software Requirements:**

Whenever possible, software should operate within open industry standards. For example, Windows 2000 Operating System, Microsoft Office 2000 Professional, etc.

**Warranty Requirements:**

3 Year on-site warranty

**37. PUBLIC SAFETY AND JUSTICE INFORMATION SHARING:**

Grantees must support public safety and justice information sharing. The grantee is required to use the Global Justice Data Model specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at [www.it.ojp.gov/gjxdm](http://www.it.ojp.gov/gjxdm).

**WEST VIRGINIA  
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SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**38. PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:**

- I.) Federal Office of Management and Budget (OMB) Circular A-133 sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending Federal awards. If applicable, this grant shall adhere to the audit requirements set forth in OMB Circular A-133 at the time of award.

As of 10/1/04, the requirements set forth by OMB Circular A-133 are as follows: Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office.

- II.) OMB Circular A-110 sets forth standards for obtaining consistency and uniformity for the audit of institutions of higher education, hospitals, and other non-profit organizations expending Federal awards. This grant shall adhere to the audit requirements set forth in OMB Circular A-110.

As if 10/1/04, the requirements set forth by OMB Circular A-110 are as follows: Recipients and sub recipients that are institutions of higher education or other non-profit organizations (including hospitals) shall be subject to the audit requirements contained in the Single Audit Act Amendments of 1996 (31 USC 7501-7507) and revised OMB Circular A-133.

- III.) If an audit must be conducted pursuant to OMB Circular A-133 and A-110, a copy of the audit shall be submitted to DCJS as well as to the Federal clearinghouse.

As of 10/1/04, the Federal clearing house is as follows:

Federal Audit Clearinghouse  
Bureau of the Census  
1201 E. 10<sup>th</sup> Street  
Jeffersonville, IN 47132

**39. PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:**

- I.) Sub grantee assures that it has read, understands, and is in full compliance with all requirements as set forth in §12-4-14., Code of West Virginia, or as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with §12-4-14. Sub grantee further understands that if it is currently debarred or is not in compliance with §12-4-14., it is ineligible to receive funding from the West Virginia Division of Justice Community Services.

**40. CONFIDENTIALITY OF RESEARCH INFORMATION:**

Pursuant to Section 229 of the Act, research information identifiable to an individual, which was obtained through a project funded wholly or in part with United States Department of Justice program funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).

**41. LEASE AGREEMENTS:**

Grantee agrees to provide DJCS with a description of proposals to use grant funds to enter into lease arrangements with private entities for the purpose of fulfilling the goals and objectives of this project.

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**42. EQUAL EMPLOYMENT OPPORTUNITY PLAN:**

Each grantee certifies, that it has executed and has on file, an Equal Employment Opportunity Plan which conforms with the provisions of 28 CFR Section 42.301, et. seq., Subpart E, or that in conformity with the foregoing regulations, no Equal Employment Opportunity Plan is required. All EEOP findings should be reported to Office for Civil Rights, Office of Justice Programs, US Department of Justice, 810 7<sup>th</sup> Street, N.W., Washington, D.C. 20531

**43. VETERANS PREFERENCE:**

This program includes a provision that grantees utilizing funds to hire additional personnel, to the extent possible, give suitable preference in employment to military veterans. DJCS defines "suitable preference" as the requirement that a grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.

**44. IMMIGRATION AND NATURALIZATION VERIFICATION:**

The grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of state funds to verify that employees are eligible to work in the United States.

**45. PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:**

It is the sense of DJCS that to the greatest extent practicable, all equipment and products purchased with state funds made available under this grant should be American-made.

**46. PERSONNEL TRAINING:**

For projects involving payment of personnel or overtime pay, DJCS reserves the right to require training as a condition of the grant before or at any time during the project period.

**47. ACCOUNTING REQUIREMENTS:**

Grantee agrees to record all project funds and costs following generally accepted accounting procedures. A unique account number or cost recording must separate all project costs from the grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material, must be retained and be available for audit purposes.

**48. OFFICE OF JUSTICE PROGRAMS (OJP) FINANCIAL GUIDE:**

Grantee agrees to comply with the financial and administrative requirements as set forth in the current edition of the OJP Financial Guide.

**49. TRANSFER OF FUNDS PROHIBITION:**

The grantee is expressly prohibited from transferring funds between any DJCS programs.

**50. MARKING OF EQUIPMENT:**

Grantee will ensure that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the West Virginia Division of Justice & Community Services."

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**51. PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:**

Grantee acknowledges that DJCS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support.

Grantee agrees to consult with DJCS re the allocation of any patent rights that arise from, or are purchased with, this funding.

**52. CENTRAL CONTRACTOR REGISTRATION:**

Grantee agrees to register with the Central Contractor Registration (CCR), [www.ccr.gov](http://www.ccr.gov) and provide documentation to DJCS within 30 days of award notification that they have done so.

**53. DATA UNIVERSAL NUMBERING SYSTEM:**

Grantee agrees to acquire a Data Universal Numbering System (DUNS) number, [www.dnb.com](http://www.dnb.com) and provide documentation to DJCS within 30 days of award notification that they have done so.

**54. JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT:**

Grantee agrees to comply with the four core protections under the Juvenile Justice & Delinquency Prevention (JJDP) Act of 1974, reauthorized 2002.

- Deinstitutionalization of status offenders (DSO).
- Separation of juveniles from adults in institutions (separation).
- Removal of juveniles from adult jails and lockups (jail removal).
- Reduction of disproportionate minority contact (DMC), where it exists.

This includes, but is not limited to, completing the annual the WV Certification of Non-Secure Facilities and submitting to DJCS, if applicable, and submitting a monthly Secure Holding Log, if applicable.

**55. BIDDING PROCEDURES:**

Funds for renovation, expansion or construction awarded to grantees or subgrantees, which require the letting of any single contract amounting to \$100,000 or more to a private company or individual shall require: a bid guarantee equivalent to 5% (five percent) of the bid price; the bid guarantee must consist of a firm commitment such as a bid bond, certified check, or negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified after forms are presented to the successful bidder; a performance bond on the part of the 100% (one hundred percent) of the contract price ("Performance bond" means a bond executed in connection with a contract to ensure payments required by all persons supplying labor and materials in the execution of the work provided for in the contract.); a payment bond on the part of the contractor for 100% (one hundred percent) of the contract price. ("Payment bond" is one executed in connection with a contract to ensure payment as required by law, of all persons supplying labor or materials in the execution of the work provided for in the contract.) Recipient/subgrantee is expected to follow the competitive bid process in the award of contracts involving Federal grant funds.

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**56. COMPLIANCE WITH FEDERAL PROCEDURES:**

The applicant assures that it will comply with the provisions of 28 Code of Federal Regulation (CFR) applicable to grants and cooperative agreements, including:

- a. Part 11, Applicability of Office of Management and Budget Circulars.
- b. Part 18, Administrative Review Procedures.
- c. Part 20, Criminal Justice Information Systems.
- d. Part 22, Confidentiality of Identifiable Research and Statistical Information.
- e. Part 23, Criminal Intelligence Systems Operating Policies.
- f. Part 30, Intergovernmental Review of Department of Justice Programs and Activities
- g. Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures

**57. ADDITIONAL REGULATIONS AND PROCEDURES:**

In addition, all grantees must comply with the following applicable federal regulations and/or the United States Department of Justice, Office of Justice Programs - M 7100.1D manual, OMB Circulars No. A-21, A-110, A-122, A-128, A-87, E.O. 12372, Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common Rule, and all other applicable Federal regulations, policies, acts and guidelines.

- a. National Environmental Policy Act of 1969 (NEPA).
- b. National Historic Preservation Act of 1966.
- c. Flood Disaster Protection Act of 1973.
- d. Clean Air Act and Federal Water Pollution Control Act Amendments of 1972.
- e. Control Act Amendments of 1972.
- f. Safe Drinking Water Act.
- g. Endangered Species Act of 1973.
- h. Wild and Scenic Rivers Act.
- i. Fish and Wildlife Coordination Act.
- j. Historical and Archaeological Data Preservation.
- k. Coastal Zone Management Act of 1979.
- l. Animal Welfare Act of 1970.
- m. Impoundment Control Act of 1974.
- n. Uniform Relation Assistance and Real Property Acquisitions Policies Act of 1970.
- o. Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended
- p. Death in Custody Act of 2000.

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**JUSTICE ASSISTANCE GRANT (JAG)  
SPECIAL CONDITIONS AND ASSURANCES**

**58** **LAW ENFORCEMENT INFORMATION SHARING SYSTEMS:**

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdiction, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

**59** **LAW ENFORCEMENT TASK FORCE TRAINING:**


The grantee agrees that within 120 days of award, for any law enforcement task force funded with these funds, the task force commander, agency executive, task force officers, and other task force members of equivalent rank, will complete the required online (internet-based) task force training to be provided free of charge through BJA's Center for Task Force Integrity and Leadership. This training will address task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. Additional information will be provided by BJA regarding the required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership ([www.ctfli.org](http://www.ctfli.org)).

**60** **PRO PROGRAM CONDITIONS:**

PRO projects are required to send each PRO to the DJCS training conference and be certified as a PRO before entering the school. This training and requirement is on an annual basis. In addition to the annual training conference, all PRO's must complete or have completed required Conflict Resolution training within 12 months of their Initial PRO certification. DJCS requires grantees to assign one, full-time PRO officer per school. The PRO must maintain an office in the assigned school and be present in that school at least 35 hours per week.

Prior to the officer entering the school, grantee must submit to DJCS an Agreement between Law Enforcement and the County Board of Education.

I certify that I have read the entire Standard and Special conditions and assurances of this grant program and agree to comply with these requirements.

  
(Original) Authorized Official Signature



<b>West Virginia Justice Assistance Grant Program Application</b>	<b>Budget Summary Page 2</b>
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Applicant: <b>Jefferson Co. Commission</b>	FEIN Number: <b>55-6000333</b>
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Budget Category	WV JAG Requested Funds (A)	Local (Match) Funds (B)	Total Budget (A + B)
Personnel/Contractual	\$12,986.00	\$2,400.00	\$15,386.00
Travel/Training			
Equipment			
Other		\$3,000.00	\$3,000.00
<b>Totals</b>	<b>\$12,986.00</b>	<b>\$5,400.00</b>	<b>\$18,386.00</b>

*\*All funds must be rounded to the nearest whole dollar amount*

#### Funding Strategy

Funding Source(s)	Amount	Status
JAG	\$12,986.00	A
City of Ranson	\$1,500.00	A
City of Charles Town	\$1,500.00	A
Community Connections	\$2,400.00	R
<b>Total</b>	<b>\$18,386.00</b>	

Funding Source - Separately list each source of funds that will be used in the program.

Amount - Enter the amount received or anticipated for each

Status - Indicate the status of each funding source as follows:

- P – Projected grant, loan or donation
- A – Application submitted and under review
- C – Funds Committed
- R – Funds received, appropriated or on hand

<b>West Virginia Justice Assistance Grant Program Application</b>	<b>Budget Detail Page 3</b>
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Detailed Project Cost by Budget Category	Requested JAG Funds	Local Funds Utilized	Grant Funds Approved
<u><b>Personnel / Contractual:</b></u> Keleigh Taylor, Christa Shifflett, and Sandra Twyman Salaries	\$12,986.00	\$2,400.00	(DJCS Use Only)
<u><b>Travel / Training:</b></u>			
<u><b>Equipment (\$1,000/unit):</b></u>			
<u><b>Other:</b></u> Materials for OLC Liability Insurance - Space rental at Jefferson County Fair		\$3,000.00	
<b>Total Requested JAG Funds</b>	<b>\$12,986.00</b>		
<b>Total Local Matching Funds</b>		<b>\$5,400.00</b>	
<b>Total Funds APPROVED for Project</b>			<b>(For DJCS Only)</b>

Provide specific information that explains each proposed expense for the project. State clearly and in concise detail the breakdown and justification of need for each item requested for funding in the Budget Detail pages. Also, provide an identified breakdown of matching funds. Be sure to label the breakdown of matching funds as such. Attach additional pages if necessary.

**Keleigh Taylor, Project Director**

Salary:  $\$30/\text{hr} \times 8/\text{hr}/\text{wk} \times 36/\text{wk} = \$8640$

FICA 7.65%  $\times \$8640 = \$661$

Unemployment 1.5%  $\times \$8640 = \$130$

Worker's Compensation  $= \$550$

**Christa Shifflett, Project Assistance**

Salary:  $\$30/\text{hr} \times 1/\text{hr}/\text{wk} \times 30/\text{wk} = \$900$

FICA 7.65%  $\times \$900 = \$69$

Unemployment 1.5%  $\times \$900 = \$135$

Worker's Compensation  $= \$200$

**Sandra Gladney, Project Assistance**

Salary  $\$20/\text{hr} \times 2/\text{hr}/\text{wk} \times 36/\text{wk} = \$1440$

FICA 7.65%  $\times \$1440 = \$110$

Unemployment 1.5%  $\times \$1440 = \$22$

Worker's Compensation  $= \$250$

Match to Sandra Gladney's Salary  $\$2400$  to support youth advisory project.

**Match-Other**

Materials to support education at the OLC \$500

Liability Insurance \$1000

Space rental at County Fair for Prevent Drunk Driving Course \$500

**Budget Narrative:**

Keleigh Taylor will serve as the Project Director, she also manages the Berkeley Co. coalition and so her time is limited with FOCUS. Christa Shifflett, due to time constraints, is only able to work an hour a week on the project. Sandra Gladney will work 2 hours on the project and support project activities through the youth advisory project that she directs through matching funds.

Other matching funds will be used to pay for materials to support the program at the Opportunity Learning Center (OLC), to pay some of the liability insurance premiums, and to rent space at the Jefferson County Fair for the prevent drunk driving course.

Please provide information that describes the proposed project. State clearly and in concise detail the purpose and direction of the project, including all components described in the project narrative section of the application instructions. All components must be addressed in the order listed in the instructions. Attach additional pages if necessary and label additional pages as 5a, 5b, 5c, etc.

## **Problem Statement**

### **A. Background of the Grantee**

#### **Prevention Works**

A large body of research has demonstrated that substance abuse prevention programs work—they can reduce rates of substance use, delay the age of first use, and they can yield significant cost savings. Moreover, the American public supports investment in prevention programs as a strategy for dealing with America's substance abuse problems (Robert Wood Johnson Foundation, 2009).

During the past two decades, the field of alcohol and other drug (AOD) prevention has experienced a rapid learning curve. Fueled by the adoption of a comprehensive public health perspective and a systems approach to AOD problems, the practice of AOD prevention has evolved into a science-based discipline that focuses on identified risk and protective factors and utilizes best practices derived from model programs with proven effectiveness.

FOCUS is the lead county-level agency for the prevention of alcohol and other drug-related problems in Jefferson County. FOCUS provides leadership in countywide AOD prevention programming through the development of strategic goals and objectives and by developing and administering contracts with community and school-based prevention programs. FOCUS provides direct prevention services to address priority AOD issues countywide. FOCUS supports AOD prevention efforts with research, information dissemination, technical assistance, education, training and evaluation services.

The FOCUS approach to AOD prevention is grounded in the public health model that views AOD problems arising through interactions between the host (e.g., community, family, individual), AOD agents (e.g., alcohol, meth, marijuana), and various environmental factors (e.g., existing laws, norms, enforcement). The mission of FOCUS is to reduce both the incidence and impact of a wide range of problems related to AOD use.

FOCUS's prevention programming is guided by the theoretical framework of risk and protective factors associated with AOD problems that has emerged from an ever-expanding body of prevention research. In simple terms, the twofold premise of risk and protective factor-focused prevention is:

1) to prevent an AOD problem, we need to identify factors that increase the

risk of that problem developing, and then find ways to reduce the risk, and

2) at the same time, we must identify factors that buffer individuals from the AOD risk factors present in their environments and then find ways to increase that protection.

The Institute of Medicine (IOM) model classifies prevention services into three categories: Universal, broad-based prevention efforts targeting the general population; Selective, focusing services to address defined sub-groups known to be at some risk; Indicated, targeting specific individuals already identified as being at-risk. FOCUS programming mainly addresses universal and selective populations, with a limited amount of services provided to individuals identified as indicated. Universal prevention is aimed at changing identified risk conditions that can give rise to AOD problems across all population groups. For example, when FOCUS provides responsible beverage service (RBS or TIPS) training at a bar or restaurant to prevent practices such as serving alcohol to intoxicated persons, this effort universally benefits all members of the community by reducing the risk of impaired driving.

Alternatively, FOCUS often provides more focused or selective prevention services to individuals identified on the basis of their membership in a group that has greater-than-average risk for developing AOD problems, such as children of alcoholics or youth who live in high drug-use neighborhoods. Lastly, FOCUS services that are provided to students who have been assigned to non-traditional or continuation schools is an example of indicated prevention.

While FOCUS prevention emphasizes a community-based approach, the very complexity of AOD problems often requires the coordinated application of multiple strategies to address various dimensions of AOD problems. FOCUS also supports the use of individual-oriented strategies, such as information dissemination, presentations and training to develop AOD prevention knowledge and skills. Such methods can play an important role in AOD problem prevention as one component of a comprehensive approach that uses multiple strategies to accomplish its planned goals and objectives.

The Jefferson County Coalition on Substance Abuse, Inc. doing business as the FOCUS Coalition was begun by concerned citizens in 1990 in response to open air drug markets in Charles Town and at an apartment complex in Ranson. Focus received several large federal grants that allowed for more police patrols, the installation of cameras in the halls of the apartment complex and over time these drug markets were eradicated. Focus became a Drug Free Communities grantee in 1999 and received funding for the full ten years. In 2007, the Coalition graduated from the National Coalition Academy and in 2008 they were awarded a Drug Free Communities Mentoring grant to mentor the Berkeley County Coalition on Substance Abuse in neighboring Berkeley County. From 2000 to the present,

FOCUS has also received numerous state grants- JAIBG, Safe and Drug Free Communities, Enforcing the Underage Drinking Laws, JDIP, as well as \$150,000 in Oxycontin settlement dollars from the Attorney General's office and funding for projects from the WV General Assembly.

Focus used this funding to create media campaigns, host many alternative events for youth, sponsor AWESOME (Alcohol Won't Ever Spoil Our Memorable Events) Clubs in the middle and high schools, provide TIPS trainings to alcohol retailers, conduct compliance checks, teach different evidenced based programs including: Too Good For Drugs, CASASTART, and Second Step. Many courses were taught throughout the schools on the dangers of alcohol, tobacco and other drugs. The Coalition has also offered parenting courses, case management for families, anger management counseling sessions for juvenile offenders. Focus had its own recording studio, and hosted a local radio show once per week on Friday nights. Focus staff is trained to provide substance abuse assessments. The coalition has been successful in getting three pieces of legislation passed in the last 5 years that relate to fine increases around providing alcohol and tobacco to those who are underage and increasing the fine for the possession of a fake ID. Focus also conducts prevent drunk driving courses at local schools and festivals.

Two members of the Focus staff have worked at the Coalition for 10 ½ years and have received vast amounts of training on substance abuse prevention issues. Focus was nominated for WV Coalition of the year in 2004 and Christa Shifflett was nominated as prevention professional of the year for WV in 2006. Since FOCUS has been around for twenty years, it has strong support from its legislative contingent and from the local communities as well as the school system.

The JAG grant is proposed as drug use which had trended downward in Jefferson County for the last 10 years is beginning to rise again. One of the driving forces behind this rise is prescription drugs and over the counter drug abuse. In reviewing the latest data provided through the Prevention Resource Center as far as opiate admissions to hospitals for 2005-2007 for opiate dependence, Jefferson County had 70 and another 25 for diagnosed abuse of opiates. There were 39 poisonings with opiates for this period. Between 2003-2007 Jefferson County had 36 unintentional deaths from drug overdoses.

FOCUS is working with the West Virginia Bureau of Behavioral Health and Health Facilities to get more up to date data as they know have a researcher and an epidemiologist.

In examining Jefferson County school data for drug or alcohol possession/use over the last few years within the schools there are trends of growing concern the almost tripling of alcohol use since 2006, and in other cases some significant

improvements such as the drop in the use of illegal drugs by ½ since 2006.

Offense	09	08	07	06
Improper use OTC/prescription med	1	2	1	1
Possession OTC , prescription med	1	5	3	1
Possession alcoholic beverage	3	0	2	0
Use of alcoholic beverage	17	12	5	6
Possession illegal drug/substance	10	3	6	12
Use of illegal drug/substance	12	9	23	22
Distribution of illegal drug	3	1	2	4
Possession of "fake" drugs	1	2	3	1
Sale of narcotics	1	0	0	0
Possession of tobacco products	25	24	27	59
Use of tobacco products	25	53	24	43
All illegal drugs, tobacco, alcohol	98	103	94	150

In addition to targeting prescription drugs, this grant will also seek to reduce alcohol and marijuana use among Jefferson County youth. In comparing 2005 to 2007 PRIDE data in Jefferson County for 8th and 11th graders on monthly usage for beer, wine cooler, liquor, and marijuana, the following data was noted: 9.5% to 14.3% in 2005 for beer, 8.2% in 2007 versus 13.5% in 2005 for wine coolers, 8.8% in 2007 versus 14.6% in 2005 for liquor, and 5.4% in 2007 versus 9.9% in 2005 for marijuana. For 11th graders the following was noted for monthly usage: beer 2005 35.5% compared to 33.7% in 2007 wine coolers 2005: 22.8% compared to 26.7% in 2007, liquor 2005: 38.9% compared to 29.8% in 2007 and for marijuana 2005: 26.4% and 17.4% 2007. It should be noted that the 2007 Pride survey only surveyed 130 8th graders and 87 11th graders. The parents had to send in permission for the students to take the survey. Therefore, these are from homes that are together enough to mail back in permission forms. As far as availability of alcohol and marijuana the 8th graders reported significant decreases in availability between 2005 and 2007 while the 11th graders reported no change or slight increases in availability. Eighth graders perception of use, as harmful/very harmful between 2005 and 2007 were up across the board with the eighth graders showing greater increases than the 11th graders.

In comparing Jefferson County youths' perception of harm to their peers across WV with the 2003 PRIDE survey 8th and 11th grades do not believe that alcohol in any form (beer, wine coolers, or liquor) are as harmful to your health as their peers across the state. At the same time Jefferson County youth don't see as much harm in binge drinking for 12-17 year olds with 62.2% believing this to be true compared to 61.1% of West Virginia youth. This is not a surprising statistic given that Jefferson County adults 26 and over also believe that binge drinking is not as harmful to their health (55.3%) as their contemporaries (52.6%) across the state.

The same is true for their idea about the harm of using marijuana with 26% believing marijuana causes some/no harm in Jefferson County and 24.4% believing this statewide.

Marijuana is listed as easy to access by 55.1% of youth compared to 47.4% for the state; this is a 16% difference. It is clear that marijuana abuse is ripe to abuse with these conditions.

- Goal - Broad statement about what the program intends to accomplish. This statement should state the long-term desired impact of the program, set scope or foundation, state long-range target or purpose, identify target population, and state the condition to be changed.
- Objective - A specific statement of the desired short-term, immediate outcome of the program which will show accomplishment of the goal. Each objective must be **S.M.A.R.T. (Specific, Measurable, Attainable, Results oriented and Time bound)**.
- Outcome Measure - The data or tool used to measure achievement of the objective. How will data be collected, analyzed, and results shared.
- Activities - What will be done and who will accomplish it. **You must have at least one (1) activity per objective.**
- Timeline - When will the activity begin and end. **You must have a timeline for each activity.**

Goal Number: 1      **Reduce underage drinking and other drug use**

Objective Number: 1      Increase protective factors that mitigate youth exposure to risks for alcohol and other drug use

Outcome Measure:

- 1.1.1. Increased knowledge of the risk/protective factor framework and youth development approach among adults in a position to shape youth environments
- 1.1.2. Increased motivation / willingness among adults to take action that will increase / strengthen youth protective factors
- 1.1.3. Increased levels of protective factors among youth

<p>Activities to meet objective:</p> <ol style="list-style-type: none"> <li>1. Youth development programs - Participation in the West Virginia National Youth Leadership Initiative</li> <li>2. School/Community Partnerships</li> <li>3. Community education - Briefings, Town Hall Meeting, Community Conversations, Parent/Youth Education through Shoulder to Shoulder</li> <li>4.</li> </ol>	<p>Timeline for each activity:</p> <ol style="list-style-type: none"> <li>1. July - September 2012</li> <li>2. September 2012 - May 2013</li> <li>3. Two Town Hall Meetings October 2012 and April 2013, Four Community Conversations by December 2012, Four Shoulder to Shoulder Parent/Youth Educations two by December 2012 and two by April 2013</li> <li>4.</li> </ol>
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Objective Number:	<u>1</u>	Reduce youth access to alcohol and other drugs
Outcome Measure:		<p>1.2.1 Increased adult awareness of the ease with which youth can obtain alcohol</p> <p>1.2.2 Increased proportion of adults who disapprove of parents/adults providing alcohol to underage youth</p> <p>1.2.3 Increased proportion of parents/adults who are knowledgeable of specific parental actions that can deter youth from AOD use</p> <p>1.2.4 Increased proportion of merchants who are knowledgeable of CA Alcoholic Beverage Control laws</p> <p>1.2.6 Increased law enforcement compliance checks</p> <p>1.2.7 Reduced proportion of retail establishments selling alcohol to minors</p> <p>1.2.8 Reduced proportion of youth reporting it is easy to obtain alcohol/marijuana</p>

Activities to meet objective:	Timeline for each activity:
1. Create a Community task force	1. July - September 2012
2. Community education: > Briefings > Town halls > Parent forums	2. Two Town Hall Meetings October 2012 and April 2013, Four Community Conversations by December 2012, Four Shoulder to Shoulder Parent/Youth Educations two by December 2012 and two by April 2013
3. Collaboration with law enforcement agencies / compliance checks and Drug Take Backs	3. October 2012 and April 2013
4. Merchant education	4. September 2012 and March 2013
5. Responsible beverage service training	5. October 2012 and May 2013

**Goal Number: 2 Reduce Prescription and Over-the-counter Drug Abuse**

Objective Number: 1 Reduce risk factors in the family/home environment that contribute to the abuse of Rx and OTC drugs

Outcome Measure:

2.1.1 Increased adult knowledge of the growing prevalence and harmful consequences of young people abusing Rx and OTC drugs

2.1.2 Increased adult knowledge of the common ways that young people gain access to Rx and OTC drugs

2.1.3 Decreased proportion of young people who believe that Rx and OTC drugs are safer than street drugs

2.1.4 Increased proportion of adults willing to employ practices that reduce risk factors for Rx and OTC abuse among youth

2.1.5 Increased proportion of parents and adults who report they have employed specific practices that reduce identified risk factors for Rx and OTC drug abuse among young people

Activities to meet objective:

1. Information dissemination
2. Classroom presentations
3. Community mobilization
4. School/community partnerships
5. Community education:
  - > Briefings
  - > Town halls
  - > Parent forums

Timeline for each activity:

1. July 2012 - June 2013
2. October 2012 - April 2013
- 3.
4. September 2012 - May 2013
5. Two Town Hall Meetings October 2012 and April 2013, Four Community Conversations by December 2012, Four Shoulder to Shoulder Parent/Youth Educations two by December 2012 and two by April 2013

Objective Number: 2 Reduce risk factors in the community/business environment that contribute to the abuse of Rx and OTC drugs

Outcome Measure: Increased proportion of physicians, pharmacists and healthcare professionals who demonstrate knowledge of, and willingness to employ practices to reduce identified risk factors for Rx and OTC drug abuse among young people

Activities to meet objective:

1. Create Rx Tool kit for patients
2. Physician Presentations
3. Pharmacist Presentations
4. Other Health Care Presentations

Timeline for each activity:

1. October 2012
2. December 2012 - May 2013
3. December 2012 - May 2013
4. December 2012 - May 2013

Goal  
Number: \_\_\_\_\_

Objective  
Number: \_\_\_\_\_

Outcome  
Measure:

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Objective  
Number: \_\_\_\_\_

Outcome  
Measure:

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Goal  
Number: \_\_\_\_\_

Objective  
Number: \_\_\_\_\_

Outcome  
Measure:

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Objective  
Number: \_\_\_\_\_

Outcome  
Measure:

Activities to meet objective:

- 1.
- 2.
- 3.
- 4.

Timeline for each activity:

- 1.
- 2.
- 3.
- 4.

Provide a membership list of the all parties collaborating on this project, including name, title, agency affiliation, mailing address, telephone number, fax number, and email address for each member. *Letters of commitment or MOU's from each board member, reflecting their understanding of the requirements of the Collaboration will not be required but is encouraged for this grant application.*

Stacie Rohn, Program Coordinator, Jefferson County Teen Court, 218 W. King St.  
Martinsburg, WV 25401, 304-671-6743, teencourtjcwv@gmail.com

Paula Marrone- Reese, Chair, Drug Free Coalition, PO Box 1882  
Shepherdstown, WV 25443, (304) 876-3325 director@gsivc.org

Lydia McBride, Unit Director, Jefferson County Boys and Girls Club, 334 S. Lawerance  
St. Charles Town, WV, (304) 263-2696, Loonie@hotmail.com

Mary Beth Vickers, Administrator, Jefferson County Public School - Opportunity  
Learning Center, 306 South Lawrence Street Charles Town, WV 25414  
304.725.7577, mbvicker@access.k12.wv.us

Michelle Price, Area Director, YoungLives of Jefferson County, 551 Willow Spring Dr  
Charles Town, WV 25414-4844, (304) 731-5919, mprice0330@gmail.com

Please use this page to provide (or attach a copy of) the program's organizational chart which includes the proposed funded positions for this project. Please list all staff members, position titles, salaries, and funding source for salaries.

Jay Chambers, President of the Board  
Salary: \$0.00

Keleigh Taylor, Project Director  
Salary:  $\$30/\text{hr} \times 8/\text{hr}/\text{wk} \times 36/\text{wk} = \$8640$   
100% funding through this grant application

Christa Shifflett, Project Assistance, Financial Officer  
Salary:  $\$30/\text{hr} \times 1/\text{hr}/\text{wk} \times 30/\text{wk} = \$900$   
100% funding through this grant application

Sandra Gladney, Project Assistance  
Salary  $\$20/\text{hr} \times 2/\text{hr}/\text{wk} \times 36/\text{wk} = \$1440$   
Match to Sandra Gladney's Salary \$2400 to support youth advisory project.

Provide a brief statement outlining the program agency's procedures for hiring employees who are funded under this grant. Include with this application a job description and qualifications for the position(s) proposed under the grant. If position(s) are currently filled, please include a resume for each position filled.

**West Virginia Justice Assistance  
Grant Program Application**

**Operational Budget  
Attachment A**

Attach the operational budget for this program along with a brief 3-year strategic financial and programmatic plan of operation. Only one 3-year plan is required as long as all entities included in the application are sufficiently covered in the plan.

**West Virginia Justice Assistance  
Grant Program Application**

**Plan of Sustainability  
Attachment B**

Please attach in this section a detailed outline of future funding strategies, and an outline of funding plans should federal funding sources cease to exist. Please detail fundraising strategies; local donations; city, county, and state funding contributions; as well as plans to maintain positions and program goals in current and future economic strains.

The FOCUS Coalition has requested support from the City of Ranson and the City of Charles Town to pay our liability insurance and our phone bill which will free up \$3000 from community fundraisers to help pay for the BOYS and GIRLS project when funding is no longer available. FOCUS has partnered with the BOLD (Building Our Lives Drug-free) Initiative to assist with funding the evidence based curriculums and kits mentioned in the grant. We will have access to Project Alert, Shoulder to Shoulder and Keep A Clear Mind.

FOCUS has been working with ABCA to conduct Compliance Checks. As well as we will be partnering with our Local WV Highway Safety Office to get two persons in Jefferson County certified as TIPS Trainers who will be able to provide Responsible Server Training in our community Free of charge.

FOCUS is also seeking community partners like insurance companies to fund education blasts in the classrooms. Lastly, FOCUS is continually seeking other grant funds to help support its substance abuse prevention mission.

We will be holding Teen Dances at our building twice a month in the summer and monthly during the school year, this will help raise funds for FOCUS. We will also be looking to partner with other agencies to do at least one fundraiser.

Our goal is to continue to grow the Coalition and train our Coalition in the SPIF model. We also plan on training as many community members in evidence based practices/programs so, if FOCUS goes away the programs will still continue in the community and the Coalition will continue to provide information to Jefferson County.

<b>West Virginia Justice Assistance Grant Program Application</b>	<b>Other Required Program Information Attachment C</b>
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A copy of the following information must be submitted (as applicable) with this attachment in order for the application to be complete. Please refer to page xvii of the application instructions for more details:

1. **Current Task Force Memorandum of Understanding**
2. **Law Enforcement Entry Level Salary Certifications**
3. **Prevention Resource Officer Board of Education Agreement**
4. **Memo of IBR Compliance from West Virginia State Police** (all city, county, and state agencies are required to have this. If multiple cities or counties are covered under this application, a Memo must be provided for EACH participating agency)
5. **501c3 Documents and Articles of Incorporation**
6. **Active CCR Documentation**

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

**AGENDA REQUEST FORM**

Name: John Skoglin

Department or Entity: CBRE, Inc.

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1<sup>st</sup> Choice: 4/26/12

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

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

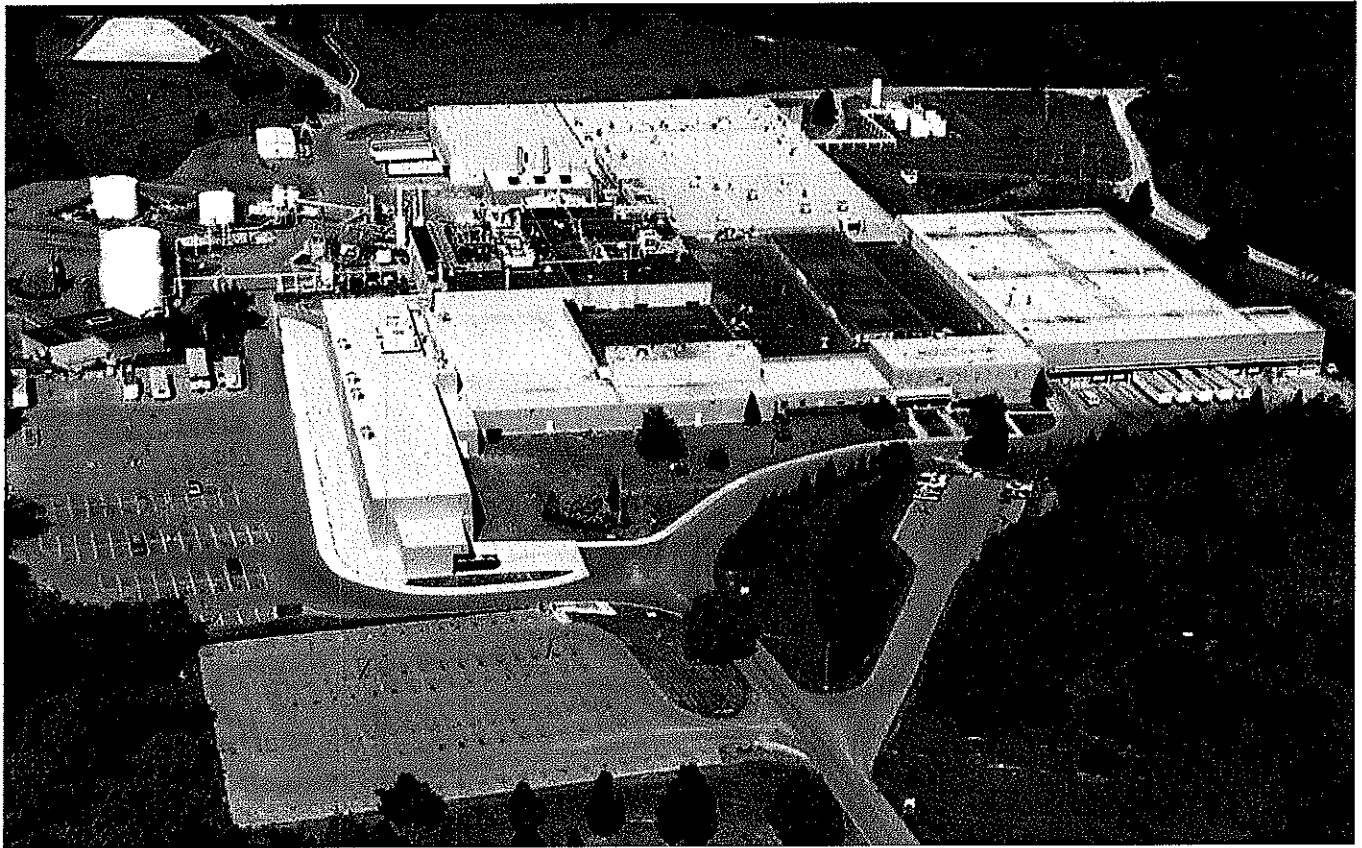
Subject: **Kodak Facility**

Please provide the County Commission with a description of your request or presentation, including any background information: **Presentation on the Kodak (3M) facility in Middleway, WV**

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

Attachments: **Building/Property Information**

## AVAILABLE SPACE KODAK BUILDING



### MIDDLEWAY, WEST VIRGINIA

#### LOCATION

Building Address - 1 Grace Street  
Middleway, WV 25430

Located in City Limits - No

County - Jefferson

Located in Business/Industrial Park - No

Can the Building be Multi-Tenant - Yes

#### SIZE

Total Sq. Ft. - 325,000

Total Available Sq. Ft. - 325,000

Total Leased Sq. Ft. - 0

Acres - 270

Total Manufacturing Sq. Ft. - 275,000

Available Manufacturing Sq. Ft. - 275,000 or

Total Warehouse Sq. Ft. - 275,000

Available Warehouse Sq. Ft. - 275,000

Total Office Sq. Ft. - 40,000 (Includes 10,000 sq. ft. Lab space)

Available Office Sq. Ft. - 40,000

Total Other Sq. Ft. - 10,000

Available Other Sq. Ft. - 10,000

#### CEILING HEIGHT

Manufacturing Space - 10' thru 30' (16'-9" & 25'-10" 1940 Addition, 10' 1961 Addition, 22'-1" 1967 Addition, 28' 1969 Addition, 30' 1991 Addition)

Warehouse Space - Same as above

Office Space - 10'

Other Space -

#### SPECIFICATIONS

Can the Building be Expanded - Yes

Number of Additional Sq. Ft. Building can be Expanded -

Is There Additional Land Available - No

Number of Additional Acres - 0

Date of Construction - 1940 thru 1992

Dates of Expansion - Various

Date Vacated - August 2006

Floor Thickness and Composition - 6" reinforced concrete

Wall Composition - Block, brickfaced & metal

Wall Insulation (Thickness & Type) -

Roof Composition - 20 year EPDM Membrane

Roof Insulation (Thickness & Type) -

Column Spacing - 1940 Addition 24' X 25', 1961 Addition 30' X 30',

1967 Addition 34'-7" X 48'-7", 1969 Addition 38'-7" X 48'-8",

1991 Addition 25' X 31'-9"

Type of Sprinkler System (What Spaces Served) - Wet system serves

entire facility; (2) 300,000 gallon storage tanks; (2) 400 gpm pumps

HVAC - (2) Nebraska Boilers (steam heat, chilled water for AC)

Type of Lighting in Manufacturing Space - High pressure sodium

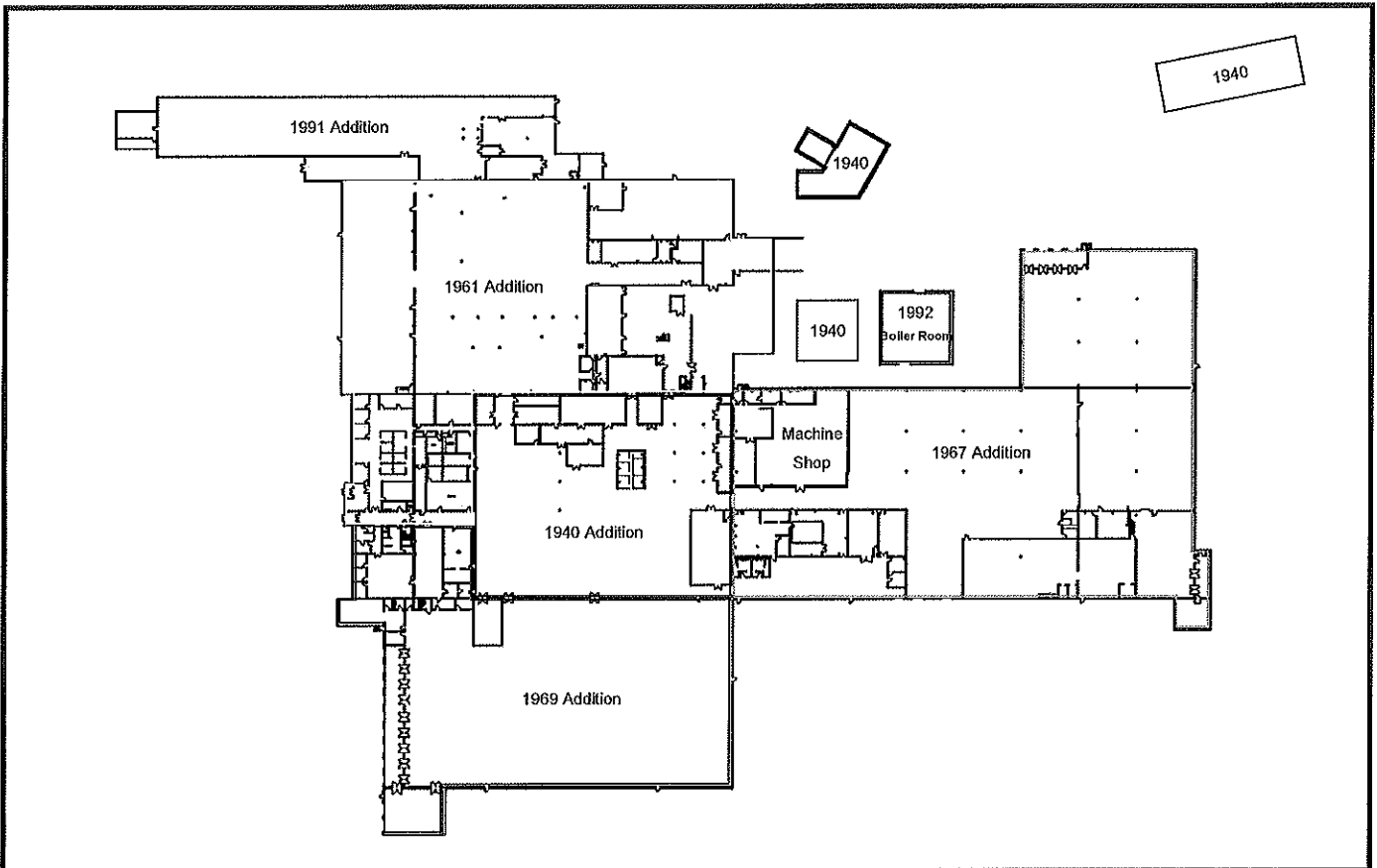
Type of Lighting in Warehouse Space - High pressure sodium

Number and Capacity of Overhead Cranes -

Number of Truck Docks - 17 w/levelers and seals

Number and Size of Drive-Through Bay Doors - (2) total, (1) 10' X 10'

& (1) 15' X 15'



**FLOOR PLAN SHOWING ADDITION DATES (NOT TO SCALE)**

Number of Parking Spaces - 301  
 Previous use of the Building - Lithographic Plate manufacturing  
 Building use is Best Suited for - Manufacturing/warehouse

**TRANSPORTATION**

Interstate/4 Lane Highway - 6.5 miles to I-81 Interchange Exit 5  
 Commercial Airport - 52 miles to Dulles International Airport  
 Railroad - None  
 Railroad Siding - None  
 Navigable Waterway - None  
 On-Site Barge Facility - None

**UTILITIES**

Electricity - Allegheny Power  
 Voltage - 13.2 kV, 9,500 kVA, 277/480 volts  
 Phase - 3

Gas - Mountaineer Gas Company  
 Size of Service Line - 4" main  
 Gas Pressure - 30 psig

Water - On site potable water treatment plant  
 Size of Service Line -  
 Static Pressure -  
 Residual Pressure -  
 Excess Capacity of Treatment Plant (GPD) - 750,000 total

Sewer - On site waste water treatment plant & Berkeley County  
 Municipal Waste Sytem is close to property line  
 Size of Service Line -

Excess Capacity of Treatment Plant (GPD) -

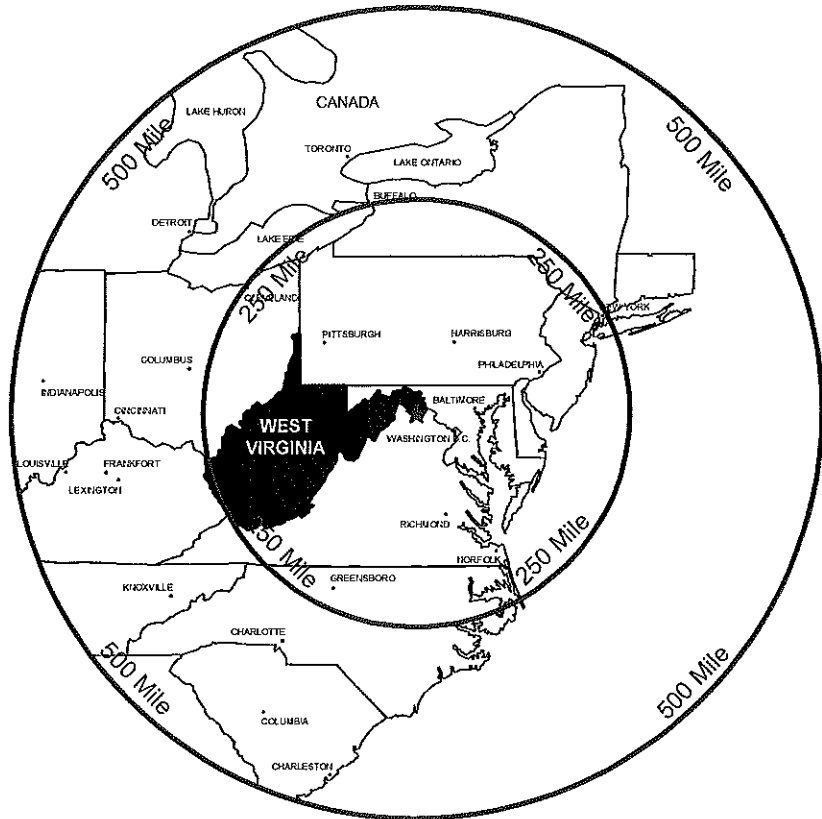
Telephone Supplier - Frontier Communications  
 Switching - Digital  
 Broadband Service - Yes, (2) T1 Lines, (1) data, (1) phones

**SALE/LEASE**

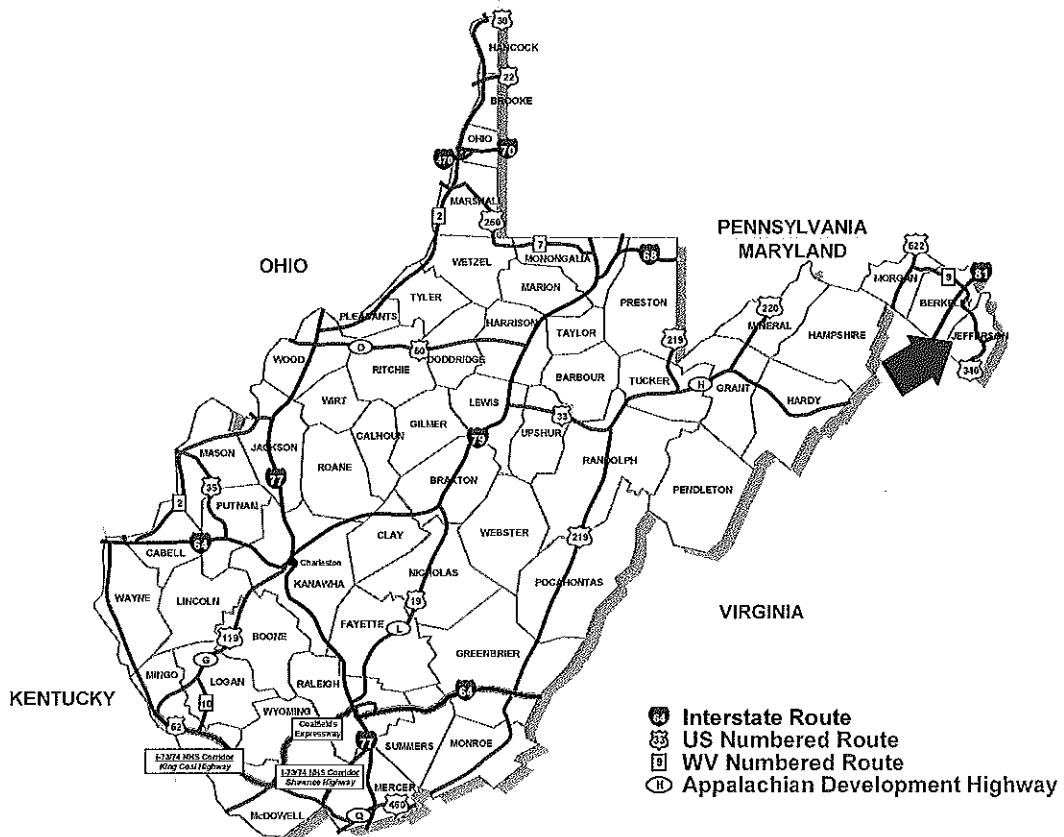
Sale Price - \$6,250,000 Negotiable  
 Sale Terms - Negotiable  
 Lease Price - For sale only  
 Lease Terms - For sale only  
 Available Purchase or Lease Date - Immediately

**FOR FURTHER INFORMATION CONTACT**

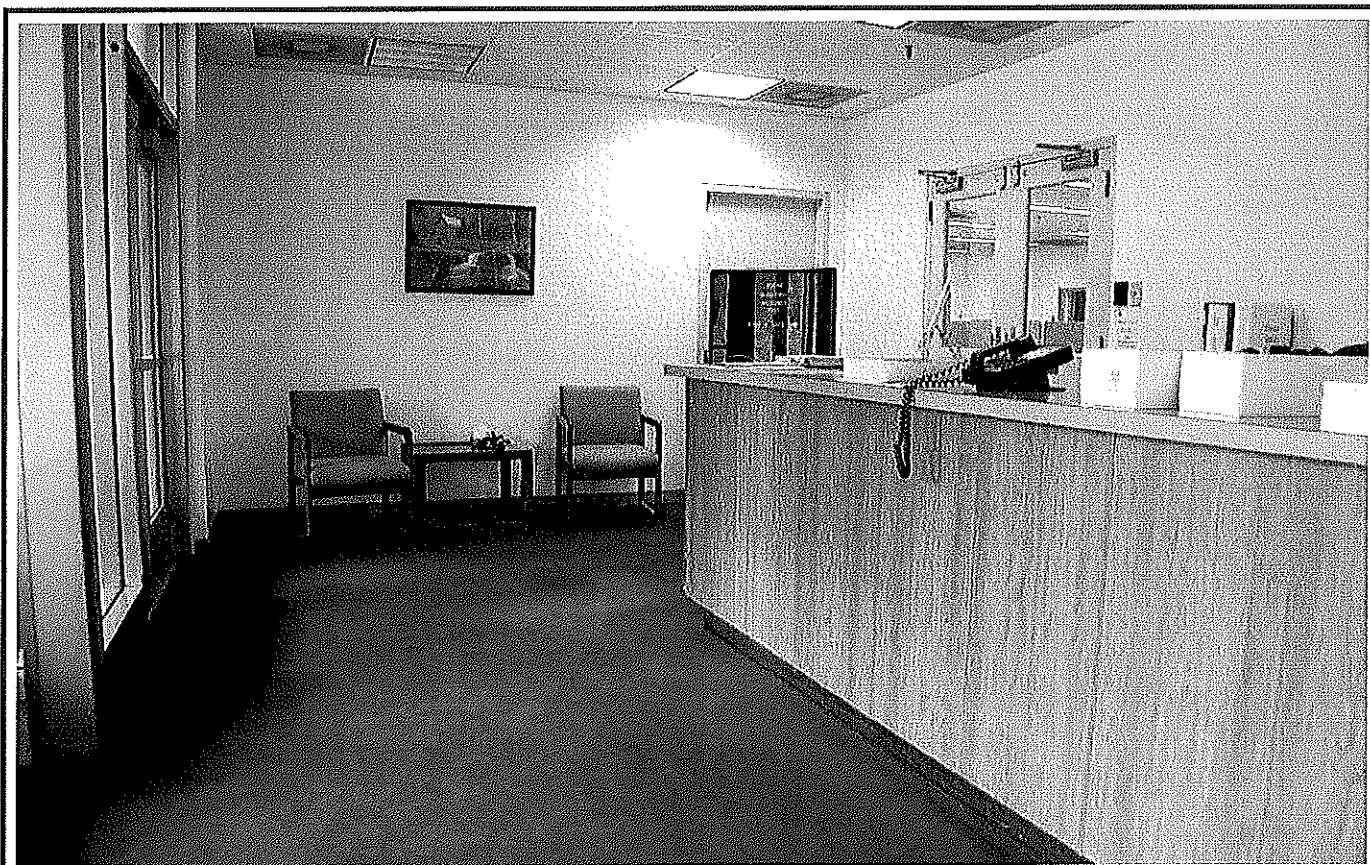
John Skoglin  
 CB Richard Ellis, Inc.  
 250 West Pratt Street, Suite 2000  
 Baltimore, MD 21201  
 Phone: (410) 244-3132  
 Fax: (410) 244-3101  
 E-mail: john.skoglin@cbre.com  
 www.cbre.com/baltimoreindustrial



**250 & 500 MILE RADIUS FROM MIDDLEWAY, WEST VIRGINIA**



**MIDDLEWAY, WEST VIRGINIA**



RECEPTION AREA



1ST FLOOR OFFICE SPACE CORRIDOR



TYPICAL OFFICE AREA



1ST FLOOR CONFERENCE ROOM



CAFETERIA



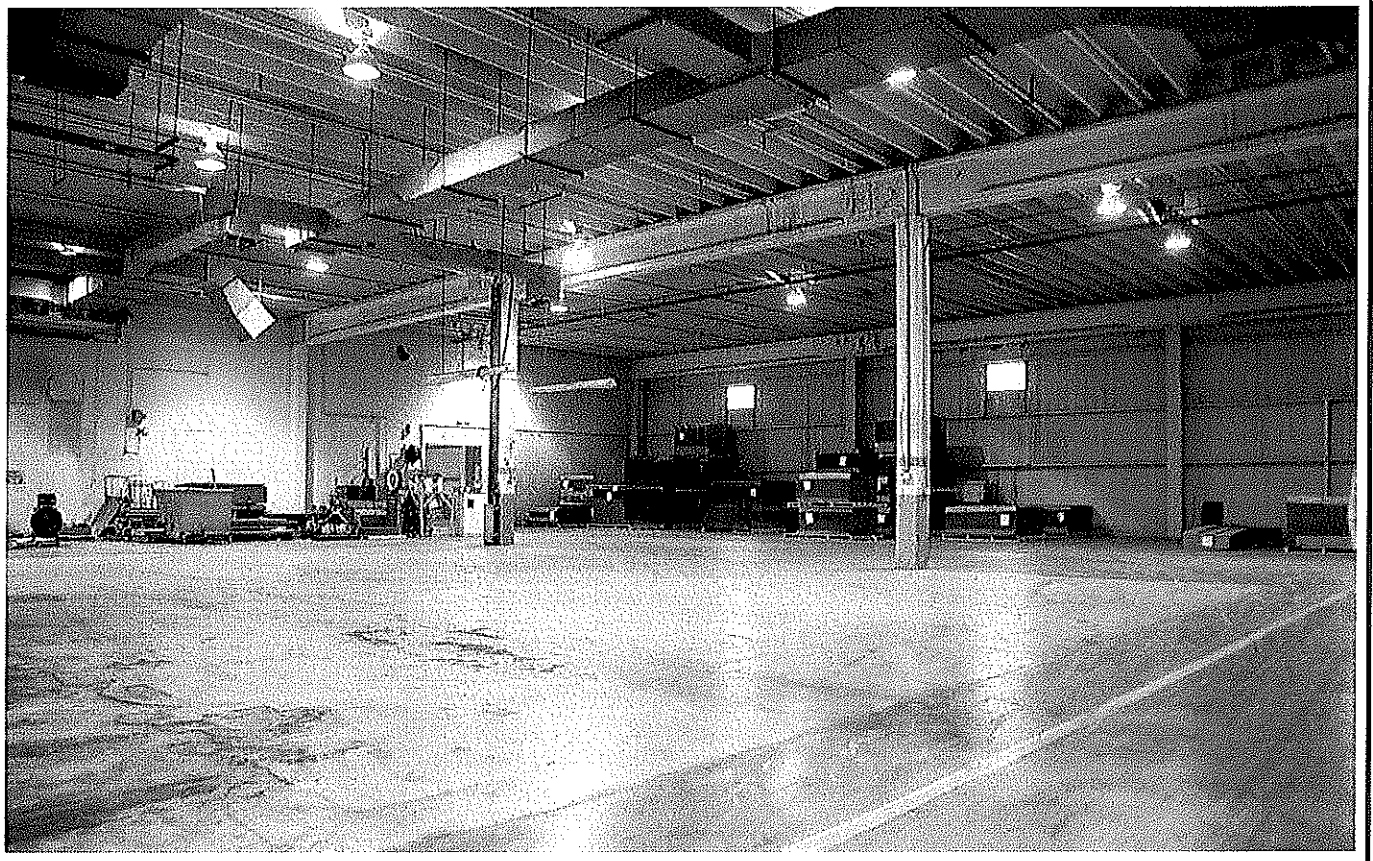
2ND FLOOR CONFERENCE ROOM



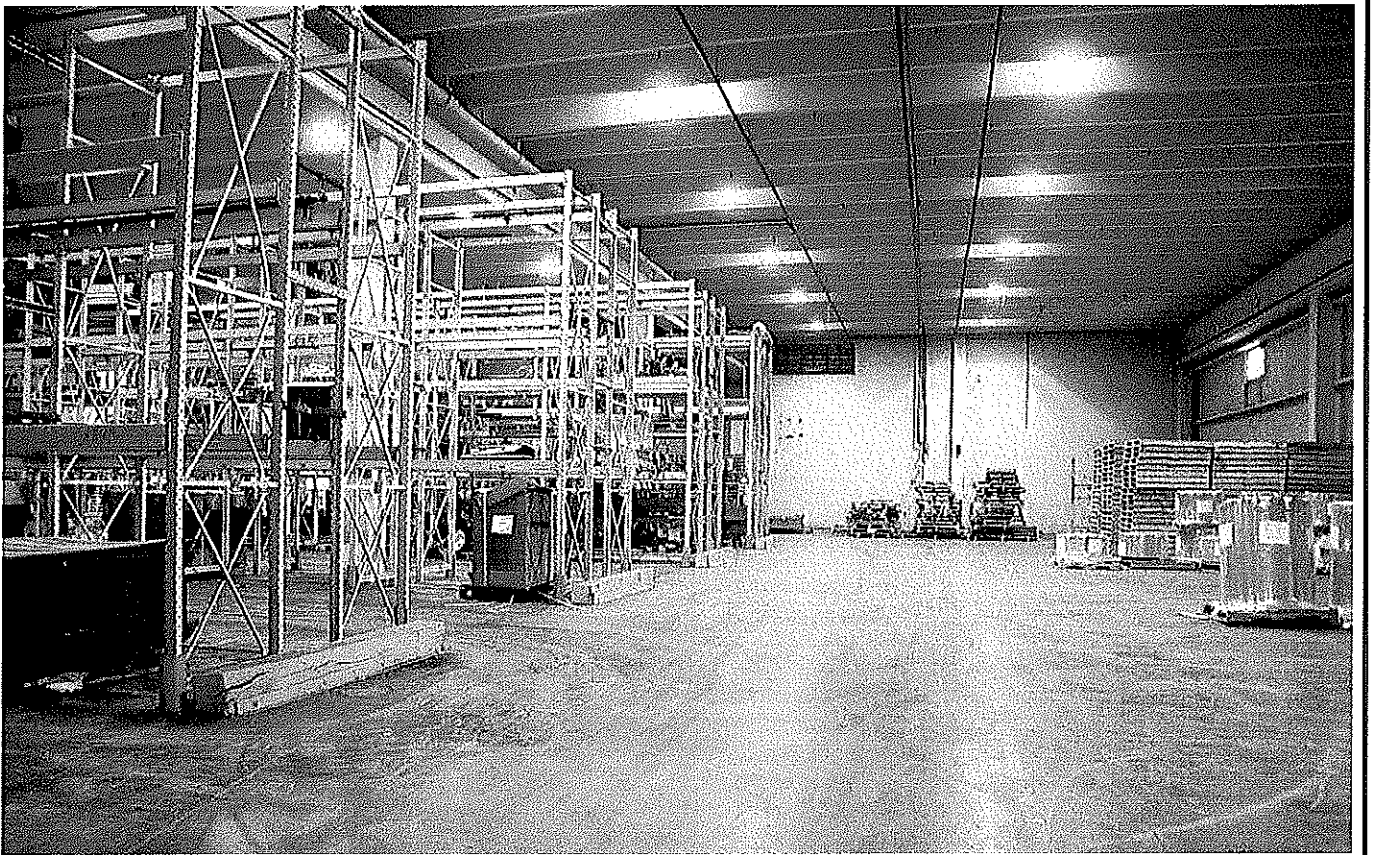
1940 ADDITION



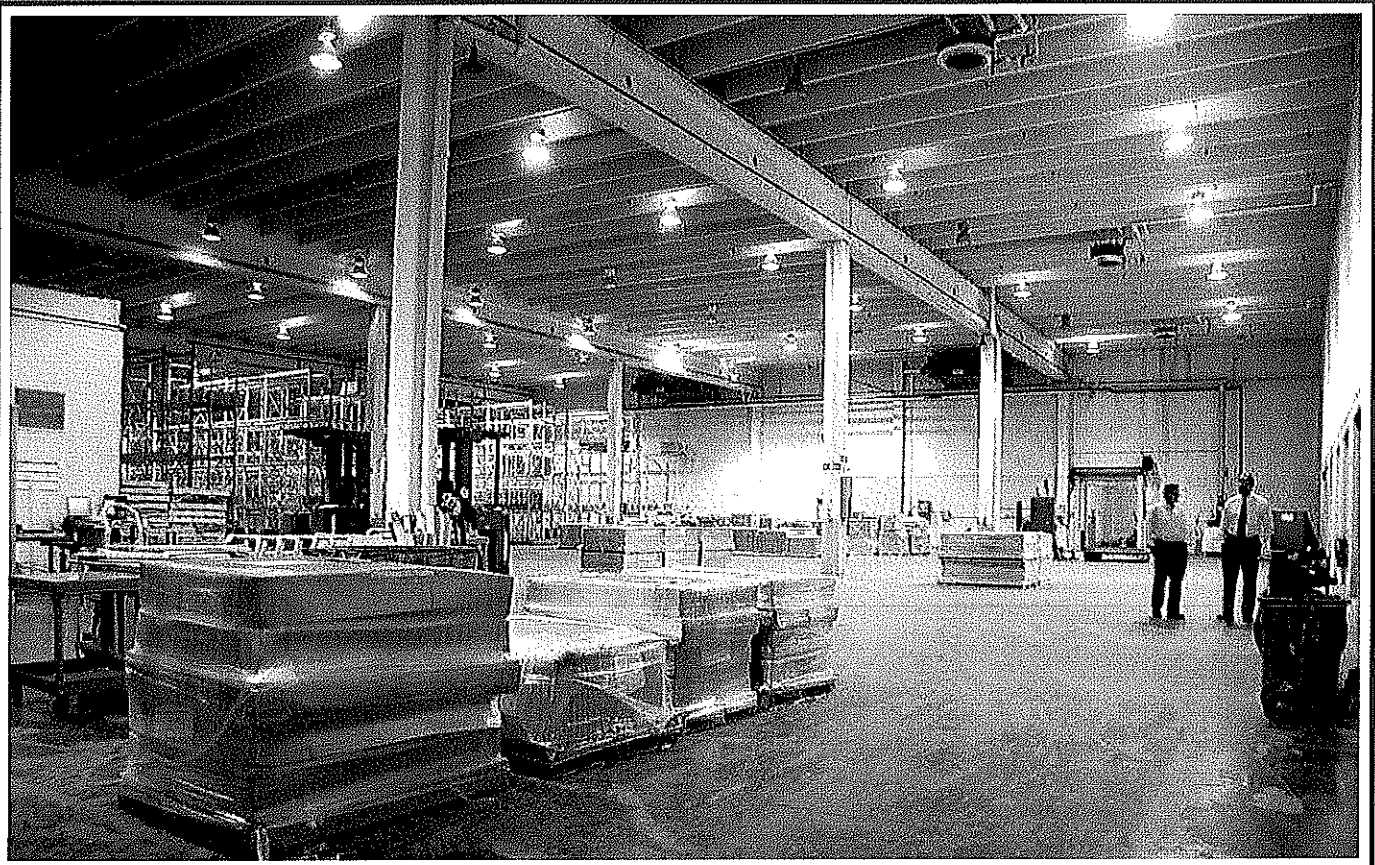
1961 ADDITION



1967 ADDITION



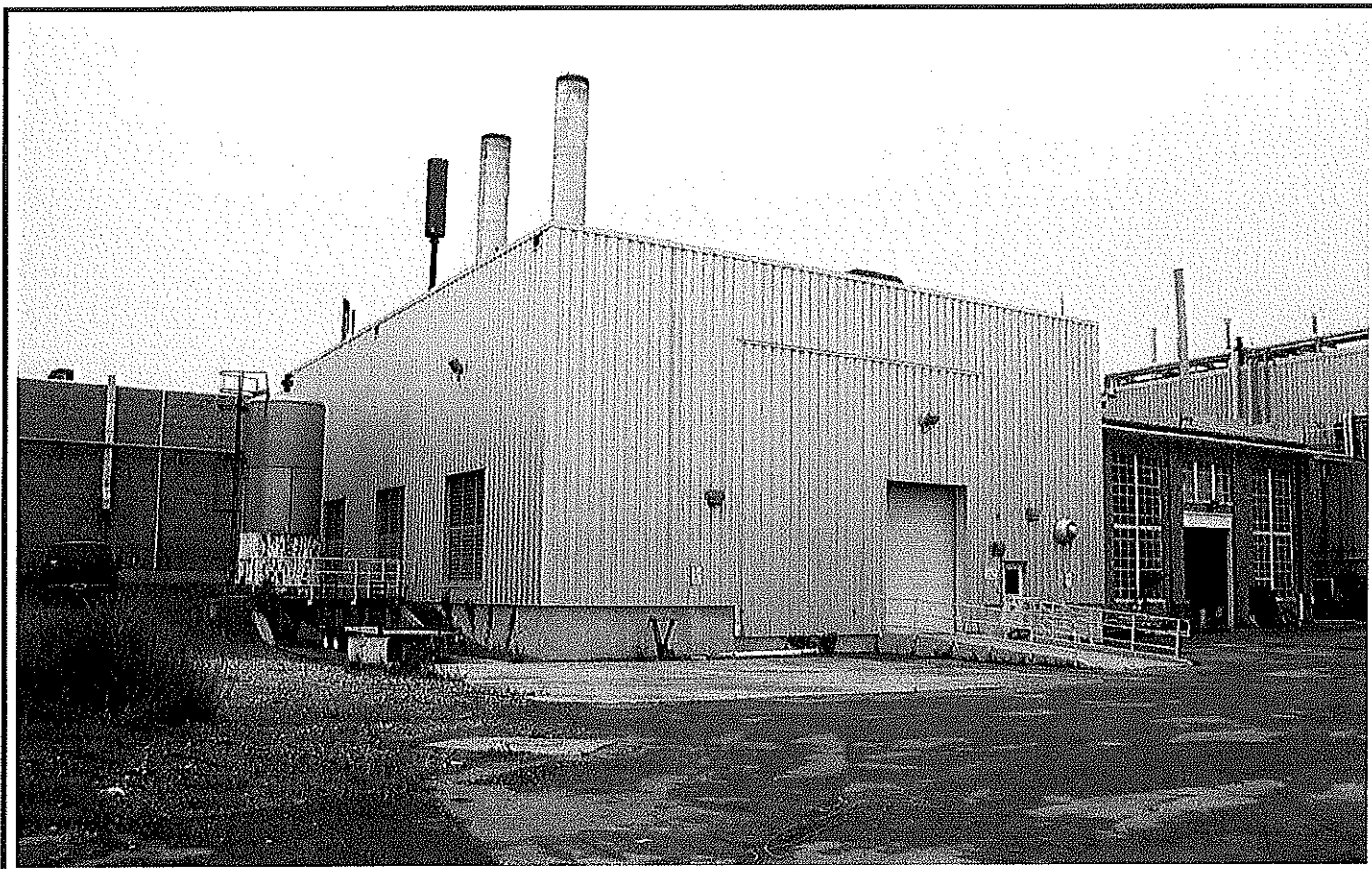
1967 ADDITION



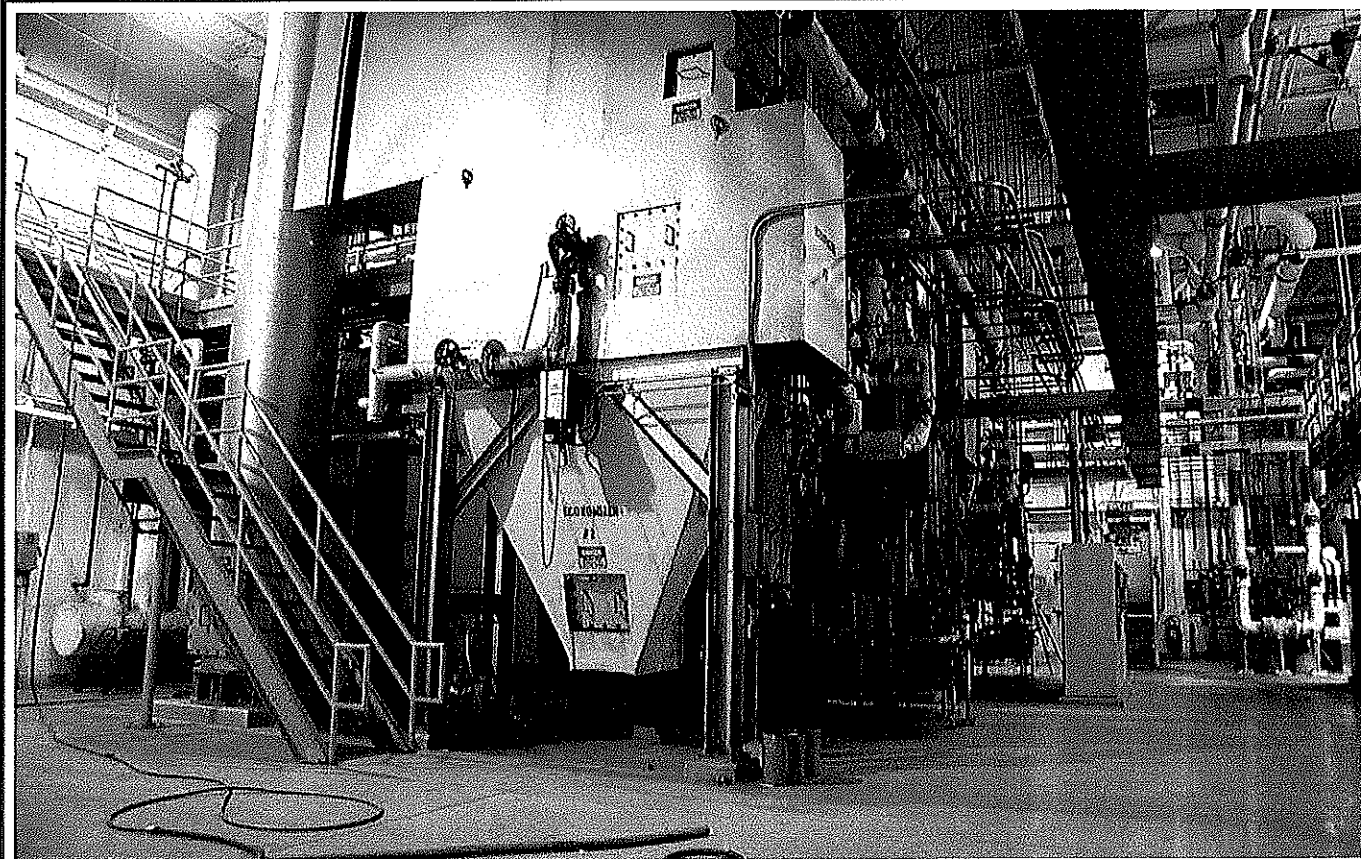
1969 ADDITION



1991 ADDITION



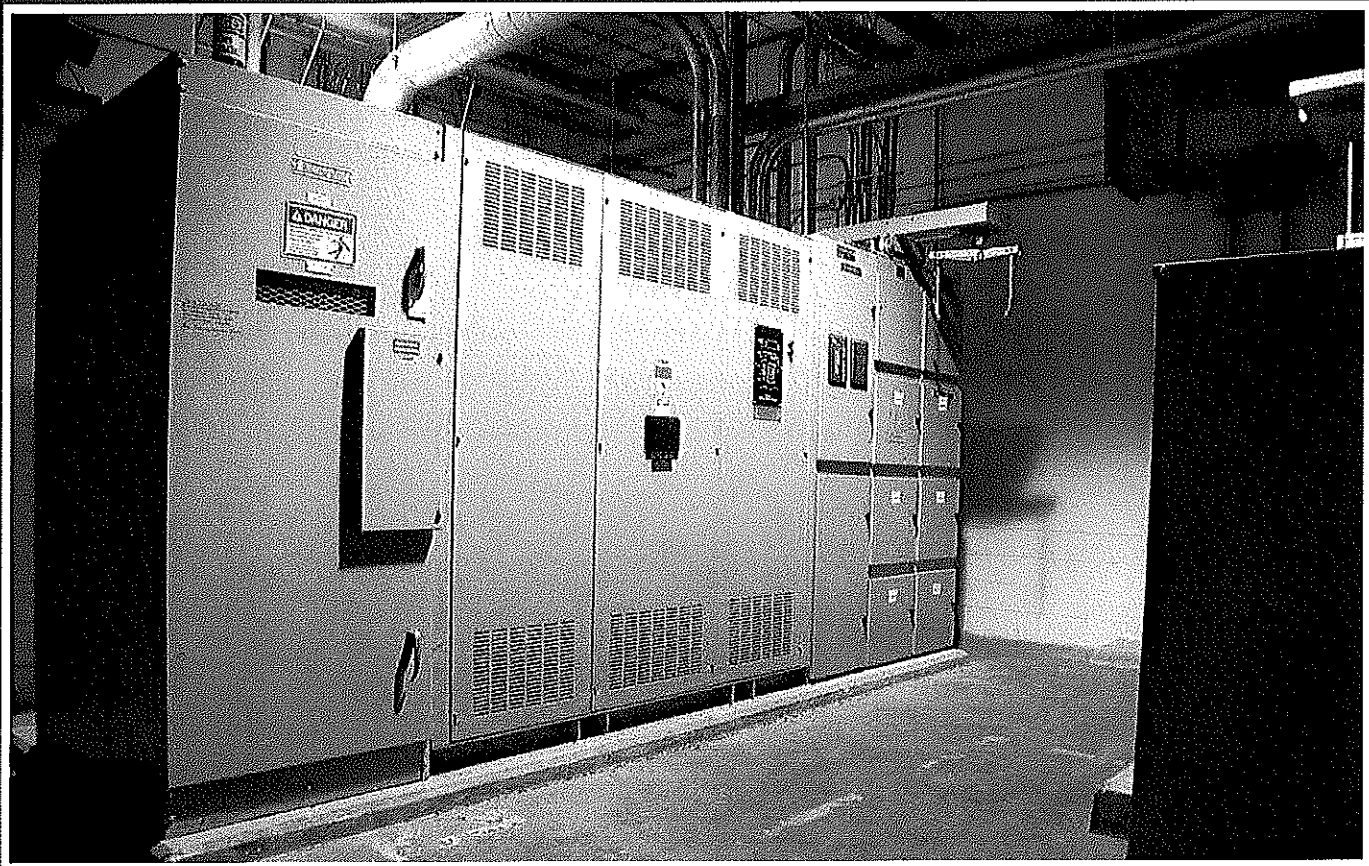
**BOILER ROOM (1992 ADDITION)**



**BOILER ROOM SHOWING NEBRASKA BOILERS**



MAINTENANCE SHOP

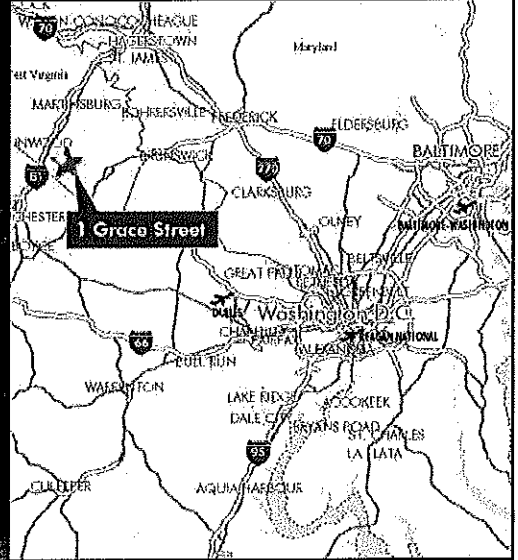
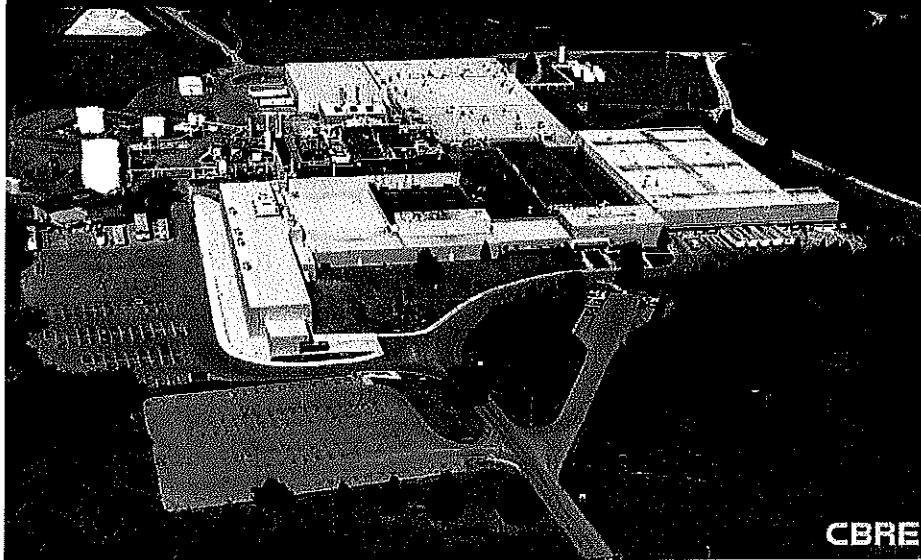


ELECTRICAL SUBSTATION ROOM

FOR  
SALE

# UNIQUE OPPORTUNITY NEAR I-81

1 GRACE STREET  
MIDDLEWAY, WEST VIRGINIA 25430



CBRE

Photos herein are the property of their respective owners and use of these images without the express written consent of the owner is prohibited.

<b>TOTAL BUILDING SIZE:</b>	325,000± SF	<b>LOADING:</b>	17 dock high doors w/levelers and seals 2 drive-in doors
<b>LAND:</b>	270± acres	<b>PARKING:</b>	301 spaces
<b>CEILING HEIGHT:</b>	18' - 26' clear	<b>FEATURES:</b>	• On-site potable water treatment plant 750,000 gallons per day • On-site waste water treatment plant • Close proximity to I-81
<b>SPRINKLER:</b>	Wet System	<b>REAL ESTATE TAXES:</b>	\$220,000 per year
<b>HEATING:</b>	Two (2) Nebraska Boilers		
<b>ZONING:</b>	Industrial - Commercial		
<b>ROOF:</b>	EPDM Membrane		
<b>UTILITIES:</b>	Natural gas		
<b>ELECTRIC SERVICE:</b>	9,500 KVA; 277 - 480v; 3 phase		

FOR MORE  
INFORMATION  
PLEASE  
CONTACT

**John Skoglin**  
Vice President  
410.244.3132  
john.skoglin@cbre.com

**CBRE**  
SPECIAL PROPERTIES GROUP

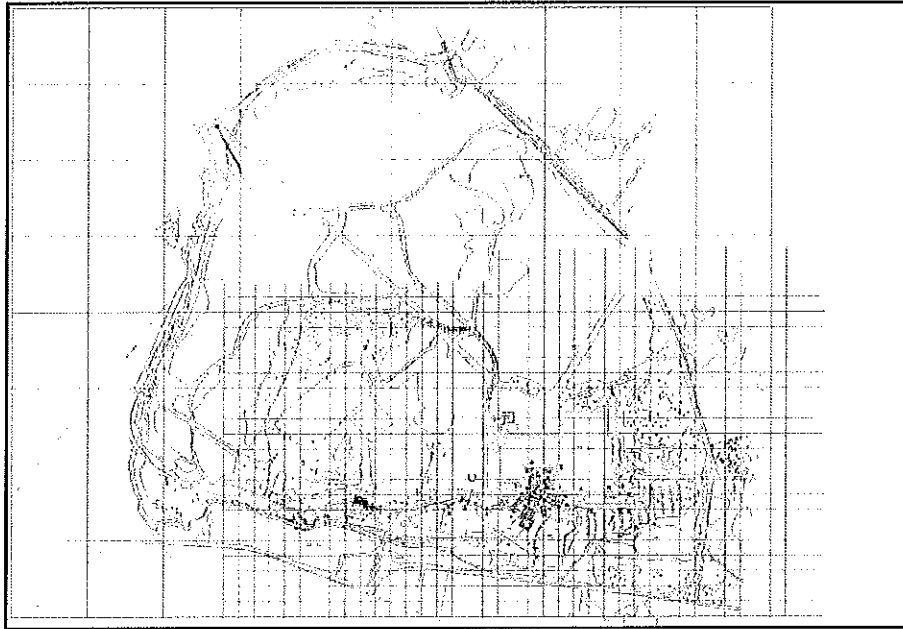
FOR  
SALE



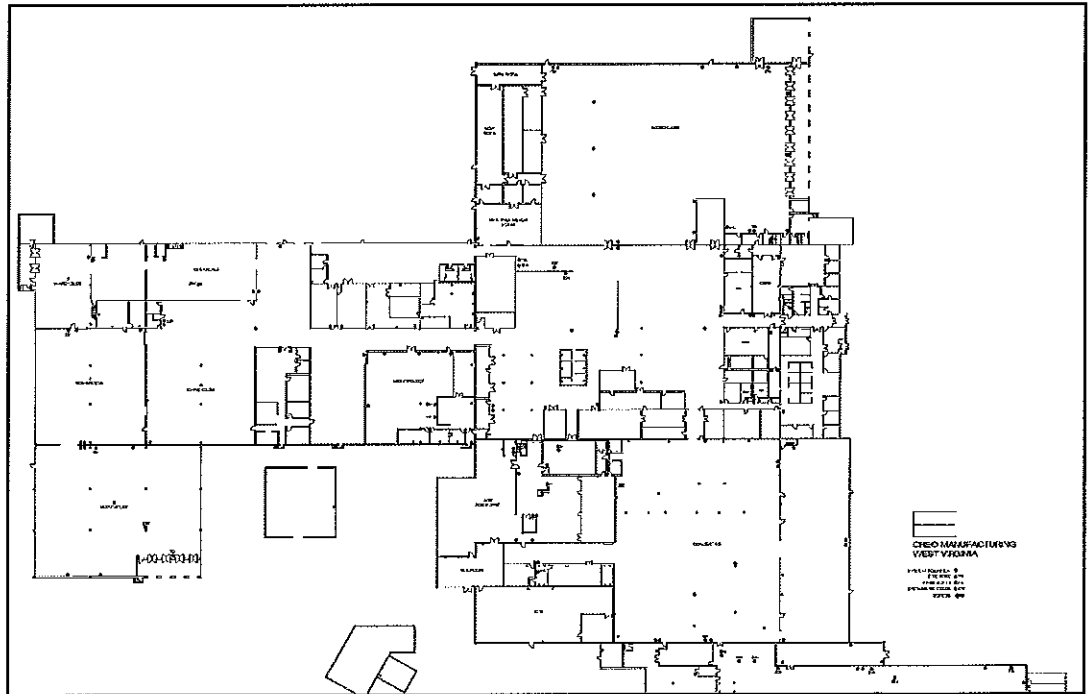
# UNIQUE OPPORTUNITY NEAR I-81

1 GRACE STREET | MIDDLEWAY, WEST VIRGINIA 25430

SITE  
PLAN



FLOOR  
PLAN



FOR MORE  
INFORMATION  
PLEASE  
CONTACT

**John Skoglin**  
Vice President  
410.244.3132  
john.skoglin@cbre.com

# CBRE

SPECIAL PROPERTIES GROUP

CBRE | 250 West Pratt St. | Suite 1700 | Baltimore, MD 21201 | [www.cbre.com/baltimore](http://www.cbre.com/baltimore)

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10

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

Name: Stephanie Grove

Department or Entity: Assistant Prosecuting Attorney

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

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

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

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

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

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

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

Attachments:



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

Name: County Commission

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

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

Date Requested – 1<sup>st</sup> Choice: April 26, 2012

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

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

**Subject: Priorities for the upcoming quarter**

Please provide the County Commission with a description of your request or presentation, including any background information: **Discuss and list the priorities of the County Commission for the next quarter**

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

Attachments:

## 2nd Quarter Priorities

Patsy	Comments	Priorities Numbered
Resolve IT issues.		
Purchase CAD System.		
Resolve county space issues (Assessor, Tax & Commission.		
Build Judicial Center to house Circuit Clerk.		
Lyn		
Public Hearing and adoption of CIP priorities.		
Meeting with Development Authority Board.		
Completion of space needs study for County Offices.		
Advertising RFP and OPEB actuarial study.		
Approval of time line to make decision on whether IT is in-house or contracted.		
Impact Fee discussion: approval of changes related to affordable housing and changing structure to fees for housing types.		
Publish public friendly version of budget with explanations of key services being provided.		
Frances		
Hire a County Administrator.		
Ensure that a plan is in place to protect Impact Fees, their collection, administration, ect.		
Run various scenarios to deal with the budget, should TG/VLT revenues fall, say, two years from now, by 20-25% with the advent of the MD. Casino.		
Plan the complete restoration of the Courthouse form the top down with input from Historic Landmarks; and how to fund it.		
Plan scenarios to place fire/amb. On a sustainable footing with adequate funding.		
St. Margaret's railing needs attention again.		

### Color Codes

Red - CAD system

Yellow - IT related

Green - space needs

Orange - Co. Admin

Blue - Budget

Grey - Maintenance

Inventory of all square footage of office space owned/leased/occupied by county government and affiliated agencies; ensure that plan is made for the next several years as to who occupies what; ensure that all space is being utilized fully and efficiently and if not, take steps to do so.		
Dale		
Completion of Judicial Center/Purchase Briel Building		
CAD		
Renovate Animal Control Building.		
Walt		
Resolve IT issues		
Impact Fee Analysis		
Resolve Judicial Center needs		
Hire a County Administrator		
Purchase of the Briel Building		

Color Codes

Red - CAD system

Yellow - IT related

Green - space needs

Orange - Co. Admin

Blue - Budget

Grey - Maintenance



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

Name: County Commission

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

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

Date Requested – 1<sup>st</sup> Choice: 4/26/12

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

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

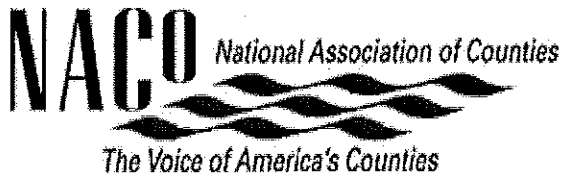
Subject: Discussion concerning the County Administrator position - Possible Executive Session, West Virginia Code §6-9A - 4

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:





## NACo Prescription Drug Discount Card Program

Jefferson County, WV													
MONTH	TOTAL	PLAN PRICED	% OF PLAN PRICED	RETAIL PRICED	% OF RETAIL PRICED	MEMBER COST	AVG MEMBER COST	RETAIL SUBMITTED PRICE	AVG RETAIL SUBMITTED PRICE	PRICE SAVINGS	AVG PRICE SAVINGS	% OF PRICE SAVINGS	TOTAL UTILIZERS
<b>2012</b>													
MARCH	133	62	46.62%	71	53.38%	\$ 3,231.82	\$ 24.30	\$ 4,545.83	\$ 34.18	\$ 1,314.01	\$ 9.88	28.91%	63
FEBRUARY	110	56	50.91%	54	49.09%	\$ 2,751.00	\$ 25.01	\$ 4,122.89	\$ 37.48	\$ 1,371.89	\$ 12.47	33.27%	55
JANUARY	131	76	58.02%	55	41.98%	\$ 3,525.57	\$ 26.91	\$ 5,024.28	\$ 38.35	\$ 1,498.71	\$ 11.44	29.83%	66
<b>2011</b>													
DECEMBER	155	93	60.00%	62	40.00%	\$ 5,765.57	\$ 37.20	\$ 7,748.02	\$ 49.99	\$ 1,982.45	\$ 12.79	25.59%	79
NOVEMBER	146	79	54.11%	67	45.89%	\$ 3,472.51	\$ 23.78	\$ 5,083.38	\$ 34.82	\$ 1,610.87	\$ 11.03	31.69%	74
OCTOBER	145	86	59.31%	59	40.69%	\$ 3,975.57	\$ 27.42	\$ 5,839.54	\$ 40.27	\$ 1,863.97	\$ 12.86	31.92%	72
SEPTEMBER	172	106	61.63%	66	38.37%	\$ 4,434.21	\$ 25.78	\$ 6,744.87	\$ 39.21	\$ 2,310.66	\$ 13.43	34.26%	71
AUGUST	169	104	61.54%	65	38.46%	\$ 4,080.91	\$ 24.15	\$ 6,287.94	\$ 37.21	\$ 2,207.03	\$ 13.06	35.10%	72
JULY	150	97	64.67%	53	35.33%	\$ 4,893.78	\$ 32.63	\$ 6,898.57	\$ 45.99	\$ 2,004.79	\$ 13.37	29.06%	76
JUNE	154	96	62.34%	58	37.66%	\$ 4,571.00	\$ 29.68	\$ 6,763.62	\$ 43.92	\$ 2,192.62	\$ 14.24	32.42%	78
MAY	167	99	59.28%	68	40.72%	\$ 5,157.29	\$ 30.88	\$ 7,332.44	\$ 43.91	\$ 2,175.15	\$ 13.02	29.66%	87
APRIL	162	94	58.02%	68	41.98%	\$ 5,051.23	\$ 31.18	\$ 7,145.17	\$ 44.11	\$ 2,093.94	\$ 12.93	29.31%	79
MARCH	201	109	54.23%	92	45.77%	\$ 5,624.14	\$ 27.98	\$ 7,845.15	\$ 39.03	\$ 2,221.01	\$ 11.05	28.31%	95
FEBRUARY	150	83	55.33%	67	44.67%	\$ 4,236.29	\$ 28.24	\$ 6,083.92	\$ 40.56	\$ 1,847.63	\$ 12.32	30.37%	78
JANUARY	186	109	58.60%	77	41.40%	\$ 5,607.92	\$ 30.15	\$ 7,872.18	\$ 42.32	\$ 2,264.26	\$ 12.17	28.76%	93
<b>2010</b>													
DECEMBER	191	111	58.12%	80	41.88%	\$ 5,995.10	\$ 31.39	\$ 8,231.73	\$ 43.10	\$ 2,236.63	\$ 11.71	27.17%	96
NOVEMBER	240	141	58.75%	99	41.25%	\$ 6,735.08	\$ 28.06	\$ 9,599.10	\$ 40.00	\$ 2,864.02	\$ 11.93	29.84%	113
OCTOBER	242	137	56.61%	105	43.39%	\$ 6,570.09	\$ 27.15	\$ 9,167.52	\$ 37.88	\$ 2,597.43	\$ 10.73	28.33%	118
SEPTEMBER	194	113	58.25%	81	41.75%	\$ 5,602.61	\$ 28.88	\$ 7,935.87	\$ 40.91	\$ 2,333.26	\$ 12.03	29.40%	96
AUGUST	236	152	64.41%	84	35.59%	\$ 10,491.08	\$ 44.45	\$ 14,042.33	\$ 59.50	\$ 3,551.25	\$ 15.05	25.29%	104
JULY	232	143	61.64%	89	38.36%	\$ 7,825.67	\$ 33.73	\$ 10,752.94	\$ 46.35	\$ 2,927.27	\$ 12.62	27.22%	111
JUNE	224	143	63.84%	81	36.16%	\$	\$ 27.32	\$ 8,712.68	\$ 38.90	\$	\$ 11.57	29.75%	111

						6,120.75				2,591.93			
MAY	226	146	64.60%	80	35.40%	\$ 6,630.75	\$ 29.34	\$ 9,525.34	\$ 42.15	\$ 2,894.59	\$ 12.81	30.39%	106
APRIL	252	150	59.52%	102	40.48%	\$ 7,705.22	\$ 30.58	\$ 11,178.59	\$ 44.36	\$ 3,473.37	\$ 13.78	31.07%	113
MARCH	242	149	61.57%	93	38.43%	\$ 6,802.19	\$ 28.11	\$ 10,079.39	\$ 41.65	\$ 3,277.20	\$ 13.54	32.51%	112
FEBRUARY	206	139	67.48%	67	32.52%	\$ 6,839.07	\$ 33.20	\$ 9,871.06	\$ 47.92	\$ 3,031.99	\$ 14.72	30.72%	105
JANUARY	267	169	63.30%	98	36.70%	\$ 7,459.20	\$ 27.94	\$ 10,596.25	\$ 39.69	\$ 3,137.05	\$ 11.75	29.61%	127
<b>2009</b>													
DECEMBER	217	135	62.21%	82	37.79%	\$ 6,578.01	\$ 30.31	\$ 9,311.32	\$ 42.91	\$ 2,733.31	\$ 12.60	29.35%	101
NOVEMBER	226	137	60.62%	89	39.38%	\$ 6,269.59	\$ 27.74	\$ 8,967.87	\$ 39.68	\$ 2,698.28	\$ 11.94	30.09%	99
OCTOBER	218	140	64.22%	78	35.78%	\$ 6,468.85	\$ 29.67	\$ 9,020.85	\$ 41.38	\$ 2,552.00	\$ 11.71	28.29%	96
SEPTEMBER	190	120	63.16%	70	36.84%	\$ 5,236.97	\$ 27.56	\$ 7,677.45	\$ 40.41	\$ 2,440.46	\$ 12.84	31.79%	82
AUGUST	202	138	68.32%	64	31.68%	\$ 6,462.86	\$ 31.99	\$ 9,392.68	\$ 46.50	\$ 2,929.82	\$ 14.50	31.19%	90
JULY	177	109	61.58%	68	38.42%	\$ 6,082.48	\$ 34.36	\$ 8,021.11	\$ 45.32	\$ 1,938.63	\$ 10.95	24.17%	72
JUNE	165	115	69.70%	50	30.30%	\$ 5,829.95	\$ 35.33	\$ 8,038.29	\$ 48.72	\$ 2,208.34	\$ 13.38	27.47%	69
MAY	132	89	67.42%	43	32.58%	\$ 4,715.15	\$ 35.72	\$ 6,234.28	\$ 47.23	\$ 1,519.13	\$ 11.51	24.37%	59
APRIL	108	70	64.81%	38	35.19%	\$ 5,222.65	\$ 48.36	\$ 6,718.16	\$ 62.21	\$ 1,495.51	\$ 13.85	22.26%	52
MARCH	69	48	69.57%	21	30.43%	\$ 2,677.59	\$ 38.81	\$ 3,480.86	\$ 50.45	\$ 803.27	\$ 11.64	23.08%	34
FEBRUARY	11	7	63.64%	4	36.36%	\$ 402.25	\$ 36.57	\$ 521.64	\$ 47.42	\$ 119.39	\$ 10.85	22.89%	5
<b>TOTALS:</b>	<b>6,798</b>	<b>4,150</b>	<b>61.05%</b>	<b>2,648</b>	<b>38.95%</b>			<b>\$ 292,415.11</b>	<b>\$ 43.01</b>	<b>\$ 85,313.14</b>	<b>\$ 12.55</b>	<b>29.18%</b>	<b>3,209.00</b>

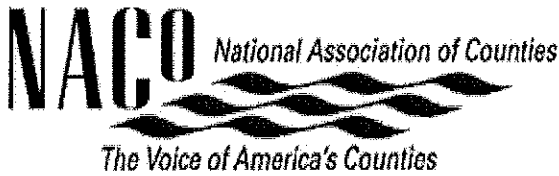
Column Headers from left to right:

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

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

Andrew Goldschmidt

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



## NACo Prescription Drug Discount Card Program

Jefferson County, WV													
MONTH	TOTAL	PLAN PRICED	% OF PLAN PRICED	RETAIL PRICED	% OF RETAIL PRICED	MEMBER COST	AVG MEMBER COST	RETAIL SUBMITTED PRICE	AVG RETAIL SUBMITTED PRICE	PRICE SAVINGS	AVG PRICE SAVINGS	% OF PRICE SAVINGS	TOTAL UTILIZERS
<b>2012</b>													
MARCH	133	62	46.62%	71	53.38%	\$ 3,231.82	\$ 24.30	\$ 4,545.83	\$ 34.18	\$ 1,314.01	\$ 9.88	28.91%	63
FEBRUARY	110	56	50.91%	54	49.09%	\$ 2,751.00	\$ 25.01	\$ 4,122.89	\$ 37.48	\$ 1,371.89	\$ 12.47	33.27%	55
JANUARY	131	76	58.02%	55	41.98%	\$ 3,525.57	\$ 26.91	\$ 5,024.28	\$ 38.35	\$ 1,498.71	\$ 11.44	29.83%	66
<b>2011</b>													
DECEMBER	155	93	60.00%	62	40.00%	\$ 5,765.57	\$ 37.20	\$ 7,748.02	\$ 49.99	\$ 1,982.45	\$ 12.79	25.59%	79
NOVEMBER	146	79	54.11%	67	45.89%	\$ 3,472.51	\$ 23.78	\$ 5,083.38	\$ 34.82	\$ 1,610.87	\$ 11.03	31.69%	74
OCTOBER	145	86	59.31%	59	40.69%	\$ 3,975.57	\$ 27.42	\$ 5,839.54	\$ 40.27	\$ 1,863.97	\$ 12.86	31.92%	72
SEPTEMBER	172	106	61.63%	66	38.37%	\$ 4,434.21	\$ 25.78	\$ 6,744.87	\$ 39.21	\$ 2,310.66	\$ 13.43	34.26%	71
AUGUST	169	104	61.54%	65	38.46%	\$ 4,080.91	\$ 24.15	\$ 6,287.94	\$ 37.21	\$ 2,207.03	\$ 13.06	35.10%	72
JULY	150	97	64.67%	53	35.33%	\$ 4,893.78	\$ 32.63	\$ 6,898.57	\$ 45.99	\$ 2,004.79	\$ 13.37	29.06%	76
JUNE	154	96	62.34%	58	37.66%	\$ 4,571.00	\$ 29.68	\$ 6,763.62	\$ 43.92	\$ 2,192.62	\$ 14.24	32.42%	78
MAY	167	99	59.28%	68	40.72%	\$ 5,157.29	\$ 30.88	\$ 7,332.44	\$ 43.91	\$ 2,175.15	\$ 13.02	29.66%	87
APRIL	162	94	58.02%	68	41.98%	\$ 5,051.23	\$ 31.18	\$ 7,145.17	\$ 44.11	\$ 2,093.94	\$ 12.93	29.31%	79
MARCH	201	109	54.23%	92	45.77%	\$ 5,624.14	\$ 27.98	\$ 7,845.15	\$ 39.03	\$ 2,221.01	\$ 11.05	28.31%	95
FEBRUARY	150	83	55.33%	67	44.67%	\$ 4,236.29	\$ 28.24	\$ 6,083.92	\$ 40.56	\$ 1,847.63	\$ 12.32	30.37%	78
JANUARY	186	109	58.60%	77	41.40%	\$ 5,607.92	\$ 30.15	\$ 7,872.18	\$ 42.32	\$ 2,264.26	\$ 12.17	28.76%	93
<b>2010</b>													
DECEMBER	191	111	58.12%	80	41.88%	\$ 5,995.10	\$ 31.39	\$ 8,231.73	\$ 43.10	\$ 2,236.63	\$ 11.71	27.17%	96
NOVEMBER	240	141	58.75%	99	41.25%	\$ 6,735.08	\$ 28.06	\$ 9,599.10	\$ 40.00	\$ 2,864.02	\$ 11.93	29.84%	113
OCTOBER	242	137	56.61%	105	43.39%	\$ 6,570.09	\$ 27.15	\$ 9,167.52	\$ 37.88	\$ 2,597.43	\$ 10.73	28.33%	118
SEPTEMBER	194	113	58.25%	81	41.75%	\$ 5,602.61	\$ 28.88	\$ 7,935.87	\$ 40.91	\$ 2,333.26	\$ 12.03	29.40%	96
AUGUST	236	152	64.41%	84	35.59%	\$ 10,491.08	\$ 44.45	\$ 14,042.33	\$ 59.50	\$ 3,551.25	\$ 15.05	25.29%	104
JULY	232	143	61.64%	89	38.36%	\$ 7,825.67	\$ 33.73	\$ 10,752.94	\$ 46.35	\$ 2,927.27	\$ 12.62	27.22%	111
JUNE	224	143	63.84%	81	36.16%	\$	\$ 27.32	\$ 8,712.68	\$ 38.90	\$	\$ 11.57	29.75%	111

						6,120.75				2,591.93			
MAY	226	146	64.60%	80	35.40%	\$ 6,630.75	\$ 29.34	\$ 9,525.34	\$ 42.15	\$ 2,894.59	\$ 12.81	30.39%	106
APRIL	252	150	59.52%	102	40.48%	\$ 7,705.22	\$ 30.58	\$ 11,178.59	\$ 44.36	\$ 3,473.37	\$ 13.78	31.07%	113
MARCH	242	149	61.57%	93	38.43%	\$ 6,802.19	\$ 28.11	\$ 10,079.39	\$ 41.65	\$ 3,277.20	\$ 13.54	32.51%	112
FEBRUARY	206	139	67.48%	67	32.52%	\$ 6,839.07	\$ 33.20	\$ 9,871.06	\$ 47.92	\$ 3,031.99	\$ 14.72	30.72%	105
JANUARY	267	169	63.30%	98	36.70%	\$ 7,459.20	\$ 27.94	\$ 10,596.25	\$ 39.69	\$ 3,137.05	\$ 11.75	29.61%	127
<b>2009</b>													
DECEMBER	217	135	62.21%	82	37.79%	\$ 6,578.01	\$ 30.31	\$ 9,311.32	\$ 42.91	\$ 2,733.31	\$ 12.60	29.35%	101
NOVEMBER	226	137	60.62%	89	39.38%	\$ 6,269.59	\$ 27.74	\$ 8,967.87	\$ 39.68	\$ 2,698.28	\$ 11.94	30.09%	99
OCTOBER	218	140	64.22%	78	35.78%	\$ 6,468.85	\$ 29.67	\$ 9,020.85	\$ 41.38	\$ 2,552.00	\$ 11.71	28.29%	96
SEPTEMBER	190	120	63.16%	70	36.84%	\$ 5,236.97	\$ 27.56	\$ 7,677.45	\$ 40.41	\$ 2,440.48	\$ 12.84	31.79%	82
AUGUST	202	138	68.32%	64	31.68%	\$ 6,462.86	\$ 31.99	\$ 9,392.68	\$ 46.50	\$ 2,929.82	\$ 14.50	31.19%	90
JULY	177	109	61.58%	68	38.42%	\$ 6,082.48	\$ 34.36	\$ 8,021.11	\$ 45.32	\$ 1,938.63	\$ 10.95	24.17%	72
JUNE	165	115	69.70%	50	30.30%	\$ 5,829.95	\$ 35.33	\$ 8,038.29	\$ 48.72	\$ 2,208.34	\$ 13.38	27.47%	69
MAY	132	89	67.42%	43	32.58%	\$ 4,715.15	\$ 35.72	\$ 6,234.28	\$ 47.23	\$ 1,519.13	\$ 11.51	24.37%	59
APRIL	108	70	64.81%	38	35.19%	\$ 5,222.65	\$ 48.36	\$ 6,718.16	\$ 62.21	\$ 1,495.51	\$ 13.85	22.26%	52
MARCH	69	48	69.57%	21	30.43%	\$ 2,677.59	\$ 38.81	\$ 3,480.86	\$ 50.45	\$ 803.27	\$ 11.64	23.08%	34
FEBRUARY	11	7	63.64%	4	36.36%	\$ 402.25	\$ 36.57	\$ 521.64	\$ 47.42	\$ 119.39	\$ 10.85	22.89%	5
<b>TOTALS:</b>	<b>6,798</b>	<b>4,150</b>	<b>61.05%</b>	<b>2,648</b>	<b>38.95%</b>			<b>\$ 292,415.11</b>	<b>\$ 43.01</b>	<b>\$ 85,313.14</b>	<b>\$ 12.55</b>	<b>29.18%</b>	<b>3,209.00</b>

Column Headers from left to right:

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

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

Andrew Goldschmidt

Director, Membership/Marketing  
NACo—National Association of Counties



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

April 10, 2012

**To Whom It May Concern:**

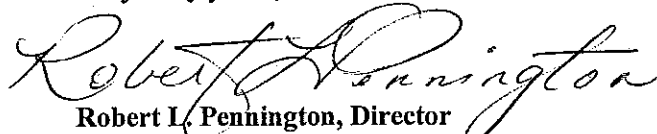
The Statewide Transportation Improvement Program (STIP) is a financially constrained document required to show planned Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) expenditures for federal fiscal years 2012-2017. One of the requirements to funding any projects with FHWA 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 April 25, 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

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>														
HARRISON	2012	4		5/28/2012	CON		NA	COMPREHENSIVE MODEL PHASE IV	CONST SW(S), MARKING BICYCLE LANE	U317 SRTS 1 02	SRTS201099D	\$130,000	\$130,000	\$0
<b>CANCEL - WORK IS BEING ADDED TO PROJECT S317-SRTS-1.00; AMD 4 - ADD NEW PROJECT</b>														
LOGAN	2014	2		3/28/2014	CON		WW010	GUYANDOTTE RVR BR (AC PROJECT)	CONST BR	S323 10 01939 03	NH00107??	\$3,200,000	\$2,560,000	\$0
<b>ADD NEW PROJECT</b>														
LOGAN	2013	2		3/28/2013	CON		WW010	GUYANDOTTE RVR BR (SPLIT FUNDED)/AC	CONST BR	S323 10 01939 03	NH00107??	\$5,000,000	\$4,000,000	\$0
<b>ADD NEW PROJECT</b>														
LOGAN	2013	2		3/28/2013	CON		WW010	GUYANDOTTE RVR BR (SPLIT FUNDED)/AC	CONST BR	S323 10 01939 03	NH00107??	\$7,500,000	\$6,000,000	\$0
<b>ADD NEW PROJECT</b>														
LOGAN	2012	2		6/28/2012	CON		WW010	GUYANDOTTE RVR BR (SPLIT FUNDED)/AUTH AC	CONST BR	S323 10 01939 03	NH00107??	\$1,250,000	\$1,000,000	\$0
<b>ADD NEW PROJECT</b>														
LOGAN	2012	2		6/28/2012	CON		WW010	GUYANDOTTE RVR BR (SPLIT FUNDED)/AUTH AC	CONST BR	S323 10 01939 03	NH00107??	\$6,250,000	\$5,000,000	\$0
<b>ADD NEW PROJECT</b>														
LOGAN	2013	2		3/28/2013	CON		WW010	SOUTH OF MADISON - NORTH OF DAVY BRCH	GR, DR	S323 10 01256 03	EB0010222	\$22,000,000	\$17,500,000	(\$5,016,800)
<b>36% TOTAL COST INCREASE (&gt;\$2M); ADJ 2 - REVISE FUNDING</b>														
LOGAN	2014	2		3/28/2014	CON		WW010	SOUTH OF MADISON - NORTH OF DAVY BRCH	GR, DR	S323 10 01256 03	EB0010222	\$12,500,000	\$10,000,000	(\$12,616,800)
<b>36% TOTAL COST INCREASE (&gt;\$2M); ADJ 2 - REVISE FUNDING</b>														
LOGAN	2012	2		4/28/2012	CON		WW010	SOUTH OF MADISON - NORTH OF DAVY BRCH	GR, DR	S323 10 01256 03	EB0010222	\$10,000,000	\$8,000,000	(\$14,616,800)
<b>36% TOTAL COST INCREASE (&gt;\$2M); ADJ 2 - REVISE FUNDING</b>														
MERCER	2012	10		5/28/2012	CON		US460	GREEN VALLEY - US 19	RESURF 1.5" SKID	S328 460 00793 00	NH0460048D	\$2,000,000	\$1,600,000	\$0
<b>ADD NEW PROJECT</b>														
MORGAN	2012	5		4/28/2012	CON		NA	PAW PAW BENDS TRAIL	CONST TRAIL	U333 PAWPA 4 00	STPS2008031D	\$1,250,000	\$1,250,000	\$0
<b>CANCEL PROJECT; ADJ 1 - MOVED PROJECT TO FFY 2012</b>														
RALEIGH	2013	10		12/28/2012	CON		1064	1-64 CRACK SEAL	SEAL JOINTS & CRACKS	S341 64 777??	IM06447??	\$1,300,000	\$1,170,000	\$0
<b>ADD NEW PROJECT</b>														
TUCKER	2012	8		5/28/2012	CON		10219107	BROOKLYN HEIGHTS RD	ADD RT TN LN, IMPR DRAINAGE	U347 219??	HSP2197??	\$50,000	\$45,000	\$0
<b>ADD NEW PROJECT (REDUCED HSIP ALLOCATION)</b>														

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>														
WEBSTER	2012	7		4/28/2012	STP	CON	WV020	JERRY'S RUN-CLEVELAND RD	RESURF 1.5" HMA; GDRL; SHOULDER	S351 20 04309 00	STP0020294D	\$379,500	\$303,600	\$0
<b>ADD NEW PROJECT</b>														
WETZEL	2012	6		5/28/2012	STP	CON	WV007	LONG DRAIN-HUNDRED RD	RESURF(1.5")	S352 7 77777	STP0007777	\$231,000	\$184,800	\$0
<b>ADD NEW PROJECT</b>														
STATEWIDE	2014	99		1/28/2014	BR	CON	NA999	CAT 8A MAJOR C & P	MAJOR C & P	A399 E28 14 00	NHST9999777	\$6,250,000	\$5,000,000	\$0
<b>ADD ALLOCATION; ADJ 1 - REDUCED ALLOCATION</b>														
STATEWIDE	2015	99		1/28/2015	BR	CON	NA999	CAT 8A MAJOR C & P	MAJOR C & P	A399 E28 15 00	NHST9999777	\$6,250,000	\$5,000,000	\$0
<b>ADD ALLOCATION; ADJ 1 - REDUCED ALLOCATION</b>														
STATEWIDE	2016	99		1/28/2016	BR	CON	NA999	CAT 8A MAJOR C & P	MAJOR C & P	A399 E28 16 00	NHST9999777	\$6,250,000	\$5,000,000	\$600,000
<b>ADJUST ALLOCATION; ADJ 1 - REDUCED ALLOCATION</b>														
STATEWIDE	2012	99		8/28/2012	NRT	CON	NA	HATFIELD MCCOY REG AUTH	MAINTAIN MOTOR TRAIL	S399 HATF1 00	NRT2011043D	\$357,113	\$285,690	\$0
<b>CANCEL PROJECT</b>														
STATEWIDE	2012	99		8/28/2012	NRT	ENG	NA	HATFIELD-MCCOY EQUIP	ACQUIRE EQUIPMENT	U999 HAT/FI 15 00	NRT2010072D	\$158,992	\$127,113	\$0
<b>ADD NEW PROJECT</b>														
STATEWIDE	2012	99		7/28/2012	HSIP	ENG	NA	WVSP ATMS INTEGRATION	FUNDING FOR STATEWIDE DISPATCHING WVSP	T699 WVSP 1 00	HSIP2012540D	\$1,700,000	\$1,360,000	(\$340,000)
<b>ADD NEW PROJECT</b>														



Patricia L. Hamil  
Executive Direc

2211 Washington Street East  
Charleston, WV 25311-2118  
Phone: (304) 346.0591  
Fax: (304) 346.0592

**FAX**

TO: ALL COMMISSIONERS

FROM: WV ASSOCIATION OF COUNTIES

RE: HOUSING DEVELOPMENT FUND REQUIREMENT FOR LOCAL APPROVAL

DATE: APRIL 13, 2012

Commissioners,  
 Included with this memo is a letter from Minority Leader Tim Armstead, a Kanawha County Delegate, to the Housing Development Fund. The letter is in part related to a Kanawha County project but he also requests that the Housing Development Fund reconsider their action that eliminated the requirement of support from county and local governments for certain projects.

The elimination of the requirement was done in relation to the Mason County Commission's disapproval of a project in Mason County that has since become controversial for other reasons.

Other County Commissions may want to join in asking the WV Housing Development Fund to reinstate the local approval rule.

jefferson county citizens for economic preservation  
J C C E P  
JCCEP, 301 North Mildred Street, Suite 1, Charles Town, WV 25414

---

April 12, 2012

Patsy Noland, President  
Jefferson County Commission  
P.O. Box 250  
124 East Washington Street  
Charles Town, WV 25414

Dear President Noland:

On behalf of Jefferson County Citizens for Economic Preservation (JCCEP), we are writing to request the Jefferson County Commission's consideration and passage of an amendment to the Jefferson County *Subdivision Regulations*.

For your information, JCCEP's Mission Statement is:

*"Established August 3, 1992, Jefferson County Citizens for Economic Preservation (JCCEP) is a forward-thinking, nonprofit corporation comprised of residential and commercial land developers, builders, and related service providers to the industry. JCCEP exists to improve the quality of life in Jefferson County through the promotion of our core values consisting of:*

- 1. Economic growth;*
- 2. Responsible and quality land development and construction; and*
- 3. Reasonable regulations.*

*JCCEP represents its members in achieving these basic core values by upholding the following business practices:*

- To inform the public to understand and appreciate the importance of residential, office and commercial land development and construction, its positive benefit on the local economy, and those who provide these services;*
- To advocate professional, ethical, and best business practices of our membership when interacting with the public and regulatory agencies;*
- To strive for a balance between local legislative, regulatory, and judicial public policy and our membership's needs by fostering reasonable and just regulations;*
- To establish and maintain a harmonious relationship and understanding among our membership, the general public, regulatory agencies, and consumers of our members' services, while aiming to mutually resolve problems affecting the general welfare of our industry.*

(emphasis added).

Several of JCCEP's members are land developers and builders of quality developments within Jefferson County. However, given the continued severe economic downturn in the Country which continues to adversely affect many of our members in the development and building industry, we are continually faced with hardships in our businesses that we must overcome to

To assist the County Commission's consideration of this request, we note the following:

- The enabling legislation for the County Commission's authority to deliberate and approve amendments to the Subdivision Regulations is within West Virginia State Code §8A-4-3:

*§8A-4-3. Enactment of subdivision and land development ordinance.  
(a) Before a governing body enacts a subdivision and land development ordinance, the governing body shall hold at least one public hearing and give public notice.*

*(b) The public notice of the date, time and place of the public hearing must be published in a local newspaper of general circulation in the area as a Class I legal advertisement, in accordance with the provisions of article three, chapter fifty-nine of this code, at least thirty days prior to the public hearing. The public notice must contain a brief summary of the principal provisions of the proposed subdivision and land development ordinance and a reference to the place or places where copies of the proposed subdivision and land development ordinance may be examined.*

*(c) After the public hearing, if the governing body makes other than technical amendments to the proposed subdivision and land development ordinance prior to voting on it, the governing body shall hold another public hearing and give public notice. The public notice shall be as provided in subsection (b) of this section, and must contain a brief summary of the amendments.*

(emphasis added).

- The current provisions for plan approval expirations appear in two codified locations:

1. West Virginia State Code §8A-5-12 (f):

*(f) Any subdivision or land development plan or plat, whether recorded or not yet recorded, valid under West Virginia law and outstanding as of January 1, 2010, shall remain valid until July 1, 2012, or such later date provided for by the terms of the planning commission or county commission's local ordinance or for a longer period as agreed to by the planning commission or county commission. Any other plan or permit associated with the subdivision or land development plan or plat shall also be extended for the same time period: Provided, That the land development plan or plat has received at least preliminary approval by the planning commission or county commission by March 1, 2010.*

and also in:

2. The *Subdivision Regulations*, Article 20, Section 20.105 D.1 & 2:

*1. All requirements, for the vesting of property rights contained in an ordinance enacted pursuant to WV Code Section 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat valid under West Virginia law and outstanding as of January 1, 2010, shall be extended until July 1, 2012, or longer as agreed to by the municipality, county commission or planning commission. The provisions of this subsection also apply to any requirement that a use authorized pursuant to*

President Patsy Noland  
April 12, 2012  
Page 5 of 5

Based on the preceding, we respectfully request the County Commission approve JCCEP's request to amend the *Subdivision Regulations* as identified above, in an expeditious fashion prior to the July 1, 2012 sunset expiration. Please feel free to call me at (301) 695-6614 x204 or email [mike.wiley@wormald.com](mailto:mike.wiley@wormald.com) anytime if you have any questions or concerns, and we look forward to your support.

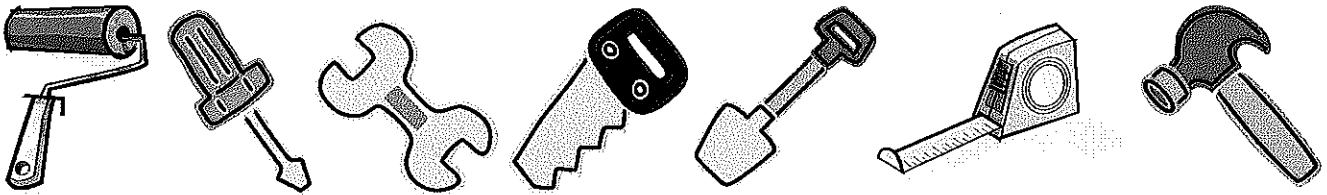
Sincerely,  
JCCEP



Michael T. Wiley  
President

*MTW/mtw/W:\EMPLOYEES\Mike\JCCEP\LTR - Noland Subdiv Reg Amendment 04-10-2012.docx*

cc: Jefferson County Commissioners:  
Dale Manuel, Vice President  
Walt Pellish, Commissioner  
Frances Morgan, Commissioner  
Lyn Widmyer, Commissioner  
Stephanie Grove, Esq.  
JCCEP Board of Directors  
EPHBA Board of Directors



**The Jefferson County Maintenance Department  
Cordially Invites You to Our**

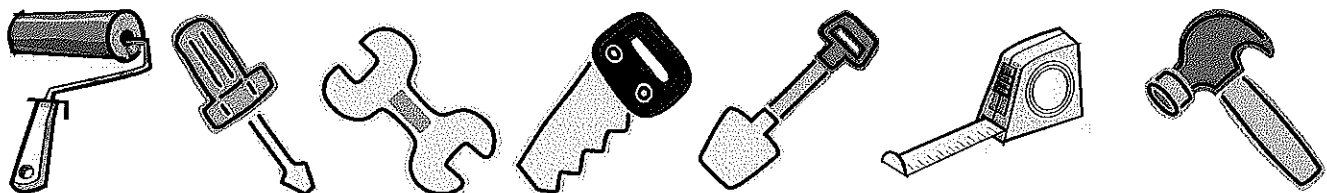
# **OPEN HOUSE**

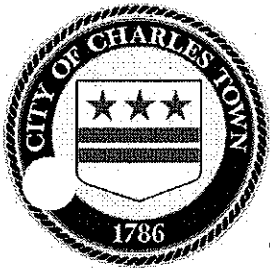
**Wednesday, May 2, 2012**

**11:00 a.m. - 3:00 p.m.**

**128 Industrial Boulevard  
Kearneysville, WV**

**Please join us for our Open House and take a tour of our new  
maintenance facility. Refreshments will be provided.**





# City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414  
Phone: (304) 725-2311 ♦ Fax: (304) 725-1014 ♦ Web: [www.charlestownwv.us](http://www.charlestownwv.us)

April 9, 2012

MAYOR

*Peggy A. Smith*

**CERTIFIED MAIL (as required by West Virginia Code, Chapter 8A-7-8)**

RE: City of Charles Town Zoning Ordinance Amendment Notification

Dear City Landowner:

CITY  
COUNCIL

*Rich  
Bringewatt*

*Wayne  
Clark*

*Donald  
Clendening*

*Chet  
Hines*

*Sandra  
Slusher  
McDonald*

*Ann  
Paonessa*

*Mark  
Reinbart*

*Michael  
Sloner*

CITY  
MANAGER

*Joe  
Cosentini*

CITY CLERK

*Kiya Tabb*

The Charles Town City Council and City Planning Commission will hold public hearings to consider the City of Charles Town's proposed Draft Zoning Ordinance as prepared pursuant to West Virginia Code Chapter 8A, Article 8A-7. The public hearings will be conducted at Charles Town City Hall, First Floor, 101 E. Washington Street, Charles Town, WV 25414, and held on the following dates and times:

**PLANNING COMMISSION**

**Monday, April 23, 2012  
7:00 PM**

**CITY COUNCIL**

**Saturday, May 19, 2012  
10:00 AM**

**AND**

**Monday, May 21, 2012  
7:00 PM**

As a result of City Council's 2006 adoption of the Comprehensive Plan and the Planning Commission's 2011 Study and Report on Zoning, the Planning Commission has drafted a new Zoning Ordinance to update the City's 1991 Zoning Ordinance. The proposed Zoning Ordinance involves changes to both zoning ordinance text regulations and zoning map classification of certain parcels of land.

The proposed Draft Zoning Ordinance may be previewed at City Hall, the Charles Town Public Library, or online at [www.charlestownwv.us](http://www.charlestownwv.us). More information regarding the City's Draft Zoning Ordinance may be obtained by contacting the City Planner, Katie See, at the Charles Town Community Development Office. Katie may be reached by calling (304) 725-2311, ext. 244, or by e-mailing her at [katie@charlestownwv.us](mailto:katie@charlestownwv.us).

Sincerely,

Peggy Smith, Mayor

RECEIVED

APR 13 2012

Jefferson County Commission

RECEIVED

APR 17 2012

Jefferson County Commission

April 16, 2012

Patsy Noland, President, and  
Members of the Jefferson County Commission

Dear President Noland and Members of the County Commission:

Thank you again for the opportunity to discuss some of our concerns regarding a proposed fire fee for Jefferson County. It seems vastly premature for the Commission to consider this request given the lack of concrete financial data and the fact that no one but the JCESA's "lawyer" has seen a proposed ordinance.

Nonetheless, and assuming the JCESA can get its act together in time, there are two upcoming golden opportunities to submit the question of a fire fee levy to the voters with negligible added expense to the county. They are (1) the primary election in May, and (2) the general election in November 2012.

The focus is not the prospective need for additional personnel to provide fire/EMS services. Rather, it is how this would be paid for, i.e., with taxpayer dollars already being collected or with new, in effect, taxes (whether called taxes or not).

As citizens to be affected by any increase, it is unconscionable to us that:

1. This issue would not be submitted to the voters to decide;
2. A \$300,000.00 to \$500,000.00 billing and collection apparatus is already being set up (business manager already funded) to collect only 75% of fire fees, in lieu of, upon voter approval of another levy, using the already established collection apparatus of the county (property liens) to collect 100% of such taxes;
3. The county would even consider disadvantaging its citizens by adopting a fee rather than imposing a voter approved additional tax that would be deductible, when a fee outside a levy would not;
4. The so-called "revised numbers" change nothing and make it apparent that the method used to arrive at them was by using the old bottom line (2.9 m) and juggling the

Copy to each Commissioner 4/17/12. -ds

numbers and categories above it to make them total the same 2.9 m; and

5. Any consideration at all would be given to an additional tax (that's what it would be regardless of what it is called) when neither the Commission nor the citizens have concrete financial data from the agency or the Commission to justify it.

On this latter point, Mr. Aitcheson questioned the consultant's report at the "informational" meetings at the Independent Fire Company and Harpers Ferry-Bolivar Fire Departments earlier this year. Those present were told that the financial statement justifying the new tax/fee was a "work in progress" and that the "numbers" had been re-done though not yet given to the citizens. Again, at the County Commission meeting on April 12, when the supposed revised figures were challenged, the same response was given by the Deputy Director. It is ludicrous to think that in this time of austerity and severe financial hardship for many, this county would consider such an issue when the financial data upon which the request is based is a moving target!

The knee-jerk reaction of some to the foregoing comments may be that these guys are enemies of the fire and EMS personnel. This idea that anyone opposed to a new tax is against the good firemen and EMS personnel could not be farther from the truth. These citizens and the services they provide should be supported and honored for their valuable contributions to our community. Rather, this myopic view only obscures the real issues, which are: (1) whether there is an appropriate need given that response times are well within standards, and (2) whether already existing JCESA and county funds are insufficient to meet the need.

We have multiple other concerns which we did not get to discuss on April 12th. We are very willing to discuss them with the Commission in an open, on-the-record meeting. We would hope to have concrete financial data from the agency prior to any such meeting.

Thank you for your earnest consideration of the citizens' interests in this matter.

Sincerely,



Robert B. Aitcheson



Douglas S. Rockwell

cc: Spirit of Jefferson  
Martinsburg Journal  
Hagerstown Herald

Amy Mathews Amos  
1104 Morgan Grove Rd.  
Shepherdstown WV 25443  
304-876-0647

RECEIVED

Members, Board of Zoning Appeals  
Jefferson County

APR 17 2012

April 11, 2011

Re: Conditional Use Permit conditions for Twin Oaks Subdivision LLC

Jefferson County Commission

Dear Members:

Applicants for a Conditional Use Permit (CUP) for the Twin Oaks Subdivision have outlined a vision for the use of this property that stresses local environmental and economic sustainability as a theme, through the promotion of local agricultural products and artistic work. However, many elements included in the application, or communicated recently, do not fit this vision. To ensure that this goal is met in a way consistent with the rural district status of this property, and to hold the developers accountable to goals they've communicated to the Jefferson County community, conditions are needed in the CUP.

Specifically:

**Local sustainable food:** The application for a CUP indicates that a primary goal is to provide a hub and distribution point for locally grown and value added food. Applicants assert in parentheses that: "Critical – everything will be local" (page 2 of their January 17, 2012 letter to the Jefferson County Zoning Administrator). However, at a public meeting hosted by the Town of Shepherdstown on April 10, Mr. Corum indicated that local will be defined as "the closest place you can get something." When questioned for clarification, he confirmed that if someone wanted a non-locally produced product such as an avocado from California, then that California-produced avocado would be defined as local.

To achieve the goal of supporting local and environmentally sustainable food, the CUP should indicate that food sold on site must be local. Exceptions should be rare and focus only on obtaining certified organic products. For example, in Jefferson County, the Charles Town Farmer's Market has identified products produced within 150 miles of Jefferson County as local, and limits its sales to these local products. Reasonable, well-recognized conditions such as this should be included in the CUP to promote local food and agriculture and ensure that this site cannot simply become a warehouse distribution center for major supermarkets to purchase food from all over the country or all over the world.

**Strip mall businesses:** Other goals outlined by the developers in their application for a CUP include educating the public about health and fitness, while providing a venue for public exercise; providing a place for local artists to work, promote and sell their work; eliminating barriers of entry for local entrepreneurs and their business ideas (e.g. the need for a community kitchen to address Health

Department concerns); and providing an economic platform for non-profits and for profit businesses to collaborate.

However, several categories of businesses listed in the CUP application do not fit any of these categories. Permitting these uses will allow this site to become simply a strip mall development in a rural zone. These proposed uses include professional business offices such as banking, insurance and accounting; sales for offsite serves such as home improvement; medical and dental offices, and generically "Other types of professional offices – business offices." The application also lists General Merchandise such as hardware stores. In addition, Mr. Corum indicated in recent public notices and meetings that he is now considering adding two Montessori schools to the site.

None of these businesses promotes local food, agriculture, or the arts. The CUP should not allow these types of businesses on the site. They are inappropriate for a site zoned as a rural district.

**Undefined other uses - Alternative Energy Hub:** This proposed use is undefined in the application. Alternative energy can take many forms and have a wide variety of environmental benefits and costs, both globally and locally, including impacts on air quality, noise, hydrology and more. Such uses should not be permitted until and unless the applicant has a specific, detailed project that can be presented to the local community and BZA for comment and evaluation. No such project should be approved without careful detailed analysis. Therefore, the CUP should not allow for this use at this time.

**Undefined other uses - Entertainment and Sports:** Other proposed uses remain undefined and need to have clear limits given the surrounding neighborhoods. For example, the application includes "Entertainment and Sports Facility." In response to staff questions on the application, the developers suggest that these activities will not occur in a dedicated facility, but will occur throughout.

The CUP should explicitly state that the site will not include large entertainment and sports facilities that concentrate crowds and generate excessive noise.

**Confirm that industrial uses are not acceptable:** The CUP should explicitly recognize that industrial uses that relate to agriculture such as slaughterhouses, animal reduction processing and tanneries are not permitted. This is consistent with the County Commission's decision not to rezone this site for industrial-commercial uses, and the inappropriate nature of such activities on a property adjacent to a popular park and surrounded by homes.

**Truck traffic:** Nearby Morgan Grove Road is a small, windy, narrow, residential road less than a quarter mile from the entrance to the Morgan Grove Market site. Despite its small size, trucks do try to come down the road at times. (Most recently, I observed a school bus forced to halt on the side of the road to let a truck pass in the opposite direction.) Morgan's Grove Market has the potential to significantly increase truck traffic in the immediate area. Therefore, any development of this site should include working with WVDOT to impose a weight limit on Morgan Grove Road, to prevent large trucks from using this as an access route to Morgan Grove Market.

Thank you for your careful attention to these matters.

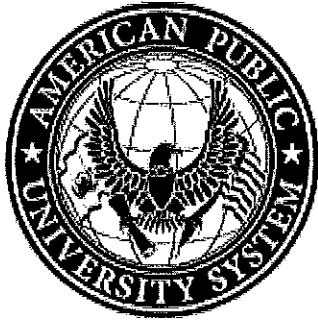
Sincerely,

A handwritten signature in black ink that reads "Amy Mathews Amos". The signature is written in a cursive style with a large initial 'A'.

Amy Mathews Amos

Cc: Jennifer M. Brockman, Director of Planning and Zoning

County Commissioners



# Office of the President

111 West Congress Street | Charles Town, WV 25414

Dr. Wallace E. Boston, President of American Public University System  
invites you to attend the APUS Solar Array Ribbon-Cutting Ceremony

## APUS Solar Array Ribbon Cutting

"West Virginia's Largest Solar Array"

**April 23, 2012** at 10:00 a.m.

Please RSVP to Kelly Wenner at [kwenner@apus.edu](mailto:kwenner@apus.edu)

**Location:** Next to the APUS Financial Center at  
393 N. Lawrence Street, Charles Town, WV 25414<sup>1</sup>

- 1,600 solar panels on a parking lot canopy
- Producing 480,000 kilowatts of electricity annually — enough to power 30 homes
- Featuring 15 charging stations for electric vehicles

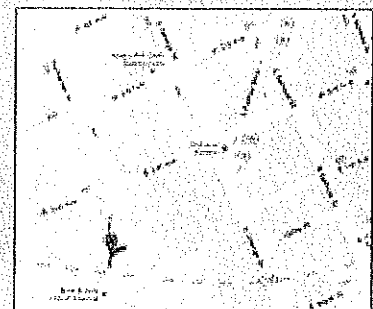
<sup>1</sup>Note: Please follow instructions as GPS maps bring travelers in through N. Lawrence Street which is blocked due to construction.

### From RT 115/RT 9 in Charles Town/Ranson:

Head west on W. 3rd Avenue and cross S. George Street.

Make a left on Buchanan Street. Proceed south on Buchanan Street,  
crossing W. 2nd Avenue, and proceed on Executive Way to the APUS Solar Array.

Parking is on the far side of the Solar Array near the train tracks.



CLICK TO ENLARGE

**West Virginia Election Calendar Overview  
2012 Primary Election - Jefferson County**

<b>PRIMARY ELECTION</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
Receive application for absentee ballot for military/overseas voters	2				2	
Notice of precinct change - deadline	8					
List of authorized ballot vendors issued by SoS - deadline	9					
Candidate filing period	9-28					
Give notice of appointment of ballot commissioners	10-25					
Appoint ballot commissioners	15-30					
Inactive voters designated through non-response of NCOA		1				
Voter registration data copied as permanent record		1-29				
Deadline for ordering precinct change		8				
Adopt policy extending medical emergency absentee voting - deadline		8				
Petition for suspension of election official - deadline		8				
Notice of emergency precinct change		9				
Executive committees fill vacancies due to withdrawal of candidate - Pri		10/14				
Candidate withdrawal deadline		14				
Receive application for absentee ballot by all other eligible voters		14			2	
Notice of number of election officials - deadline		14				
SoS certifies and posts lists of candidates filed with their office		14				
Vendor applies for authority to print ballots		14				
<b>Drawing for order on the ballot - 9am</b>		21				
Executive committees fill vacancies due to withdrawal of candidate - Gen		27/29				
SoS certifies candidates to county clerk		28				
Estimate number of absentee ballots - deadline		28				
Candidate name removed from ballot due to death		28				
Election official nominations filed - deadline		28				
Emergency order to change precincts - deadline			9			
Notice of number of sets of emergency absentee voting commissioners			13			
Election officials and alternates appointed			20			
County clerk fills vacancies of election officials			20		8	
Voter program for eligible high school students - deadline			23			
Delivery of absentee ballots to county clerk			23			
Mail absentee ballots			23		3	
Notice mailed to election officials - deadline			27			
Write-in candidate filing deadline for Primary (BOE)			27			
First primary report (or annual report)			31	6		
Election officials respond to notification from clerk - deadline				3		
Instructional program for election officials begins on/after				9		
<b>Publish notice of public test for EV &amp; ED</b>				9-13		
Paper ballots and supplies delivered to county clerk				10		
Publish sample ballot for EV				12-18		
Supply clerk training in Bardane - 6pm				16		
Maintenance to clear out EV room and remove hall benches				17		
Poll clerk training in Bardane - 9am				17		
Poll commissioner training in Bardane - 6pm				17		
<b>Voter registration deadline</b>				17		
Correct incomplete applications for voter registration - deadline				18		
<b>Public test of equipment for EV &amp; ED in Bardane - 10am</b>				18		
Notify commission of ballots and AutoMARK readiness for EV				18-23		
Accept voter registration card by mail without postmark - deadline				20		
Maintenance to bring EV equipment to courthouse				20		
Pre-primary financial reports due				23-27		
Last minute independent expenditures reported				23	7	
<b>EARLY VOTING PERIOD</b>				25	5	
Supply clerk training in Bardane - 9am				25		
Poll commissioner training in Bardane - 9am				26		
Poll clerk training in Bardane - 6pm				26		
Saturday EV				28		
Publish official list of candidates or sample ballots for ED					1-7	
Instructional program make-up session					1-7	
Request emergency medical absentee ballot					1-8 noon	
<b>Deadline for absentee by mail application</b>					2	

**West Virginia Election Calendar Overview  
2012 Primary Election - Jefferson County**

<b>PRIMARY ELECTION</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
Make up training in Bardane - 6pm					3	
Saturday EV - last day to early vote					5	
Deadline to hand-deliver absentee ballot to the clerk's office					7	
Maintenance to pick up trucks at Home Depot/equipment delivery to pcts					7	
Election commissioners receive election supplies/delivery thereof					7	
<b>PRIMARY ELECTION DAY</b>					<b>8</b>	
Post precinct returns					8	
Maintenance to pick up equipment from pcts/return trucks to Home Depot					9	
Absentee ballots without postmark accepted					9	
Mail precinct returns to SoS					10	
Absentee ballots postmarked by ED accepted - before canvass convenes					14	
Military absentees without postmark accepted - before canvass convenes					14	
<b>Canvass returns</b>					<b>14</b>	
Recount/contest primary election					TBD	
Post-primary financial statements					21	19
Maintenance to return EV equipment to Bardane; set up mtg room/hall					22	
Transmit certificate of results to SoS						7

Last updated 3/6/12



# SHERIFF and TREASURER of Jefferson County

Robert E. Shirley  
P.O. Box 9  
Charles Town, WV 25414

**RECEIVED**

April 19, 2012

APR 19 2012

To: County Commission  
County Clerk  
Prosecuting Attorney

**Jefferson County Commission**

From: Sheriff Shirley *R.E.S.*

Subject: Bank Securities/Bonding – County Bank Accounts

The following is an overview of the various County Bank Accounts which hold County Monies and the Securities/Bonding for each of these accounts:

Bank of Charles Town	Account balance of \$9,998,884.23 as of 2/29/12. (\$14,000,000.00 in pledged securities.)
Jefferson Security Bank	Account balance of \$258,862.88 as of 2/29/12. (\$750,000.00 in pledged securities.)
United National Bank	Account balance of \$13,798,516.73 as of 2/29/12. (\$2,500,000.00 in pledged securities, all other amounts are covered by FDIC)
BB&T	Account balance of \$884,252.14 as of 2/29/12. (\$800,000.00 in pledged securities.)

It is my recommendation that the pledged securities with BB&T be increased to \$2,000,000.00 as it is anticipated to deposit more money into this account this year and that the rest remain as is.

In accordance with the memorandum dated September 28, 2006 concerning bondings of depositories, the Chief Tax Deputy will continue to monitor all accounts on a monthly basis to assure that each account is sufficiently collateralized. Should it be determined that adjustments in securities on respective accounts are needed, the banking institution will be contacted for this purpose.

DATE: 4/04/12  
TIME: 13:24:12

SHERIFF'S ACCOUNTING SYSTEM  
BANK BALANCE AS OF 02/29/2012

PAGE: 1  
PROG: SAC00

BANK OF CHARLES TOWN

	BANK BALANCE	OUT CHECK
JEFFERSON CO DISBURSEMENT	681,088.55	
JURY & WITNESS	42,249.73	
HORSE RACING ACCT	147,672.25	
HOME DETENTION FUND	28,155.15	
CONCEALED WEAPONS LIC. FD	47,397.00	
VOTER'S REGISTRATION LIST	424.51	
VIDEO LOTTERY	672,733.26	
COAL SEVERANCE TAX REVENU	315,776.86	
JEFF CO BD OF HEALTH	1,393,355.22	
DOG & KENNEL	29,788.89	
MAGISTRATE COURT	2,175.16	
BARDANE PUBLIC HLTH CTR	168,558.21	
UNEMPLOYMENT COMP	17,129.29	
GENERAL COUNTY FUND	3,280.54	
FARMLAND PRESERVATION FD	.19	
COUNTY TAXES ACCOUNT	1,569,035.71	
SCHOOL IMPACT FEES	1,031,613.22	
LAW ENFORCEMENT IMPACT FE	60,852.93	
SHERIFF FORFEITURE ACCT	25,052.99	
PARKS & REC LAND FUND	837,967.44	
PARKS & REC. IMPACT FEES	238,201.91	
FIRE & EMS IMPACT FEES	147,053.60	
CAPITOL OUTLAY 12MO CD	2,600,952.56	
SHEP BATTLEFIELD & RIVERF	102,914.77	
STATE FEES MMA	35,454.30	
*** BANK TOTAL ***	<u>9,998,884.23</u>	

UNITED NATL (BANK ONE) (PEOPLES BANK)

	BANK BALANCE	OUTS CHECK
TAXES	10,950,650.41	10,
WORTHLESS CHECKS	21,526.92	
EMERGENCY SERV CAP O/L	1,711.01	
ASSESSOR'S VALUATION FUND	308,061.89	
DMV MMA	.00	
PROS ATTY DRUG FORF	4,618.00	
MONEY MARKET ACCT CAP/OL	1,774,662.93	
CAP OUTLAY MONEY MARKET	737,285.57	
*** BANK TOTAL ***	<u>13,798,516.73</u>	10,

BB&T

WAS F & M-WV

	BANK BALANCE	OUTS CHECK
SUB DIVISION BOND FORF	172.22	
SHRF CAP O/L ACCT	884,079.92	
*** BANK TOTAL ***	<u>884,252.14</u>	

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

Week Ending Date	Week Ending April 14, 2012
<b>To be Deposited on:</b>	April 20, 2012
Amount Played	84,479,824.09
Amount Won	75,987,201.54
Amount Promo	261,308.00
MWAP Contribution	<u>6,159.80</u>
<b>Adjusted Gross Terminal Revenue</b>	<b><u>8,225,154.75</u></b>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	329,006.19
<b>Net Terminal Revenue</b>	<b><u>7,896,148.56</u></b>
Surcharge @ 10%	789,614.87
State Share Excess @ 58%	457,976.62
Track Share of Capital Reinvestment @ 42%	331,638.25
Track Share of Capital Reinvestment @ 42% - 96%	\$ 318,372.72
Track Share of Capital Reinvestment @ 42% - 4%	\$ 13,265.53
<b>Adjusted Net Terminal Revenue</b>	<b><u>7,106,533.69</u></b>
Racetrack @ 46.50% / 42%	2,984,744.15
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,913,678.80
Race Track Purses @ 7% / 14% / 8%	568,522.70
Workers' Compensation Debt Reduction @ 7% / 0%	0.00
Employee Pension Fund @ 1% / .5%	35,532.67
Greyhound Development @ .75%	53,299.00
Thoroughbred Development @ .75%	53,299.00
Racing Commission @ 1%	71,065.34
County/Municipality @ 2%	142,130.68
<b>3% Funds:</b>	
Tourism Promotion Fund @ 1.375%	97,714.84
Development Office Promotion Fund @ .375%	26,649.50
Research Challenge Fund @ .5%	35,532.67
Capitol Renovation and Improvement Fund @ .6875%	48,857.42
2004 Capitol Complex Parking Garage Fund @ .0625%	4,441.58
<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>71,065.34</u>
	<b><u>7,106,533.69</u></b>

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

Charles Town  
1999 Net Terminal Revenue     \$    45,603.74  
Benchmark Goal @ 2%             \$    912,063.48

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 8.19%	CHARLES TOWN 41.20%	HARPERS FERRY 2.24%	RAMSON 34.78%	SHEPHERDS TOWN 13.59%
2 days ending: 7/1/2011 - 7/2/2011 Week Ending:	\$ 69,824.12	\$ 69,824.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/09/11	\$ 171,717.28	\$ 171,717.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/16/11	\$ 143,019.52	\$ 143,019.52	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/23/11	\$ 146,508.00	\$ 146,508.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/30/11	\$ 144,510.28	\$ 144,510.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/06/11	\$ 151,495.28	\$ 151,495.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/13/11	\$ 149,711.80	\$ 117,350.38	\$ 32,361.42	\$ 2,650.40	\$ 13,332.90	\$ 724.90	\$ 11,255.30	\$ 4,397.92
08/20/11	\$ 143,228.24	\$ 71,614.12	\$ 71,614.12	\$ 5,865.20	\$ 29,505.01	\$ 1,604.16	\$ 24,907.39	\$ 9,732.36
08/27/11	\$ 126,864.28	\$ 63,432.14	\$ 63,432.14	\$ 5,195.09	\$ 26,134.04	\$ 1,420.88	\$ 22,061.70	\$ 8,620.43
09/03/11	\$ 161,675.52	\$ 80,837.76	\$ 80,837.76	\$ 6,620.61	\$ 33,305.16	\$ 1,810.77	\$ 28,115.37	\$ 10,985.85
09/10/11	\$ 169,691.60	\$ 84,845.80	\$ 84,845.80	\$ 6,948.87	\$ 34,956.47	\$ 1,900.55	\$ 29,509.37	\$ 11,530.54
09/17/11	\$ 133,497.24	\$ 66,748.62	\$ 66,748.62	\$ 5,466.71	\$ 27,500.43	\$ 1,495.17	\$ 23,215.17	\$ 9,071.14
09/24/11	\$ 137,859.60	\$ 68,929.80	\$ 68,929.80	\$ 5,645.35	\$ 28,399.08	\$ 1,544.03	\$ 23,973.78	\$ 9,367.56
10/01/11	\$ 137,743.28	\$ 68,871.64	\$ 68,871.64	\$ 5,640.59	\$ 28,375.12	\$ 1,542.72	\$ 23,953.55	\$ 9,359.66
10/08/11	\$ 141,733.80	\$ 70,866.90	\$ 70,866.90	\$ 5,804.00	\$ 29,197.16	\$ 1,587.42	\$ 24,647.51	\$ 9,630.81
10/15/11	\$ 150,525.32	\$ 75,262.66	\$ 75,262.66	\$ 6,164.01	\$ 31,008.22	\$ 1,685.88	\$ 26,176.35	\$ 10,228.20
10/22/11	\$ 137,515.44	\$ 68,757.72	\$ 68,757.72	\$ 5,631.26	\$ 28,328.18	\$ 1,540.17	\$ 23,913.94	\$ 9,344.17
10/29/11	\$ 121,015.96	\$ 60,507.98	\$ 60,507.98	\$ 4,955.60	\$ 24,929.29	\$ 1,355.38	\$ 21,044.68	\$ 8,223.03
11/05/11	\$ 141,347.76	\$ 70,673.88	\$ 70,673.88	\$ 5,788.19	\$ 29,117.64	\$ 1,583.09	\$ 24,580.38	\$ 9,604.58
11/12/11	\$ 135,254.20	\$ 67,627.10	\$ 67,627.10	\$ 5,538.66	\$ 27,862.36	\$ 1,514.85	\$ 23,520.71	\$ 9,190.52
11/19/11	\$ 121,381.20	\$ 60,690.60	\$ 60,690.60	\$ 4,970.56	\$ 25,004.53	\$ 1,359.47	\$ 21,108.19	\$ 8,247.85
11/26/11	\$ 148,281.08	\$ 74,140.54	\$ 74,140.54	\$ 6,072.11	\$ 30,545.90	\$ 1,660.75	\$ 25,786.08	\$ 10,075.70
12/03/11	\$ 118,859.88	\$ 59,429.94	\$ 59,429.94	\$ 4,867.31	\$ 24,485.14	\$ 1,331.23	\$ 20,669.73	\$ 8,076.53
12/10/11	\$ 102,790.88	\$ 51,395.44	\$ 51,395.44	\$ 4,209.29	\$ 21,174.92	\$ 1,151.26	\$ 17,875.33	\$ 6,984.64
12/17/11	\$ 111,962.64	\$ 55,981.32	\$ 55,981.32	\$ 4,584.87	\$ 23,064.31	\$ 1,253.98	\$ 19,470.30	\$ 7,607.86
12/24/11	\$ 108,497.24	\$ 54,248.62	\$ 54,248.62	\$ 4,442.96	\$ 22,350.43	\$ 1,215.17	\$ 18,867.67	\$ 7,372.39
12/31/11	\$ 189,322.00	\$ 94,661.00	\$ 94,661.00	\$ 7,752.74	\$ 39,000.32	\$ 2,120.41	\$ 32,923.10	\$ 12,864.43
01/07/12	\$ 149,726.80	\$ 74,863.40	\$ 74,863.40	\$ 6,131.31	\$ 30,843.72	\$ 1,676.94	\$ 26,037.49	\$ 10,173.94
01/14/12	\$ 117,803.84	\$ 58,901.92	\$ 58,901.92	\$ 4,824.07	\$ 24,267.59	\$ 1,319.40	\$ 20,486.09	\$ 8,004.77
01/21/12	\$ 123,639.84	\$ 61,819.92	\$ 61,819.92	\$ 5,063.05	\$ 25,469.80	\$ 1,384.77	\$ 21,500.97	\$ 8,401.33
01/28/12	\$ 125,797.56	\$ 62,898.78	\$ 62,898.78	\$ 5,151.41	\$ 25,914.30	\$ 1,408.93	\$ 21,876.20	\$ 8,547.94
02/04/12	\$ 144,309.32	\$ 72,154.66	\$ 72,154.66	\$ 5,909.47	\$ 29,727.72	\$ 1,616.26	\$ 25,095.39	\$ 9,805.82
02/11/12	\$ 132,858.08	\$ 66,429.04	\$ 66,429.04	\$ 5,440.54	\$ 27,368.76	\$ 1,488.01	\$ 23,104.02	\$ 9,027.71
02/18/12	\$ 154,911.76	\$ 77,455.88	\$ 77,455.88	\$ 6,343.64	\$ 31,911.82	\$ 1,735.01	\$ 26,939.16	\$ 10,526.25
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	\$ 75,983.86	\$ 75,983.86	\$ 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
03/17/12	\$ 153,767.84	\$ 76,883.92	\$ 76,883.92	\$ 6,296.79	\$ 31,676.18	\$ 1,722.20	\$ 26,740.23	\$ 10,448.52
03/24/12	\$ 144,216.72	\$ 72,108.36	\$ 72,108.36	\$ 5,905.67	\$ 29,708.64	\$ 1,615.23	\$ 25,079.29	\$ 9,799.53
03/31/12	\$ 148,488.44	\$ 74,244.22	\$ 74,244.22	\$ 6,080.60	\$ 30,588.62	\$ 1,663.07	\$ 25,822.14	\$ 10,089.79
04/07/12	\$ 150,765.96	\$ 75,382.98	\$ 75,382.98	\$ 6,173.86	\$ 31,057.79	\$ 1,688.58	\$ 26,218.20	\$ 10,244.55
04/14/12	\$ 142,130.68	\$ 71,065.34	\$ 71,065.34	\$ 5,820.25	\$ 29,278.92	\$ 1,591.86	\$ 24,716.53	\$ 9,657.78
Subtotal	\$ 5,865,018.80	\$ 3,388,541.12	\$ 2,476,477.68	\$ 202,823.51	\$ 1,020,308.77	\$ 55,473.12	\$ 861,318.96	\$ 336,553.32

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	3/17/2012	76,883.92
3/28/2009	79,250.83	3/27/2010	69,941.88	3/26/2011	68,490.80	3/24/2012	72,108.36
4/4/2009	75,968.30	4/3/2010	70,636.28	4/2/2011	70,846.58	3/31/2012	74,244.44
4/11/2009	75,964.94	4/10/2010	69,692.79	4/9/2011	67,076.78	4/7/2012	75,382.98
4/18/2009	80,598.22	4/17/2010	69,335.92	4/16/2011	64,698.56	4/14/2012	71,065.34
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>3388541.34</b>	

Table Game Revenue

Date	Amount
July/August, 2010	154,185.68
September, 2010	94,247.84
October, 2010	105,903.60
November, 2010	108,717.67
December, 2010	118,721.11
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
<b>Total 2010-2011</b>	<b>1297391.7</b>

Date	Amount
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
January, 2012	137,812.68
February, 2012	142,770.01
March, 2012	151,845.46
<b>Total 2011-2012</b>	<b>1207898.07</b>