

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, MAY 17, 2012
9:30 A.M.
County Commission Meeting Room
located at the Old Charles Town Library
200 E. Washington Street, Charles Town, WV

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

APPROVAL OF PURCHASE ORDERS

APPROVAL OF ACCOUNTS PAYABLE

PUBLIC COMMENT

PRESENTATIONS:

1. 9:45 a.m. Pamela Games - Neely, Prosecutor for Berkeley County
- Introduction of Jason Castillo, Director of the Berkeley/Jefferson Day Report Center - Discussion/Action
2. 10:00 a.m. Bobby Shirley, Sheriff
- New Hire - Discussion/Action
3. 10:15 a.m. Deborah Viands, Jefferson County CEOS Council
- Community Educational Outreach Service Week - Discussion/ Action
4. 10:30 a.m. Break
5. 10:45 a.m. Stephanie Grove, Assistant Prosecuting Attorney
- Set a date for a Public Hearing concerning draft amendment to the Impact Fee Ordinance that addresses the affordable house component required to be implemented by July 1, 2012 and to set a date for a County Commission full discussion Work Session ASAP - Discussion/Action
6. 11:00 a.m. Angela Banks, Assessor
- Recognition of Victoria Myers for getting the 2012 Geospatial Professional of the Year Award - Discussion/Action
7. 11:15 a.m. Jennifer Maghan, County Clerk
- Establishing a break room for Courthouse Staff - Discussion/Action

8. 11:30 a.m. Paul Shroyer, Financial Director
- Budget Revision # 8 - Discussion/Action

DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY REPORTS

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

9. **ADJOURN**

CORRESPONDENCE:

Statewide Transportation Improvement Program (STIP) document received from the West Virginia Department of Transportation Division of Highways.

Email invitation received from Susan Ford Pritchard to the ribbon-cutting ceremony for the new location of the Washington Street Artists' Cooperative in the Charles Town Visitors Center on May 19, 2012.

Invitation to the Building the Dream Groundbreaking Ceremony on Wednesday, June 13, 2012 at 4:30 p.m. at the building site on the old Route 9 on the Berkeley/Jefferson County line.

Letter Requesting funds received from Hospice of the Panhandle.

Memorandum received from Mary Jo Thompson, Director of Community Development Division concerning Community Development Representative Regions 6, 7, 8 and 9.

Letter received from the Federal Emergency Management Agency (FEMA) Region III concerning the Discovery process for the Conochague-Opequon Watershed.

Letter received from John C. Allen, Jr. Chair, Jefferson County Courthouse Committee concerning the landscaping of the Jefferson County Courthouse.

Letter received from Mike Austin, President Emeritus of the Shepherdstown Community Club concerning the Conditional Use Permit for the Twin Oaks Development.

Letter received from Earl L. Jackson, Jr. concerning the Fire and Ambulance Fees.

Notice of Jefferson County Commission meeting cancellation on Thursday, May 24, 2012.

Reminder that County Commission Offices will be closed Thursday, May 28, 2012 in observance of Memorial Day.

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.

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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: Pamela Games-Neely, Prosecutor

Department or Entity: Berkeley County

Estimation of amount of time needed for appointment: 5 min

Date Requested – 1st Choice: 5/17/12

Date Requested – 2nd Choice: _____

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

Subject: **Introduction of Jason Castillo, Director of the Berkeley/Jefferson Day Report Center**

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

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

Attachments:

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Robert Shirley

Department or Entity: JCSO

Estimation of amount of time needed for appointment: 5 min

Date Requested - 1st Choice: 5/10/2012

Date Requested - 2nd Choice: 5/17/2012

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

Subject:

New Hire

Please provide the County Commission with a description of your request or presentation, including any background information: The office staff is being inundated with requests for concealed weapons permits. The extensive process is beginning to consume their time and interfere with their other duties.

Therefore I am requesting permission to hire a part time person to help alleviate the strain being placed on current staff.

The person would be paid from the concealed weapons account and will

Recommended motion (Please type out the wording of the motion that you would like the Commission NOT to approve):

Impact current budget.

I move that the Sheriff be able to hire a person to assist in the processing of concealed weapons.

Attachments:

Personnel Requisition Form

JEFFERSON COUNTY

Personnel Requisition

Department Name JCSO Date 5/2/12 Date Needed ASAP

Job Title Admin Asst Salary _____ Criminal History Check Yes No

Suggested Recruitment Source(s) _____

Applicants Interviewed By _____ Position Reports To Sheriff

Minimum Education Required _____

Minimum Experience Required _____

Job Duties Processing of concealed weapons permit

Budget Information

- will not impact county approved budget

Addition Replacement Explain or For Whom _____

Position Budgeted Yes No Proposed Salary TBD Date of Hire _____

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

Safety/Security _____ Hours Per Week TBD *to be paid from concealed weapons account*

Approvals

Elected Official Approval _____ Date _____

Department Head Approval _____ Date _____

County Commission Approval _____ Date _____

Comments _____

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

MAY 04 2012

AGENDA REQUEST FORM

Jefferson County Commission

Name: Jefferson County CEOS Council

Department or Entity: West Virginia Extension

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: ^{17th} May 24 (or date of regular meeting that week)

Date Requested – 2nd Choice: May 10

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

Subject: **COMMUNITY EDUCATIONAL OUTREACH SERVICE WEEK**

Please provide the County Commission with a description of your request or presentation, including any background information: **We would like the Commission to sign proclamation proclaiming May 20 - 26 WV Community Educational Outreach Service Week**

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

Attachments: **Sample proclamation we will have typed and read for signature**

Contact Person: **Deborah Viands, 304-725-0180, 2152 Leetown Rd, Summit Point, WV 25446**

PROCLAMATION

WHEREAS,

The West Virginia Community Educational Outreach Service (CEOS) and

Jefferson County Commission

Are volunteers with a Mission to broaden SERVICE in our
Community, continues lifelong EDUCATION to strengthen
individuals and families, and provide an OUTREACH for leadership.

WHEREAS,

In partnership with West Virginia University Extension Service,
the CEOS pledges that its purpose of Education will assist us
in meeting the needs of a changing and diverse society.

WHEREAS,

For their significant service and contribution
to the well-being of family and community.

BE IT KNOWN, that Jefferson County

Hereby proclaims May 17, 2012 as

COMMUNITY EDUCATIONAL OUTREACH SERVICE WEEK

IN WITNESS WHEREOF, given under our hand seal.

Patricia Noland, Commissioner

<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: Angie Banks, Assessor

Department or Entity: Assessor Office

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

Date Requested – 1st Choice: 5/17/12

Date Requested – 2nd Choice: _____

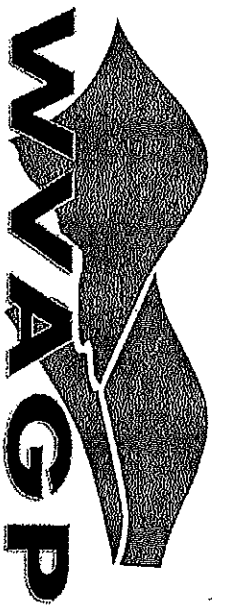
If a specific date is needed, please provide reason for specific date:

Subject: Recognition of Tori Myers for getting the 2012 Geospatial Professional of the year award

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:



The West Virginia Association of Geospatial Professionals
presents the


2012 Geospatial

Professional of the Year Award

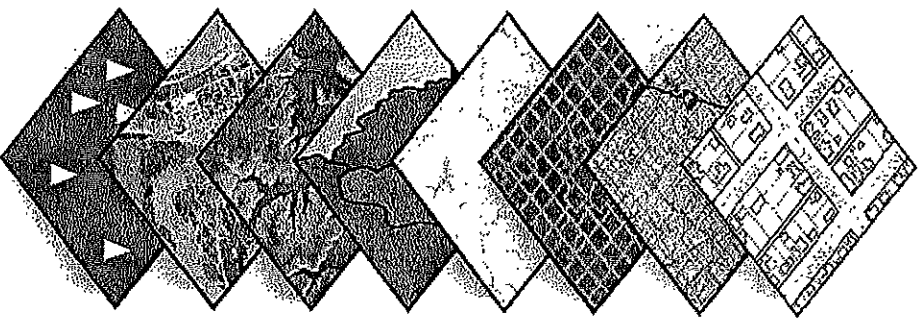
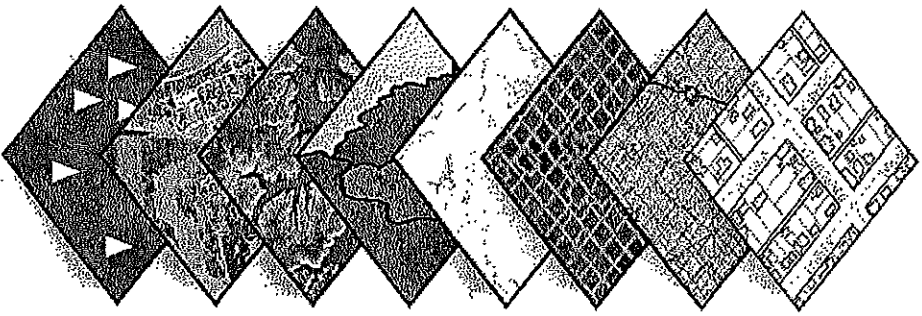
To

Victoria (Tori) Myers

*For exhibiting outstanding GIS skills and leadership in our field and
demonstrating a passion for service, a mastery of GIS skills and a commitment
to excellence.*


Robert Shaffer
President

Morgantown, WV
May 10, 2012



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

Name: Stephanie Grove, Assistant Prosecutor

Department or Entity: Prosecutor's Office

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

Date Requested – 1st Choice: 5/17/12

Date Requested – 2nd Choice: _____

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

Subject: Set a date for a Public Hearing concerning draft amendment to the Impact Fee Ordinance that addresses the affordable house component required to be implemented by July 1, 2012 and to set a date for a County Commission full discussion Work Session ASAP

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:

June 2012

June 2012							July 2012						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9	1	2	3	4	5	6	7
10	11	12	13	14	15	16	8	9	10	11	12	13	14
17	18	19	20	21	22	23	15	16	17	18	19	20	21
24	25	26	27	28	29	30	22	23	24	25	26	27	28
							29	30	31				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 27	28	29	30	31	Jun 1	2
				7:00 pm STCEP		
3	4	5	6	7	8	9
				7:00 p.m. - Public Hear		
10	11	12	13	14	15	16
				Capitol Hill		
17	18	19	20	21	22	23
			West Virginia Day			
24	25	26	27	28	29	30

Jun 24 - 30

Jun 17 - 23

Jun 10 - 16

Jun 3 - 9

May 27 - Jun 2

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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: Jennifer Maghan, County Clerk

Department or Entity: County Clerk

Estimation of amount of time needed for appointment: _____

Date Requested -- 1st Choice: April 26, 2012

Date Requested -- 2nd 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

A handwritten signature in cursive script that reads "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.

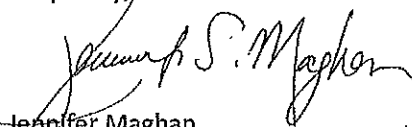
Our office only needs a few items to turn this great little space into a safe and hygienic place to prepare food, save money by not going out to eat and to enjoy our lunch and breaks in our workplace - similar to the options that other offices in Jefferson County Government enjoy.

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
100 East Washington St.
25414

QUANTITY	DESCRIPTION - BUDGET LINE - ITEM NUMBER	PRICE	UNIT	AMOUNT
1	Glacier Bay Top-Mount Sink - Kitchen			49 95
1	MOEN Torranea 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 ITEM(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]

 Signature Date

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

[Signature] 4/12/12

 Signature Date



THE COUNTY COMMISSION OF JEFFERSON COUNTY

Charles Town, West Virginia 25414

REQUISITION

No. 51048

VENDOR:

*Orsini's Appliances
C.T. WV*

DELIVER TO:

*Jefferson County Clerk's
Office*

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

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] *3-26-12*
 Signature Date

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

[Signature] *4/12/12*
 Signature Date



<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: Co. Comm

Estimation of amount of time needed for appointment: 5 min

Date Requested – 1st Choice: 5/17/12

Date Requested – 2nd Choice: _____

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

Subject: **Approval of Budget Revision #8**

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

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

Attachments:

State Level Budget Revision #8

This budget revision requests is a correction to budget revision #4; when revision #4 was processed to transfer Auto Maintenance & Repair and Auto Supplies from Law Enforcement Budget, more was transferred than the Sheriff authorized. This budget adjustment is to correction the amount of the excessive transfer. The correction increases Law Enforcement's Budget, Account #700 by \$137,225 and decreases the Court House Budget, Account #424 by the same amount.

d

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 17th day of May, 2012, the following Order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Jefferson. The following resolution was offered.

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on budget revision number #8 to the General County Fund, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by _____, and duly seconded by _____ the vote was as follows:

Dale Manuel	_____
Frances Morgan	_____
Patsy Noland	_____
Walter Pellish	_____
Lyn Widmyer	_____

Whereupon, Commissioner Noland declared said Resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said Resolution be, and the same is, hereby adopted as so stated above, and Patsy Noland, President of the Jefferson County Commission, is authorized to affix his signature to the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

n

Patsy Noland, President
Jefferson County Commission

REQUEST FOR REVISION TO APPROVED BUDGET

CONTROL NUMBER

Ora Ash, Director
 West Virginia State Auditor's Office
 200 West Main Street
 Clarksburg, WV 26302
 Phone: 627-2415 ext. 5114
 Fax: 627-2417

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

2012
 FY
1
 FUND
8
 REV. NO.
1 of 1
 PG. OF NO.

Jefferson County Commission
 GOVERNMENT ENTITY

Person To Contact Regarding
 Budget Revision: **Paul Shroyer**
 Phone: **304-728-3283**
 Fax: **304-728-7916**

P.O. Box 250
 STREET OR PO BOX
 Charles Town, West Virginia 25414
 CITY ZIP CODE

COUNTY
 Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
700	Sheriff-Law Enforcement	2,974,874	137,225		3,112,099
424	Courthouse	1,470,265		137,225	1,333,040
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures

APPROVED BY THE STATE AUDITOR
 BY: _____ Date _____
 Director, Local Government Services Division

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

Jefferson County Commission

Jefferson County, West Virginia

Detail of Budget Revision being Submitted to State Auditor's Office

Budget Revision for Fiscal Year Ending June 30, 2012

Budget Line No.	Approved Budget	Requested Additions	Requested Reduction	Revised Budget
001-700-02-217	0	18,421		18,421
001-700-03-343	0	118,804		118,804
001-424-03-343	276,075		137,225	138,850
				0
				0
				0
				0
				0
				0
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				0
				0
				0
				0
				0
				0
				0
				0
Totals	276,075	137,225	137,225	276,075

Name of requesting department: Courthouse

Date Requested: 5/9/2012

Approving signature: _____

Date Submitted to County Commission: _____

Date Approved: _____

Authorizing Signature: _____



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 30, 2012

To Whom It May Concern:

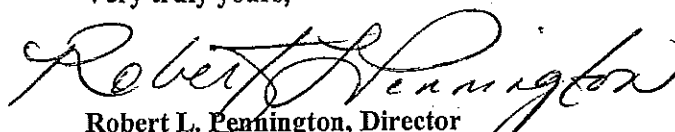
The Statewide Transportation Improvement Program (STIP) is a financially constrained document required to show planned Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) expenditures for federal fiscal years 2012-2017. One of the requirements to funding any projects with FHWA 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 May 14, 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

MAY 07 2012

Jefferson County Commission

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

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	TOTAL PHASE COST	FEDERAL DOLLAR COST	FEDERAL COST CHANGE
PROJECT COMMENTS														
PENDLETON	2012	8		6/28/2012	DF	CON	C0002	SMOKE HOLE RD	RESURF	S336 2 00504 00	FH0972001	\$356,470	\$356,470	\$0
ADD NEW PROJECT														
STATEWIDE	2012	99		6/28/2012	CMAQ	CON	NA999	LED MODULE REPLACEMENT PROGRAM	LED MODULE REPLACEMENT PROGRAM	T699 LED 12 00	CMAQ2012043D	\$237,500	\$190,000	\$0
ADD NEW PROJECT														
STATEWIDE	2013	99		4/28/2013	CMAQ	CON	NA999	LED MODULE REPLACEMENT PROGRAM	LED MODULE REPLACEMENT PROGRAM	T699 LED 13 00	CMAQ2013034D	\$237,500	\$190,000	\$0
ADD NEW PROJECT														
STATEWIDE	2014	99		4/28/2014	CMAQ	CON	NA999	LED MODULE REPLACEMENT PROGRAM	LED MODULE REPLACEMENT PROGRAM	T699 LED 14 00	CMAQ2014044D	\$237,500	\$190,000	\$0
ADD NEW PROJECT														
STATEWIDE	2015	99		4/28/2015	CMAQ	CON	NA999	LED MODULE REPLACEMENT PROGRAM	LED MODULE REPLACEMENT PROGRAM	T699 LED 15 00	CMAQ2015035D	\$237,500	\$190,000	\$0
ADD NEW PROJECT														
STATEWIDE	2016	99		4/28/2016	CMAQ	CON	NA999	LED MODULE REPLACEMENT PROGRAM	LED MODULE REPLACEMENT PROGRAM	T699 LED 16 00	CMAQ2016034D	\$237,500	\$190,000	\$0
ADD NEW PROJECT														
STATEWIDE	2017	99		4/28/2017	CMAQ	CON	NA999	LED MODULE REPLACEMENT PROGRAM	LED MODULE REPLACEMENT PROGRAM	T699 LED 17 00	CMAQ2017032D	\$237,500	\$190,000	\$0
ADD NEW PROJECT														
STATEWIDE	2018	99		4/28/2018	CMAQ	CON	NA999	LED MODULE REPLACEMENT PROGRAM	LED MODULE REPLACEMENT PROGRAM	T699 LED 18 00	CMAQ2018001D	\$237,500	\$190,000	\$0
ADD NEW PROJECT														
STATEWIDE	2012	99		6/28/2012	STP	ENG	NA999	OJT SUPPORT SERVICES	OJT SUPPORTIVE SERVICES	T699 OJT 12 01	STPG2012542D	\$55,000	\$55,000	\$0
ADD NEW PROJECT														
STATEWIDE	2013	99		6/28/2013	STP	ENG	NA999	OJT SUPPORT SERVICES	OJT SUPPORTIVE SERVICES	T699 OJT ?????	STPG2013777	\$55,000	\$55,000	\$0
ADD NEW PROJECT														
STATEWIDE	2014	99		6/28/2014	STP	ENG	NA999	OJT SUPPORT SERVICES	OJT SUPPORTIVE SERVICES	T699 OJT ?????	STPG2014777	\$55,000	\$55,000	\$0
ADD NEW PROJECT														
STATEWIDE	2015	99		6/28/2015	STP	ENG	NA999	OJT SUPPORT SERVICES	OJT SUPPORTIVE SERVICES	T699 OJT ?????	STPG2015777	\$55,000	\$55,000	\$0
ADD NEW PROJECT														
STATEWIDE	2016	99		6/28/2016	STP	ENG	NA999	OJT SUPPORT SERVICES	OJT SUPPORTIVE SERVICES	T699 OJT ?????	STPG2016777	\$55,000	\$55,000	\$0
ADD NEW PROJECT														

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
STATEWIDE	2017	99		6/28/2017	STP	ENG	NA999	OJT SUPPORT SERVICES	OJT SUPPORTIVE SERVICES	T699 OJT ?????	STPG2017???	\$55,000	\$55,000	\$0
ADD NEW PROJECT														

PROJECT COMMENTS

AMENDMENT #

Print Date: 4/30/2012

Debbie Stellato

To: Nichelle Hosby
Subject: FW: Invitation to Commissioners May 19

I've made copies for each Commissioner, sent an update of events via email to the Commissioners and put it on the Commissioners' calendar and on the web calendar.

Deb

From: susan ford pritchard [<mailto:susanfordp@aol.com>]
Sent: Tuesday, May 08, 2012 7:53 PM
To: dstellato@jeffersoncountywv.org; webmaster@jeffersoncountywv.org; laura@jeffersoncountywv.org; sandy@jeffersoncountywv.org; nhosby@jeffersoncountywv.org
Subject: Invitation to Commissioners May 19

Your submission:

Your Name: susan ford pritchard
Your Email Address: susanfordp@aol.com
Subject: Invitation to Commissioners May 19
Message: Please include this in the info for the next commission meeting. The commissioners are invited to the ribbon-cutting ceremony for the new location of the Washington Street Artists' Cooperative in the Charles Town Visitors Center at 108 N George Street at 1 PM Saturday, May 19. Reception immediately following. For more information, contact co-op board member Susan Ford Pritchard, susanfordp@aol.com

Building the Dream Groundbreaking Ceremony

Jefferson County Commission

MAY 07 2012

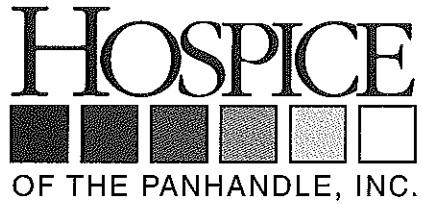


RECEIVED

It's time to Build the Dream!
Please join Hospice of the Panhandle
for its groundbreaking ceremony.

Wednesday, June 13, 2012, 4:30-6:30 p.m.
The ceremony will be at 5:15 p.m.
and will take place at the
building site on the old Route 9
at the Berkeley/Jefferson County line.

Please RSVP by Friday, June 8 to Ashley Young
at (304) 267-1870, ext. 207, or ayoung@hospiceotp.org.
If needed, please call for directions.



May 7, 2012

Mrs. Patsy Noland, President
Jefferson County Commission
P.O. Box 250
Charles Town, WV 25414

Dear President Noland and Commissioners,

As you know Hospice of the Panhandle will be constructing a 14 bed hospice inpatient facility and separate office building located on old Route 9 on the Berkeley/Jefferson County line in West Virginia.

Hospice of the Panhandle has secured a commitment from a local bank to finance a portion of the costs of this project through the purchase of \$8,000,000 of bank qualified, tax-exempt commercial development revenue bonds. Since approximately 70% of the project will be located in Jefferson County and the remaining 30% in Berkeley County, this letter is to request that the Jefferson County Commission issue up to \$6 Million of the \$8 Million dollars. It is our intent that the remaining bonds will be issued by Berkeley County.

We will receive bids for this project May 9 and expect to name our contractors by June 1 so they may begin construction as soon as June 15, 2012. Obviously, securing the bond issue is essential to moving this process forward.

Our community has long needed an inpatient facility to care for those with pain and other uncontrolled symptoms. We do not wish to delay this project.

Thank you in advance for your assistance in moving our project forward as soon as possible. You can reach me at 304-264-0406, mcozswell@hospiceotp.org or at the address below.

Sincerely


Margaret Cogswell, CHPCA
CEO

RECEIVED

MAY 09 2012

Jefferson County Commission




WEST VIRGINIA DEVELOPMENT OFFICE

1900 Kanawha Boulevard East • Charleston, WV 25305-0311
(304) 558-2234 • (800) 982-3386 • WVDO.org

MEMORANDUM

TO: Regional Planning and Development Councils
County Commissioners
Mayors

FROM: Mary Jo Thompson, Director
Community Development Division 

DATE: May 1, 2012

RE: Community Development Representative
Regions 6, 7, 8 and 9

I am pleased to announce that Mr. Luke Peters has joined the staff of the West Virginia Development Office, Community Development Division, as a Community Development Representative. In this position, Luke will coordinate federal programs, including the Small Cities Block Grant Program and the Neighborhood Stabilization Program, with the Regional Planning and Development Councils, Cities and Counties of Regions 6, 7, 8 and 9.

Luke attended Concord University as a Presidential Scholar, where he graduated cum laude with a Bachelor of Science in Interdisciplinary Studies. He also holds a Master of Public Administration from Ohio University. His experience also includes regional development in West Virginia and Ohio and a working knowledge of CDBG, ARC, USED A, USDA-RUS, and other community and economic development programs.

Luke resides in Parkersburg with his wife, Heather, and their three-year-old son, Griffin. I am confident that you will enjoy working with him as we continue to develop a brighter future for the State of West Virginia. Luke can be reached at 304-558-4010, or at luke.n.peters@wv.gov

As always, we appreciate your assistance in the administration of state and federal programs administered by the Community Development Division.

RECEIVED

KW: sf

MAY 09 2012

Jefferson County Commission

RECEIVED

MAY 09 2012

U.S. Department of Homeland Security
FEMA Region III
615 Chestnut Street
One Independence Mall, Six Floor
Philadelphia, Pennsylvania 19106-4404

Jefferson County Commission



FEMA

May 4, 2012

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

Community: Jefferson County, West Virginia
CID: 540065

Dear Ms. Noland:

The Federal Emergency Management Agency (FEMA) Region III has initiated the Discovery process for the Conococheague-Opequon Watershed under the Risk Mapping, Assessment, and Planning (Risk MAP) program. Risk MAP is FEMA's holistic approach to floodplain management and risk assessment. Each Risk MAP project starts with "Discovery" to assess the known risks and mapping needs in a watershed to determine the most efficient scope and approach to the project. Information on Discovery and Risk MAP in general is available at www.rampp-team.com/fact_region3.htm. Information about the Risk MAP program and the different types of Risk MAP products is available at www.rampp-team.com/fact_sheets.htm. Enclosed please find a brochure that provides details on the Discovery process and the opportunities for data sharing and discussion of flood risk or mitigation projects that are of interest to your community.

The purpose of this letter is to invite you to one of four meetings to discuss whether a Risk MAP project is needed within your watershed. These very important meetings will be held on:

- **Wednesday, May 30** from 1:00–3:00 PM at the Franklin County Administration Annex, 218 North Second Street, Chambersburg, PA 17201.
- **Monday, June 4** from 2:00–4:00 PM at the Berkeley County Council Chambers, 400 West Stephen Street, 4th Floor, Martinsburg, WV 25401.
- **Tuesday, June 5** from 10:00 AM–12:00 PM at the Berryville Clarke County Government Center Main Meeting Room, 101 Chalmers Court, 2nd Floor, Berryville, VA 22611.
- **Thursday, June 7** from 9:00–11:00 AM at the Washington County Division of Emergency Management Services, 16232 Elliott Parkway, Williamsport, MD 21795.

At the meetings, we will review the flood risk data we have gathered to date, discuss your community's flooding history, development plan, flood risk concerns, stormwater and floodplain management activities, and other daily operations that impact your flood risk (e.g., cleaning of drainage ditches, culverts). To help us prepare for these meetings, we ask that you complete and return the enclosed questionnaire regarding your local flood risk at your earliest convenience.

The purposes of these meetings are: to provide you with an understanding of the goals we wish to accomplish, to discuss how we can work collaboratively to ensure that the watershed stakeholders' needs are met, and to ensure that your input is reflected in the study process. The information exchanged between FEMA and the communities within your watershed during Discovery will improve our understanding of your flood hazard mapping, flood risk, mitigation planning, and communication needs.

We recommend that, in addition to your community CEO and floodplain administrator, you consider sending your emergency managers, GIS staff, engineers, public outreach specialists, and/or planners as appropriate given your community's resources. (If some of these tasks are contracted out, you may wish to determine whether that contractor will be attending the meeting on behalf of other clients to maximize efficiency.) In addition, we recommend inviting others with a vested interest in your watershed's resources, floodplains, and flood risk. This meeting will involve representatives from FEMA, FEMA's Mapping Partners, representatives of your State, and officials and stakeholders throughout the watershed.

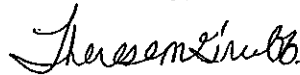
FEMA is committed to ensuring that the meeting and materials are accessible to all, and so in accordance with the Americans with Disabilities Act (ADA) (www.ada.gov), reasonable accommodations are available upon request. When requesting accommodations, please include a description of the accommodation you need and include as much detail as possible, including how we may contact you if more information is needed. Make your request as early as possible; please allow at least 5 days advance notice. Last minute requests will be accepted, but may not be possible to fill. Please contact Niki Edwards at niki.edwards@dhs.gov or 215-931-5614 with any questions or concerns regarding accommodations.

We thank you for supporting this effort. The partnership between FEMA and your community will be vital to our success in identifying flood risks and needs that may exist. If you have any questions regarding Discovery, please do not hesitate to contact the Study Manager, Juan Carrizo, at juan.carrizo@urs.com or 301-820-3486.

If you have any other questions, please contact me at therese.grubb@dhs.gov or 215-931-5528.

You are not required to RSVP for these meetings.

Sincerely,



Tess Grubb
FEMA Region III



Community Discovery Data Questionnaire

Thank you for taking the time to complete this questionnaire. It will provide important information to help FEMA understand flood risk issues in the Conococheague-Opequon Watershed and to work with you in increasing your county's resilience to flooding through implementation of the Risk MAP program.

Once you have completed the questionnaire, please email it to: Conococheague-Opequon@RAMPP-Team.com

A map of the watershed can be found at the end of this questionnaire.

If you have any questions about the Discovery process or about completing this questionnaire, please contact: Juan Carrizo, juan.carrizo@urs.com, 301-820-3486

For data, please describe the source, date, format (digital, paper, etc.), and any information that you think is relevant for identification. It is especially important for us to know any data that you as a county may have that we cannot obtain from community, state, and federal sources and which of these data you may have in geospatial format. We may contact you later to request geospatial data that we do not already have from other sources.

1. CONTACT INFORMATION

Name: _____ Position: _____

Address: _____

County, Business, or Organization Represented: _____

Email Address: _____

Phone Number: _____

Contact Preference: Email Phone Mail

2. COUNTY DIGITAL BASE MAP DATA (PLEASE DESCRIBE PER ABOVE)

County and municipal Boundaries (please note any changes from since the most recent Flood Insurance Rate Map revision date): _____

Roads: _____

Streams: _____

Orthophotography: _____

Elevation/Topographic Data: _____

Property Information (Assessor's Data): _____

Land Use and/ or Zoning Plan Maps: _____

7. FLOOD MITIGATION ACTIVITIES INFORMATION (PLEASE DESCRIBE)

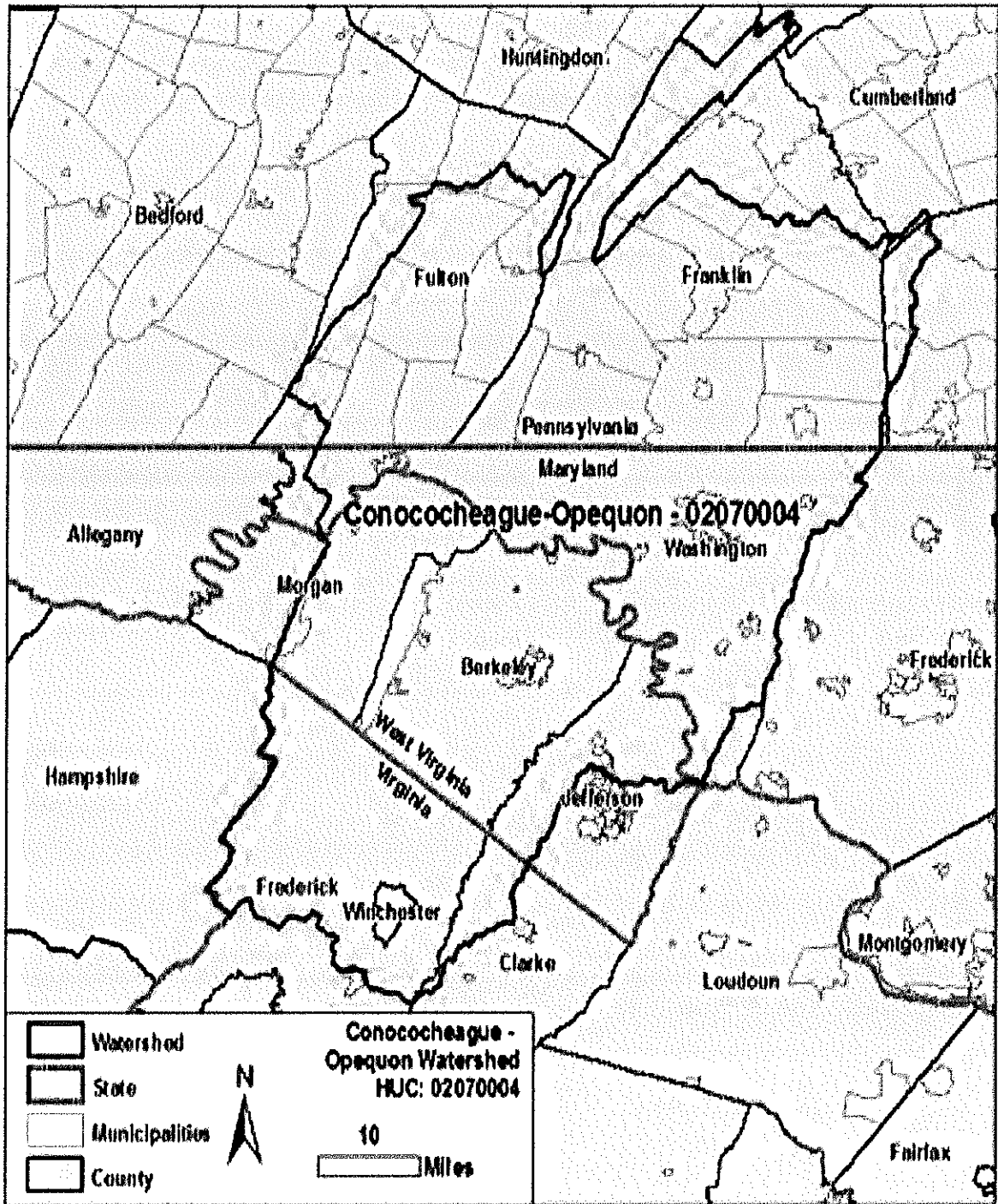
e.g., Community Rating Service (CRS) participation, CRS activities, stormwater Best Management Practices, hazard mitigation grant projects, and other actionable projects. Please include Point of Contact.

8. RECENT, ONGOING, OR PROPOSED PROJECTS AFFECTING FLOOD HAZARDS (PLEASE DESCRIBE)

e.g., Department of Transportation, Army Corps of Engineers, Natural Resources Conservation Service or other privately funded projects, including bridge and culvert replacements, since the most recent Flood Insurance Rate Map revision date.

9. RECENT DEVELOPMENT OR AREAS THAT ARE PLANNED FOR FUTURE DEVELOPMENT AND OTHER LAND USE INFORMATION (PLEASE DESCRIBE)

e.g., For development since the latest Flood Insurance Rate Map revision date: What is the nature of the development? How large is the development? What is the number of structures in the floodplain? Did it involve a LOMA, LOMR, or LOMR-F? If so, please provide the case number. Please describe the locations in detail with addresses or geospatial coordinates when possible. Please also identify any local comprehensive and/or land use plans, regional watershed plans, sustainability plans, habitat conservation plans, coastal-related plans, etc



Discovery, the process

FEMA Planning and Budgeting...

On a national level, FEMA identifies watersheds for potential project funding

Discovery Initiated...

- On a regional level, FEMA invites watershed stakeholders to contribute local and regional data and knowledge
- Discovery Meeting scheduled

Data Collection and Coordination...

- Local officials internally discuss existing and needed floodplain projects
- Communities and regional organizations contribute data for the Discovery Map

Discovery Meeting...

- Watershed-wide stakeholders present working knowledge of flood risk to FEMA representatives
- Discovery Map, showing statistical flood risk data and contributed data, is discussed
- High flood risk areas and mapping needs are identified

Final Project Selection...

FEMA selects from Discovery projects a few watershed projects for current fiscal year funding

- RELATED FEMA PROGRAMS**
 - National Flood Insurance Program
 - Flood Mitigation Assistance Program
 - National Dam Safety Program
 - Pre-Disaster Mitigation Program
 - Repetitive Flood Claims Program
 - Severe Repetitive Loss Program
 - Community Rating System

DOCUMENTS TO REVIEW

- Mitigation Plans
- Letters of Map Amendment
- Letters of Map Revision
- Levee Certification Documentation
- Flood Studies

- Comprehensive Plans
- Business Case Plans

ISSUES TO DISCUSS LOCALLY

- Communications Strategy
- Flood Risk Education Program
- Flood-Related Issues and Map Needs
- Available Topographic Data
- Cost-Share Potential
- Current Risk Reduction Strategy
- Ongoing or Needed Mitigation Actions

Contact your
FEMA Regional Office
for details

www.fema.gov/plan/prevent/fim/rm_main.shtml

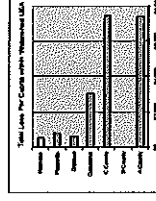
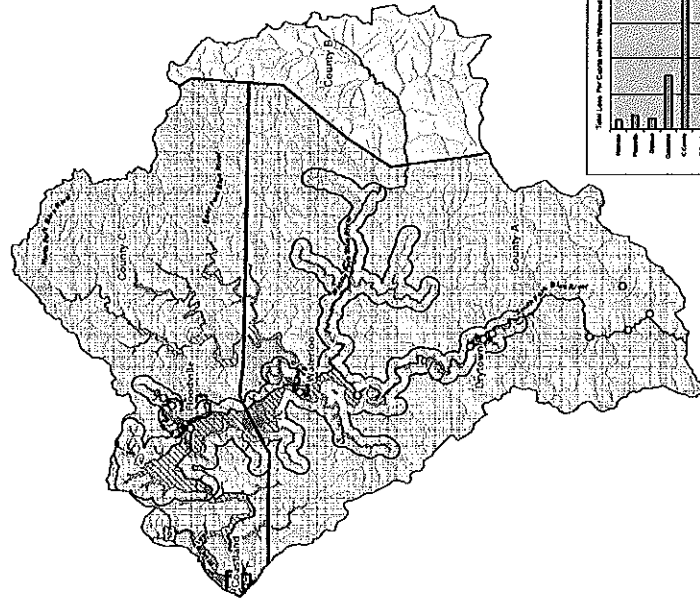
1-877-FEMA MAP



RiskMAP
Increasing Resilience Together

DISCOVERY

Watershed Discovery Map: Watershed USA



THE INFORMATION PROVIDED ON THIS MAP IS UNWARRANTED IN GENERAL AND PARTICULAR. [HTTP://MSC.FEMA.GOV](http://MSC.FEMA.GOV)



FEMA

RiskMAP
Increasing Resilience Together

Jefferson County Commission
PO Box 250
Charles Town, WV 25414

May 2, 2012

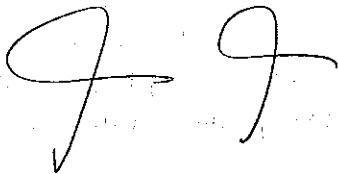
Commissioners,

The members of the Jefferson County Courthouse Committee met last week to discuss the landscape proposals submitted by Boyer Landscaping for the front of the Jefferson County Courthouse. After reviewing Boyer's various proposals, it was the unanimous consensus of the committee that the designs were generally too complicated and busy for the site. The committee would prefer a simple and elegant design. In addition to allowing the building's magnificent architecture to speak for itself, such a pared-down plan would be less expensive to construct and require fewer man-hours to maintain.

The committee, therefore, recommends that the designer develop a new plan with all unnecessary items removed. In addition, it was the consensus of the committee that all signage, monuments, furniture, plantings, and planters be removed from the courthouse yard. Only the two flagpoles should remain in that area, though not in their current locations. The committee feels that a simple design is the best way to maintain the dignity of the courthouse.

Thank you for the opportunity to comment on this important matter.

Sincerely,



John C. Allen, Jr.

Chair, Jefferson County Courthouse Committee

RECEIVED

MAY 09 2012

Jefferson County Commission

RECEIVED

MAY 04 2012

Jefferson County Commission

Ms. Jennifer Brockman
Director of Planning and Zoning
116 East Washington St. / P.O. Box 338
Charles Town, W.V. 25414

30 April 2012

Dear Jennifer:

As I mentioned in the 19 April BZA meeting, we have no choice but to accept the inevitable granting of the Conditional Use Permit for the Twin Oaks Development. We still believe that this specific excessive commercial land use in the rural zone is incompatible with the surrounding residential homes and Morgan's Grove Park. From the draft CUP conditions it appears that the BZA members took little note of the concerns that many citizens raised during the compatibility assessment meeting on March 2nd and the BZA itself on April 19. I think that many concerned citizens were disturbed by the conduct of the BZA meeting and the apparent lack of genuine interest in the unresolved issues that were raised and still persist.

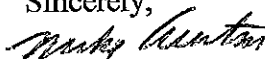
Of particular concern is item 20 in the Draft CUP which states that "The buffer shall have defined access points to allow potential pedestrian access from the subject property to Morgan's Grove Park." We firmly believe that the BZA and the County are exceeding their authority in trying to force the Shepherdstown Community Club, owners of Morgan's Grove Park to provide access from the neighboring Twin Oaks Property. This is a blatant and inappropriate effort to assist the developers in pursuing commercial exploitation of our dedicated recreational area. We have no intention of granting an easement or access of any kind from the Twin Oaks property into the Morgan's Grove Park other than already existing accesses along Route 480 and Morgan's Grove Road. Morgan's Gove Park is not public property. It is owned and operated by us with the assistance of the Jefferson County Parks and Recreation Commission (JCPRC) for the benefit of county residents, but it remains private property subject to our control and management with all inherent rights and responsibilities. We take that stewardship as a non profit civic organization very seriously. To include this pejorative language in the CUP will only exacerbate relations with the Twin Oaks Development owners in the future and prevent neighborly relationships if, and when the property is actually developed.

- Although ignored by the BZA, there are safety and security considerations which we manage with the Sheriff's department, particularly after dark. Now the designated access and parking areas help us to monitor who is using the park.
- There has been an increase of vandalism, which can certainly be documented by the JCPRC. Pedestrian access, especially after dark from the adjoining property would make this more difficult to control.

- We close the Park during the winter season and require that the gates are locked. Water and rest room facilities are winterized and closed.
- This would interfere with use of the exercise trail which is one of the most popular recreational activities of the park and it as much an opportunity for quiet contemplation as it is for exercise purposes. This is another reason why an uninterrupted screen in the buffer and the 75 ft distance that we are entitled to as a property on the Federal and State Lists of Historic Places is desired.
- We anticipate increased and more diverse uses of the Morgan's Grove Park when the new Hite Road Park becomes operational and much of the soccer league activity transfers to that site. This may include scouting activities, including camp-outs which would be interfered with by transients from the Twin Oaks Development.
- As owners we retain and must provide appropriate liability insurance coverage which would be significantly more costly if we could not control access, as we now do to the park.
- The Jefferson County Parks and Recreation Commission and the Shepherdstown Community Club conduct events at the park from time to time that charge appropriate admission fees as a means of covering costs. We are working with the JCPRC to enhance the earnings from the park to help pay for operations and maintenance by them and capital improvements and insurance by ourselves. This loss of controlled access would significantly undercut our ability to generate these earnings.
- Often, the rental arrangements grant scheduled users of the park exclusive use of the facilities or the playing fields in the case of the soccer leagues. They pay for the privilege.
- Parents send their young children to participate in organized sports events and summer day camps in a safe and controlled environment where adequate adult supervision is manageable by coaches and assigned monitors. We have an obligation to continue providing that safe environment without encroachment by as yet unknown commercial activities and vehicular traffic.

For the above reasons, I hope that the second sentence of item 20 can be removed before the final draft is concluded. We would have little choice but to appeal this BAZ decision if it remains. Please advise what steps are necessary to accomplish this change in the draft. As necessary I will request time on the County Commission or BZA agendas to formally facilitate this change if that is required.

Sincerely,



Mike Austin

President Emeritus of the Shepherdstown Community Club
cc; Jefferson County Commissioners

402 South Mildred Street
Charles Town, WV
7 May 2012
304 725-9057

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

Ladies and Gentlemen,

Earlier this month, I submitted this as either a Letter to the Editor or Guest Column to the Martinsburg Journal, however, as they had not published it within a week, I withdrew the article. I subsequently submitted it to The Spirit, The Observer, The Listener. To date neither has published it. My intent is to encourage a public discussion concerning the propose fire and ambulance fees.

Fire and Ambulance Fees

Because it is becoming more and more difficult to provide fire suppression and emergency medial services (EMS) during the daytime. the Jefferson County volunteer fire companies are asking for full-time daytime coverage.

The Jefferson County Emergency Services Agency (JCESA), which oversees the the voluntary fire and ambulance companies, has proposed an ordinance to fund its Five-Year Strategic Plan. The ordinance would implement a fire/emergency services fee which is projected to raise \$2.9 million a year. At a public meeting earlier this month, a JCESA official projected a 75% collection rate. The JCESA proposed ordinance provides that unpaid fees would be turned over to a collection agency.

However, a retired attorney's research estimated that JCESA would spend nearly \$500,000 a year to collect the unpaid fees and stated that was not an effective use of the fees. He also called for a countywide referendum on the proposed ordinance. Stephanie Grove, the county commission's attorney, has ruled in the past that fire fees are not subject to a referendum.

If the fire suppression and EMS service improvements were funded by the existing property tax., that waste of \$500,000 a year could be eliminated, The Eastern Panhandle legislative delegation can sponsor a bill or amendment to allow counties to use the property tax to fund fire suppression and EMS.

At a recent County Commission meeting, a Commissioner was jeered for voicing the opinion that the Commission should exercise more control over the volunteer fire companies. At the JCESA February 15, 2011 meeting the Vice-President responded to a question by stating, "that each (individual fire) department is an individual organization, and that the board is not an authoritative figure."

According to the March 20, 2012 JCESA Meeting Minutes, a concerned citizen felt that one of the volunteer fire companies, which receives funds from the County

Commission, was being improperly operated and "requested that he be heard in Executive Session." The President "informed the concerned citizen that due to the Ethics Act of WV Sunshine Laws, his request must be denied." The individual "declined to speak in public forum." Unless drastic changes are made in the management style of JCESA, so ended any chance that concerned citizens will ever again come forth to voice their concerns.

Actually, the West Virginia Code Chapter 6 "Sunshine Law" Article 6-9A-4b - Exceptions states, "An executive session may be held only upon a majority affirmative vote of the members present of the governing body of a public agency." And further subparagraph 7 states, "To plan or consider an official investigation or matter relating to crime prevention or law enforcement;"

By allowing the President to rule thusly, it seems obvious that the members of JCESA Board were not well versed in their responsibilities nor particularly interested in hearing from concerned citizens who have the courage to express their opinions that public funds may not be properly administered or accounted for.

The JCESA Five-Year Strategic Plan, Page 1 states, "A core and critical function of the JCESA is to establish funding priorities among the county's seven member fire companies and to administer the funding appropriations and allocations afforded through the County Commission's annual budget and the county's impact fee program. Receipt of the appropriated annual budget funds is, in part, governed by a service contract that each fire company has with the County Commission. In addition, both financial management and fiscal management agreements (as included in Attachment B) have been jointly executed between the JCESA and the seven member fire companies. These agreements respectively establish uniform accounting practices among the JCESA and member fire companies and the criteria and standards through which county funds are to be allocated to each company. As of March 20, 2012 two volunteer fire companies have not even bothered to appoint treasurers.

To date the County Commission and JCESA have failed to fulfill that charge. The volunteer fire companies seem resistant to submitting funding request or implementing an uniform accounting and auditing system. Why should they? The County Commission for Fiscal Year 2012, without any funding requests or uniform fiscal management in place, gave each of the seven companies \$61,000! For what purposes and with what accountability? Personally, I am not impressed with \$427,000 of public funds being doled out in such a casual manner.

I do not believe that the County Commission, unless the citizens force them, has the courage to withhold public funds from the voluntary fire companies that do not document their needs nor have adopted a uniform system of accounting, subject to annual audits.

After reviewing the JCESA Five-Year Strategic Plan and Meeting Minutes for 2011 and 2012, I am convinced that Jefferson County does not have required command and control structure to efficiently plan, direct, coordinate and control the implementation of the JCESA Five-Year Strategic Plan.

I would suggest that the County Commission recognize what is actually happening. We are in the process of transitioning from an all-volunteer to a combination of full-time paid and volunteer personnel and eventually to the use of full-time paid personnel to provide all first response fire suppression and emergency medical services. At some point the all volunteer companies may be relegated to only providing back-up and ambulance transportation services.

As the county grows the full-time personnel will provide more and more of the first response for fire suppression and emergency medical services. It's the correct approach and long overdue. It is more efficient and avoids most of the conflicts that will arise if the County Commission chose to implement the JCESA Five-Year Strategic Plan in the face of the strong resistance of the "powers that be" in the volunteer fire companies.

The better, safer, more efficient, less conflicted, and possibly cheaper approach would be to initially focus on providing Monday thru Friday daytime fire suppression first responder capability by full-time paid personnel to the County's three Census Bureau designated urbanized clusters - Charles Town-Ranson, Shepherdstown and Shannondale. Plus use full-time paid EMS personnel to provide twenty-four hour first responder level with Automatic External Defibrillators (AED) capabilities or higher through out the county. The goal would be to meet the current edition of National Fire Protection Association (NFPA) Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments.

In order to serve on the JCESA or a volunteer fire company's board, the Commission should require that all board members complete a training course on their responsibilities as board members. Such training to be provided by the County Commission. Any company has the right not to participate in this program, but in doing so forfeits the right to receive county funding.

Starting with Fiscal Year 2013, the Commission should require JCESA and the volunteer fire companies to provide the County Commission with their budget requests and implement the Fiscal Management practices contained in the JCESA Five-Year Plan Attachment B. Again the County Commission should require and provide the appropriate training to the board members and treasurers of JCESA and the volunteer fire companies. Any company has the right not to participate in this program, but in doing so forfeits the right to receive county funding.

I also have several problems with the JCESA By-Laws contained in its Five-Year Strategic Plan, but will limit my comments to one major concern.

ARTICLE 2. BOARD OF DIRECTORS (as presently written):

"(a) Governance. Management of the Agency shall be vested in a Board of Directors. The Board shall of eleven voting members and the Medical Director who shall be a nonvoting ex officio member. The Board shall be comprised of individuals appointed by the Commission as follows:

CONSIST

(1) One member of the Jefferson County Commission, who shall be a voting member.

(2) Six Citizen members who are not currently employed or affiliated with the Commission, or with an emergency medical service or fire department service in Jefferson County...

(subparagraphs (3) through (5) provide for five representatives from the Jefferson County fire suppression and emergency medical services community, who are all voting members of the JCESA board.

(6) The Medical Director of the EMS program who shall be a nonvoting ex officio member of the board.

In order to eliminate the possibility that the JCESA Board will be dominated by those with a special interest other than those of the citizens, I strongly recommend that only the the County Commissioner and the citizen members be voting members of the JCESA Board. Therefore, I recommend the following changes:

(a) Governance. Management of the Agency shall be vested in a Board of Directors. the Board shall have seven voting members and six nonvoting ex officio members. The Board shall be appointed by the Commission as follows:

(1) Remains the same.

(2) Six citizens who are not currently employed by or affiliated with or have any conflict of interest with the Commission or any emergency medical service or fire protection service, who shall be voting members.

The following shall be nonvoting ex officio members of the board:

(subparagraphs (3) through (5) remain as proposed)

(6) The Medical Director of the EMS program.

Sincerely,

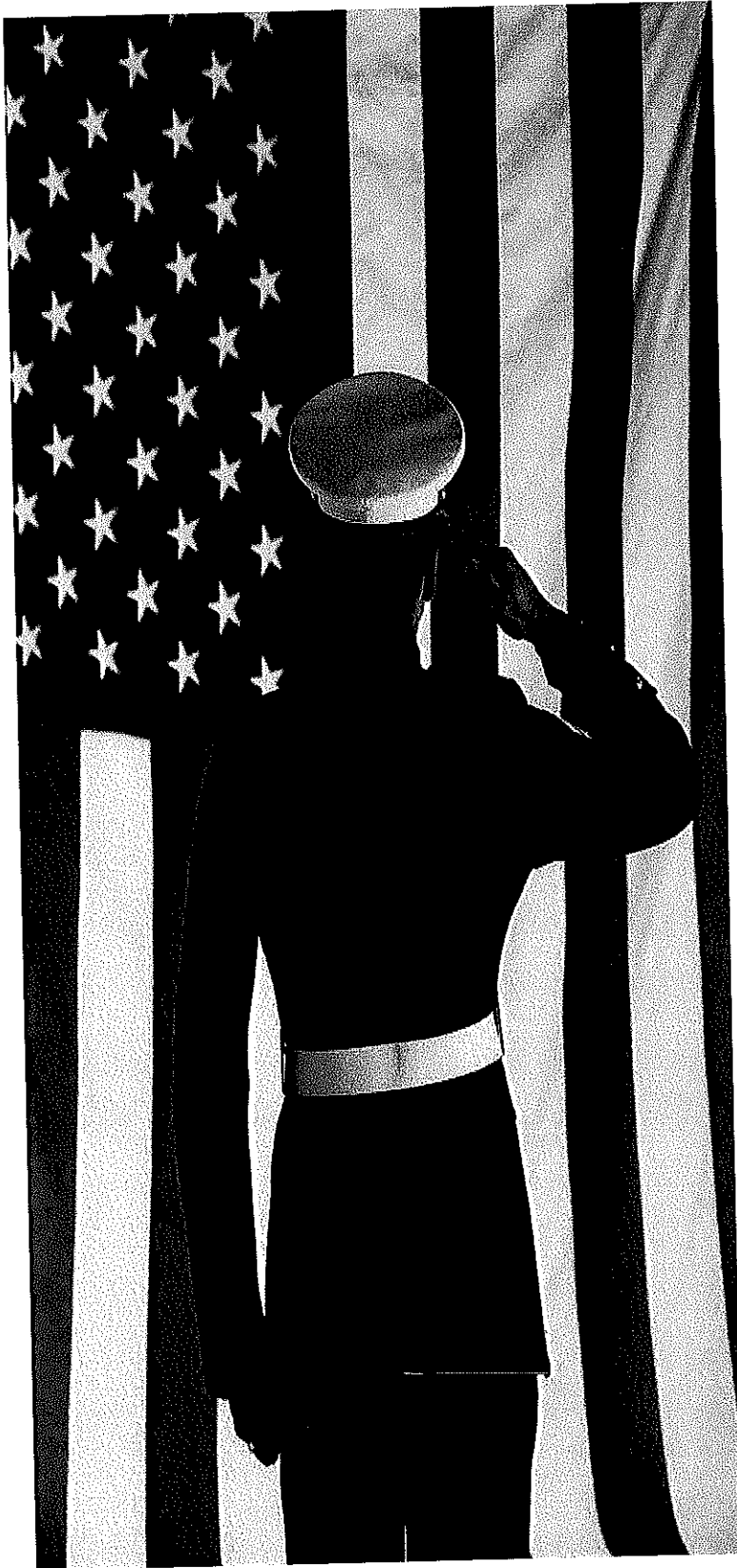
Earl L. Jackson, Jr.

cc:

Patsy Noland
Dale Manuel
Walt Pellish
Frances Morgan
Lyn Widmyer

**NOTICE
JEFFERSON COUNTY COMMISSION
MEETING CANCELLATION**

The regular meeting scheduled on Thursday, May 24, 2012, has been cancelled. The Commission will resume its regular session on Thursday, May 31, 2012, at 9:30 a.m.



**Jefferson
County
Commission
Office will be
closed on
Monday, May
28, 2012 to
celebrate
Memorial
Day.**