

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, JUNE 21, 2012
9:30 A.M.

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

Revised 6/18/2012 at 4:20 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

APPROVAL OF PURCHASE ORDERS

APPROVAL OF ACCOUNTS PAYABLE

PUBLIC COMMENT

PRESENTATIONS:

1. 9:40 a.m. Presentation of Certificates to Job Corps Interns: Hope Clemons, Corbi Greenwalt, Michael Sherman and Laticia Santiago
2. 9:45 a.m. Sally Gran, Chief Deputy Clerk
 - Explanation of Budget Revision #1018 - Discussion/Action
 - Explanation of Budget Revision #1022 - Discussion/Action
3. 10:00 a.m. Patricia McMillan, HOME Administrator
 - New HOME Consortium Agreement for Fiscal Years 2013, 2014 and 2015 - Discussion/Action
4. 10:15 a.m. Paul Shroyer, Financial Director
 - Approval of West Virginia Risk Pool Self-Insurance renewal - Discussion/Action
 - Approval of Budget Revision #1023 - Discussion/Action
 - Approval of Budget Revision #1025 - Discussion/Action
 - Discuss list of expenses for CIP, Court House and Other Buildings - Discussion/Action
 - Request from Twenty-Third Circuit Probation Department - Discussion/Action
 - Discuss Audit Findings and response received from Stuart T. Stickel, CPA, Deputy State Auditor - Discussion/Action

- Budget Analysis for May 2012 - Discussion/Action

5. 10:30 a.m. **Break**
6. 10:45 a.m. **Roger Goodwin, Chief County Engineer**
- Chesapeake Bay Initiative and the Chesapeake Bay Regulatory & Accountability Grant - Discussion/Action
- Letter of Credits securing construction bonds - Discussion/Action
7. 11:00 a.m. **Terry Simons, WorkCamp Coordinator, Office of Youth Ministry**
- Request for waiving of fees for several home repair projects - Discussion/Action

UNFINISHED BUSINESS:

8. **Set a date for a Public Hearing concerning the Purchase of the Briel Building - Discussion/Action**
9. **Discussion/Action on following amendments/policy agreement - Discussion/Action**

- To extend the validity of any subdivision plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 from July 1, 2012 until July 1, 2015. Any other plan or permit associated with the subdivision or land development plan or plat would also be extended for the same time period

outstanding
by the
apply
zoning

-To extend until July 1, 2015 the requirements for the vesting of property rights contained in an ordinance enacted pursuant to 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat that was valid and as of January 1, 2010 and had received preliminary approval Planning Commission prior to March 1, 2010. This provision would to all special and conditional use permits or any other agreement or action

- To determine whether the time extensions, if approved by the County Commission, should be adopted through an amendment, resolution, or agreement deadline is July 1, 2012

NEW BUSINESS:

10. Approval of Resolution for the Community Participation Grant in the amount of \$2,500 for the Convention and Visitors Bureau - Discussion/Action
11. Approval of Resolution for the Community Participation Grant in the amount of \$5,000 for the Harpers Ferry Welcome Center - Discussion/Action
12. Approval of Resolution for the Community Participation Grant in the amount of \$2,000 for the Eastern Panhandle Trailblazers - Discussion/Action
13. Approval of Resolution for the Community Participation Grant in the amount of \$2,000 for the Jefferson County Commission - Discussion/Action
14. Approval of Resolution for the Community Participation Grant in the amount of \$50,000 for the Alliance for Youth - Discussion/Action
15. Appointment of John Reisenweber, Director of the Development Authority to the Eastern Panhandle Regional Planning and Development Council (Region 9) for a two year term ending June 30, 2014 - Discussion/Action
16. Approval of Resolution for the Community Participation Grant in the amount of \$5,000 for the Contemporary American Theater Festival (CATF) - Discussion/Action
17. Hiring outside Counsel, Executive Session Possible §6-9A-4 - Discussion/Action

DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY REPORTS

- Engineering Department Quarterly Report - July 2012

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

18. **Break for Lunch**

~~~~~ EVENING SESSION ~~~~~

19. 7:00 p.m. Public Hearing to gather public input on the Draft Amendment to the Impact Fee Ordinance that addresses the affordable house component required to be implemented by July 1, 2012 - Discussion/Action
20. **ADJOURN**

CORRESPONDENCE:

Letter received from Peter Dougherty, Board of Education President concerning Impact Fees.

Newsletter received from Eastern Panhandle Conservation District.

Letter of appreciation received from the Jefferson County Historic Landmarks Commission concerning the Jefferson County Courthouse.

Letter from the Public Service Commission of West Virginia concerning the check for \$ 167,996.53 for the E-911 subscriber fees.

Weekly Settlement for Hollywood Casinos at Charles Town Races and Slot received for week ending June 2, 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.

Minutes

Jefferson County Commission

Thursday, June 14, 2012

A meeting of the Jefferson County Commission was held on Thursday, June 14, 2012 in the County Commission meeting room at the Old Charles Town Library located at 200 E. Washington Street, Charles Town, West Virginia. Present were Commissioners Patricia Noland, Dale Manuel, Lyn Widmyer, Frances Morgan and Walt Pellish, Debbie Keyser, Interim County Administrator, Debbie Stellato, Administrative Assistant, Jimmy Eddie, Bailiff. (An audio tape of this June 14, 2012 meeting is available through the Jefferson County Commission Office.)

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

PLEDGE OF ALLEGIANCE

Commissioner Widmyer led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the Minutes of the June 7, 2012 regular meeting as amended. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders of June 14, 2012 in the amount of \$132,553.38, being purchase order numbers: 50850, 50851, 50853, 49689, 49694, 51012, 49749, 49748, 49753, 48186, 49812, 50989, 51028, 49746, 50711, 50713, 49620, 49621, 49622, 49623, 49720, 49747, 49754, 53145, and 53146. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Mr. Manuel to approve the accounts payable for June 14, 2012 in the amount of \$191,286.95. Motion seconded by Ms. Morgan and unanimously approved.

067477	712	USA MOBILITY WIRELESS,IN		\$ -	\$ 410.71	\$ 410.71
067478	425	ABH SERVICES, INC.	49755	\$ 90.00	\$ -	\$ 90.00
067479	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 2,940.62	\$ 2,940.62
067480	425	B-K OFFICE SUPPLY INC	49742	\$ 508.50	\$ -	\$ 508.50
067481	424	BOLAND SERVICES	52829	\$ 270.00	\$ -	\$ 270.00
067481	425	BOLAND SERVICES	51116	\$ 991.01	\$ -	\$ 991.01
067482	712	BUSINESS TELECOM PRODUCT	49118	\$ 1,239.30	\$ -	\$ 1,239.30
067483	402	CLERK OF CO. COMMISSION	49691	\$ 99.43	\$ -	\$ 99.43
067484	405	CLAYMAN & ASSOCIATES PLL	49619	\$ 617.00	\$ -	\$ 617.00
067485	711	CERVIS TECHNOLOGIES	53194	\$ 1,500.00	\$ -	\$ 1,500.00
067486	425	DAYCON	49741	\$ 784.35	\$ -	\$ 784.35

067487	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 30.75	\$ 30.75
067488	433	D & S CONSTRUCTION	50849	\$ 1,676.90	\$ -	\$ 1,676.90
067489	424	FLEETPRIDE	49750	\$ 48.20	\$ -	\$ 48.20
067490	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 26,473.12	\$ 26,473.12
067491	405	CHARLES B HOWARD		\$ -	\$ 525.59	\$ 525.59
067492	440	INSTITUTE OF TRANSPORT	51026	\$ 455.00	\$ -	\$ 455.00
067493	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 2,940.62	\$ 2,940.62
067494	402	JEFFERSON PUBLISH CO INC	49692	\$ 154.40	\$ -	\$ 154.40
067494	404	JEFFERSON PUBLISH CO INC	50793	\$ 5,151.22	\$ -	\$ 5,151.22
067494	413	JEFFERSON PUBLISH CO INC	49692	\$ 86.62	\$ -	\$ 86.62
067494	451	JEFFERSON PUBLISH CO INC	50707	\$ 145.64	\$ -	\$ 145.64
067494	451	JEFFERSON PUBLISH CO INC	50710	\$ 49.82	\$ -	\$ 49.82
067494	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 145.12	\$ 145.12
067495	425	JEFFERSON COUNTY SOLID	53045	\$ 15.00	\$ -	\$ 15.00
067496	439	JEFFERSON COUNTY SCHOOLS	50714	\$ 60.00	\$ -	\$ 60.00
067497	401	LEWIS CO CIRCUIT CLERK		\$ -	\$ 70.04	\$ 70.04
067498	712	LANGUAGE LINE SERVICES		\$ -	\$ 10.27	\$ 10.27
067499	412	JUDITH A MATLICK		\$ -	\$ 136.53	\$ 136.53
067500	712	PRIORITY DISPATCH	50998	\$ 375.00	\$ -	\$ 375.00
067501	433	MSAG DATA CONSULTANTS IN	50848	\$ 3,500.00	\$ -	\$ 3,500.00
067502	424	VERIZON BUSINESS		\$ -	\$ 1,137.54	\$ 1,137.54
067503	439	MANPOWER	50708	\$ 553.90	\$ -	\$ 553.90
067504	401	PATRICIA A NOLAND		\$ -	\$ 527.77	\$ 527.77
067505	ALLOC	JEFF CO PARKS &		\$ -	\$ 30,876.46	\$ 30,876.46
067506	402	PIFER OFFICE SUPPLY, INC	49688	\$ 1,140.72	\$ -	\$ 1,140.72
067507	403	POSTMASTER CHARLES TOWN	50889	\$ 86.00	\$ -	\$ 86.00
067507	439	POSTMASTER CHARLES TOWN	50712	\$ 86.00	\$ -	\$ 86.00
067508	433	PRINT-O-STAT	50852	\$ 88.68	\$ -	\$ 88.68
067509	405	FORENSIC PSYCHOLOGY CENT	49618	\$ 1,925.00	\$ -	\$ 1,925.00
067510	439	PICTOMETRY INTERNATIONAL	50694	\$ 1,600.00	\$ -	\$ 1,600.00
067510	MISC	PICTOMETRY INTERNATIONAL		\$ -	\$ 15,600.00	\$ 15,600.00
067511	GRANT	PROPAC	53197	\$ 29,749.00	\$ -	\$ 29,749.00
067512	413	SHEPHERDSTOWN CHRONICLE	49687	\$ 1,963.28	\$ -	\$ 1,963.28
067513	425	SPECTRUM FIRE PROTECTION	49740	\$ 200.00	\$ -	\$ 200.00
067514	424	TRI COUNTY RENTAL INC	49752	\$ 20.95	\$ -	\$ 20.95
067515	712	TELTRONIC	49117	\$ 458.00	\$ -	\$ 458.00
067517	401	UNITED BANKCARD CENTER		\$ -	\$ 729.93	\$ 729.93
067517	401	UNITED BANKCARD CENTER		\$ -	\$ 179.12	\$ 179.12
067517	401	UNITED BANKCARD CENTER		\$ -	\$ 899.96	\$ 899.96
067517	402	UNITED BANKCARD CENTER		\$ -	\$ 952.30	\$ 952.30
067517	402	UNITED BANKCARD CENTER		\$ -	\$ 299.00	\$ 299.00

067517	402	UNITED BANKCARD CENTER		\$ -	\$ 34.95	\$ 34.95
067517	403	UNITED BANKCARD CENTER		\$ -	\$ 24.84	\$ 24.84
067517	403	UNITED BANKCARD CENTER		\$ -	\$ 134.40	\$ 134.40
067517	405	UNITED BANKCARD CENTER		\$ -	\$ 95.97	\$ 95.97
067517	412	UNITED BANKCARD CENTER		\$ -	\$ 443.04	\$ 443.04
067517	413	UNITED BANKCARD CENTER		\$ -	\$ 29.66	\$ 29.66
067517	413	UNITED BANKCARD CENTER		\$ -	\$ 950.50	\$ 950.50
067517	413	UNITED BANKCARD CENTER		\$ -	\$ 44.35	\$ 44.35
067517	415	UNITED BANKCARD CENTER		\$ -	\$ 79.65	\$ 79.65
067517	424	UNITED BANKCARD CENTER		\$ -	\$ 546.23	\$ 546.23
067517	424	UNITED BANKCARD CENTER		\$ -	\$ 116.51	\$ 116.51
067517	424	UNITED BANKCARD CENTER		\$ -	\$ 44.85	\$ 44.85
067517	424	UNITED BANKCARD CENTER		\$ -	\$ 415.00	\$ 415.00
067517	424	UNITED BANKCARD CENTER		\$ -	\$ 11.91	\$ 11.91
067517	425	UNITED BANKCARD CENTER		\$ -	\$ 76.06	\$ 76.06
067517	428	UNITED BANKCARD CENTER		\$ -	\$ 73.49	\$ 73.49
067517	433	UNITED BANKCARD CENTER		\$ -	\$ 141.00	\$ 141.00
067517	433	UNITED BANKCARD CENTER		\$ -	\$ 148.00	\$ 148.00
067517	433	UNITED BANKCARD CENTER		\$ -	\$ 125.00	\$ 125.00
067517	433	UNITED BANKCARD CENTER		\$ -	\$ 141.00	\$ 141.00
067517	439	UNITED BANKCARD CENTER		\$ -	\$ 828.72	\$ 828.72
067517	440	UNITED BANKCARD CENTER		\$ -	\$ 209.68	\$ 209.68
067517	440	UNITED BANKCARD CENTER		\$ -	\$ 83.32	\$ 83.32
067517	440	UNITED BANKCARD CENTER		\$ -	\$ 83.32	\$ 83.32
067517	451	UNITED BANKCARD CENTER		\$ -	\$ 486.61	\$ 486.61
067517	700	UNITED BANKCARD CENTER		\$ -	\$ 39.85	\$ 39.85
067517	700	UNITED BANKCARD CENTER		\$ -	\$ 564.05	\$ 564.05
067517	700	UNITED BANKCARD CENTER		\$ -	\$ 944.85	\$ 944.85
067517	700	UNITED BANKCARD CENTER		\$ -	\$ 121.47	\$ 121.47
067517	711	UNITED BANKCARD CENTER		\$ -	\$ 819.25	\$ 819.25
067517	711	UNITED BANKCARD CENTER		\$ -	\$ 392.23	\$ 392.23
067517	711	UNITED BANKCARD CENTER		\$ -	\$ 213.08	\$ 213.08
067517	711	UNITED BANKCARD CENTER		\$ -	\$ 1,450.29	\$ 1,450.29
067517	712	UNITED BANKCARD CENTER		\$ -	\$ 3,531.69	\$ 3,531.69
067517	712	UNITED BANKCARD CENTER		\$ -	\$ 69.94	\$ 69.94
067517	712	UNITED BANKCARD CENTER		\$ -	\$ 49.72	\$ 49.72
067517	716	UNITED BANKCARD CENTER		\$ -	\$ 102.59	\$ 102.59
067518	424	VALLEY HARDWARE COMPANY	51130	\$ 3.99	\$ -	\$ 3.99
067519	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 36,757.69	\$ 36,757.69
067520	425	WINCHESTER SECURITY LLC	49743	\$ 170.00	\$ -	\$ 170.00
067521	405	DEBRA A. YOUNG		\$ -	\$ 113.83	\$ 113.83

TOTAL						\$ 191,286.95
TOTAL			\$ 55,862.91	\$ 135,424.04		\$ 191,286.95

PUBLIC COMMENT

Kathy Knight commented on zoning in the neighborhoods and the public hearing regarding the Rt. 340 Corridor proposed plans.

UNFINISHED BUSINESS

- 1. Debbie Keyser, Interim County Administrator, requests approval of the amended County Administrator Job Description/Recruitment Announcement...**

Motion by Ms. Widmyer to go forward immediately with advertising the County Administrator position and Recruitment Announcement. Motion seconded by Mr. Pellish and unanimously approved.

NEW BUSINESS

- 2. Request for approval of Grant Contract Agreement for Victims of Crime Act (VOCA) in the amount of \$59,381.00.**

Motion by Mr. Manuel to approve the Grant Contract Agreement for Victims of Crime Act (VOCA) in the amount of \$59,381.00. Motion seconded by Mr. Pellish and unanimously approved.

RESOLUTION

The County **Commission of Jefferson County** met on ____ (Date) with a quorum present and passed the following resolution.

Be it resolved that the **County Commission** hereby authorizes **Patsy Noland, President of Jefferson County Commission** to act on its behalf to enter into a contractual agreement with the Division of Justice and Community Services to receive and administer grant funds pursuant to provisions of the Victims of Crime Act (VOCA) grant program.

Signed: _____
County Clerk

COUNTY ADMINISTRATOR REPORTS

Interim County Administrator, Debbie Keyser:

- Advised the Commissioners that Employee Performance Reviews are pouring in to her now.
- Reported that she has had several meetings with the Jefferson County Emergency Services Agency regarding personnel issues and obtaining a new server. JCESA has much the same problem as Planning & Zoning and IT is working on retrieving information that was lost. New servers have been ordered for JCESA and the Planning & Zoning Department.
- A large vinyl banner with the County Seal has been ordered for use when taking pictures. Should have the banner within the next couple of weeks.
- Reminder that there is a public hearing regarding Impact Fees scheduled for next Thursday, June 21, 2012 at 7:00 p.m.
- Reminder that Wednesday, June 20, 2012 is a holiday and the Commission will not meet on Thursday, July 5, 2012 due to the 4th of July holiday.

PRESENTATIONS

- 3. Barbara Miller, Director of Homeland Security and Emergency Management,** introduced Kevin Sneed and Robin Mumford from the WV Division of Homeland Security and Emergency Management and Mitigation Division.

- Mr. Sneed and Mr. Mumford presented the FEMA (Federal Emergency Management Agency) Community Rating System of the National Flood Insurance Program with Jefferson County now certified as a Class 8. This will give residents of Jefferson County who purchase flood insurance a 10% discount on their policies which has been 5% since 2006. The increase in discount is due to the higher standards that Jefferson County Government has adopted for its management of its regulatory floodplain.

The County's local CRS Committee consists of Barbara Miller, CRS Coordinator, Roger Goodwin, County Engineer and Mason Carter, Floodplain Coordinator. All members of this group have earned the "Certified Floodplain Manager from the Association of Floodplain Managers.

- FEMA requires that all communities develop an All-Hazards Risk Assessment and Mitigation Plan in order to be eligible for funding, both pre and post disaster. This plan is also a requirement for the county's Community Rating System of the National Flood Insurance Program.

Ms. Miller presented a Contract and Proposal from J.H. Consulting in the amount of \$8,900.00, The documents were previously reviewed by Stephanie Grove, Assistant Prosecutor, and the funds are in the budget of the Homeland Security and Emergency Management Department.

Ms. Miller requested that the Commission approve the Contract for the All-Hazards Risk Assessment and Mitigation Plan with J.H. Consulting in the amount of \$8,900.00

Motion by Mr. Manuel to approve the Contract for the All-Hazards Risk Assessment and Mitigation Plan as recommended by Barbara Miller. Motion seconded by Mr. Pellish and unanimously approved.

COUNTY COMMISSION REPORTS

Commissioner Morgan:

- Attended a Farmland Protection Board Meeting.
- Attended a Community Criminal Justice Board Meeting.
- Attended the groundbreaking for the new Hospice Facility.

Commissioner Pellish:

- Commissioner was out of town all week. Nothing to report.

Commissioner Widmyer:

- Attended the groundbreaking for the new Hospice Facility.
- Attended a meeting with the Arts Community and the Jefferson County Development Authority.
- Attended the public hearing regarding the Rt. 340 Corridor Plan as a private citizen.

Commissioner Manuel:

- Attended the Jefferson County Council on Aging Senior Picnic.
- Attended the Mountain Heritage Arts and Crafts Festival.
- Attended the Shepherdstown Library Brownsfield meeting.
- Attended a Planning Commission Meeting.
- Attended the groundbreaking for the new Hospice Facility.

Commissioner Noland:

- Attended the Jefferson County Council on Aging Senior Picnic.
- Attended the groundbreaking for the new Hospice Facility.

UNFINISHED BUSINESS

4. **Request by Ms. Keyser** to approve the amended List of County Commission Priorities and Projects.

Motion by Ms. Morgan to approve the List as a working draft. Motion seconded by Mr. Manuel.

After discussion, motion by Ms. Morgan to approve the List as presented but with a different name. Motion seconded by Mr. Manuel and unanimously approved.

The Commission took a short break at 10:25 a.m.

COUNTY COMMISSION REPORTS

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Commissioner Noland:

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- Attended the groundbreaking for the new Hospice Facility.

The Commission took a short break at 10:25 a.m.

The Commission reconvened 10:40 a.m.

PRESENTATIONS continued

5. Paul Shroyer, Director of Financial Management:

- **Requested approval of Internal Budget Revisions Nos. 1018 – 1024.**

IBR No. 1018 is a request by the Assessor, Angela Banks, for a redistribution of \$16,000 from the Assessor FICA Expense account to the Assessor Salary/Wages account; no additional funding is required.

- **IBR No. 1019** is a request from the Extension Office for a redistribution of \$800 from the Ag Agent Travel account to the Maintenance, Repair & Equipment account; no additional funding is required.
- **IBR No. 1020** is a request by the County Clerk for a redistribution of \$1,500 from the Professional

Services account to the Dues and Subscriptions account; no additional funding is required.

- **IBR No. 1021** is a request by the County Clerk for a redistribution of \$13,500 from the Equipment Rental account to the Maintenance & Repair & Equipment - \$5,000 and the Legal Publications account - \$5,000; no additional funding is required.
- **IBR No. 1022** is a request by the County Clerk for a redistribution of \$1,200 from the Group Insurance account to the Overtime account; no additional funding is required.
- **IBR No. 1023** is a request by the Prosecuting Attorney for a redistribution of \$14,800 from current budget funding to several other accounts to be named; no additional funding is required.

Motion by Ms. Morgan to approve IBR Nos. 1019, 1020, 1021 and 1024 as presented by Mr. Shroyer and that a discussion of IBR Nos. 1018, 1022 and 1023 be held over until next week's Agenda. Motion seconded by Mr. Manuel and unanimously approved.

- **IBR No. 1024** is a request by the Assessor, Angela Banks, for redistribution of \$800 from the Equipment Repair account to the Materials and Supplies account; no additional funding is required.

Mr. Pellish moved to direct Mr. Shroyer to develop a budgetary policy with a second by Mr. Manuel adding that the policy state where monies can and cannot be moved and that this item be held over for next week's Agenda. Motion was unanimously approved.

6. Sergeant Jeffrey Quinn, United States Army, presented the Commission with the United States and West Virginia flags which were flown on an aircraft during combat in Afghanistan. He also gave the Commission two framed and signed photographs of the crew.

7. Roger Goodwin, Chief County Engineer

- Request for approval of Bond reduction and/or a complete release of the Construction Bond security for Summit Point Automotive Research Center, LLC - StaSIS Grading Plan (File #S10-08) Cash in Escrow with the Bank of Charles Town, Charles Town, West Virginia.

Motion by Ms. Morgan to approve the complete release of the Construction Bond security for Summit Point Automotive Research Center, LLC for Summit Point Automotive Research Center, LLC - StaSIS Grading Plan (File #S10-08) Cash in Escrow with the Bank of Charles Town, Charles Town, West Virginia.

- Request for approval of the complete release of the Construction Bond Security for McDonald's Corporation - Lot 2 Maddox Square Shopping Center (File #S11-18) Performance Bond No.404002723 with Safeco Insurance Company of America, Seattle, Washington.

Motion by Mr. Manuel to approve the complete release of the Construction Bond Security for McDonald's Corporation - Lot 2 Maddox Square Shopping Center (File #S11-18) Performance Bond No.404002723 with Safeco Insurance Company of America, Seattle, Washington. Motion seconded by Ms. Widmyer and unanimously approved.

- Request for partial release of the Construction Bond security for Summit Point Automotive Research Center LLC - Summit Point Tactical Training Center, Phase II (File #S11-11) - Letter of Credit #313 with the Bank of Charles Town, Charles Town, West Virginia.

Motion by Mr. Pellish for the partial release of the Construction Bond security for Summit Point Automotive Research Center LLC - Summit Point Tactical Training Center, Phase II (File #S11-11) Letter of Credit #313 with the Bank of Charles Town, Charles Town, West Virginia. Motion seconded by Mr. Manuel and unanimously approved.

- 8. Mark Hofe, Chief Probation Officer of the 23rd Judicial Circuit's request that the Commission purchase tables and chairs for the Juvenile Drug Court.**

Mr. Hofe did not appear, however, the Commissioners discussed different options for obtaining the tables and chairs. Mr. Manuel made a motion to table this item and have Mr. Shroyer review and submit a cost for the package and that this item be placed on next week's Agenda. Mr. Pellish seconded the motion and it was unanimously approved.

There being no further business, motion by Ms. Morgan to adjourn the meeting. Motion seconded by Ms. Widmyer and unanimously approved. Upon rising at 11:37 p.m. the meeting was adjourned Thursday, June 14, 2012 at 7:00 p.m. when the Commission will commence a Public Hearing regarding the Capriotti property rezoning. Next regular meeting will be June 21, 2012 at 9:30 a.m.

PATRICIA A. NOLAND, PRESIDENT

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State held at the Jefferson County Commission Meeting Room on the lower floor of the Old Charles Town Library at 200 E. Washington Street, on Thursday, June 14, 2012 beginning at 7:00 p.m.

**PUBLIC MEETING RE: REGARDING ZONING MAP AMENDMENT
(REZONING) REQUEST BY GENE CAPRIOTTI**

At 7:00 p.m. Ms. Noland opened the public hearing for public comment.

Present for the County Commission: Patricia Noland, President
 Dale Manuel, Vice President
 Lyn Widmyer, Commissioner
 Walt Pellish, Commissioner
 (Frances Morgan was absent with notice)

Also present: Debbie, Interim County Administrator
 Jennifer Brockman, Director of Planning & Zoning

Annette G. Van Hilst, R.A. gave a brief Power Point presentation describing the location of the property, the zoning classifications of the properties adjacent to the Capriotti property, and why it was her opinion that zoning on the Capriotti property be changed.

Matthew Knott spoke in favor of the rezoning.

The public having spoken and there being no further business, the hearing was concluded at 7:10 p.m.

PATRICIA A. NOLAND, PRESIDENT

PURCHASE ORDERS TO BE APPROVED

June 21, 2012

DEPARTMENT	PURCHASE ORDER	AMOUNT	VENDOR	DESCRIPTION
ADDRESSING	50854	\$3,478.50	Pictometry International Corp	Mosaic TIFF redact/std Tiles
ANIMAL CONTROL	50615	\$224.85	John Deere Financial	15-6qt Standard Pail
CIRCUIT CLERK	50886	\$250.00	Vital Signs	Envelopes w/ windows
	50888	\$250.00	Vital Signs	Envelopes no windows
	50891	\$150.00	WV Association of Circuit Clerks	Annual Conference fee
COUNTY CLERK	49700	\$23,470.10	WV Secretary of State	Reim loan
	49701	\$250.97	Intab	wrist coil keychains, voted stickers, pull tite seals
	49702	\$273.72	Apple Valley	Copier Maint
COMMISSION	51013	\$425.00	Amazon.com	Back up iPad for audio equipment
	49905	\$239.99	Usemynet	Wifi Hotspot pro
COURTHOUSE	49757	\$101.70	Battery Mart	6 ups batteries

	49759	\$758.50	BK Office Supply	Copy paper
	49760	\$1,358.00	ABH Servoces Inc	Cleaning services
	79762	\$365.28	Grainger	Air filters
OTHER BUILDINGS	49756	\$250.00	Dodson Septic Tank Cleaning	septic pumped (Sheriff)
PROSECUTING ATTORNEY	49624	\$308.97	Specialty Business Supply	Office Supply
SHERIFF	49758	\$116.61	Auto Zone	Materials/supplies
TAX OFFICE	50794	\$173.00	Pifer	Var materials/supplies
GRAND TOTAL		\$32,445.19	Printed at 11:15 a.m. on 6/18/12	

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

①

AGENDA REQUEST FORM

Name: Nichelle Hosby

Department or Entity: Commission

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: 6/21/12

Date Requested – 2nd Choice: _____

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

Subject: Presentation of Certificates to Job Corps Interns: Hope Clemons, Corbi Greenwalt, Michael Sherman and Laticia Santiago

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:

Certificate of Appreciation

CORBI GREENWALT

This certificate is in recognition of your valuable contribution to our office and our lives. The Jefferson County Commission thanks you for your service to the Jefferson County residents. As you cross this important bridge in your life remember to always follow your dreams.

Signature

Date

Signature

Date

Certificate of Appreciation

MICHAEL SHERMAN

This certificate is in recognition of your valuable contribution to our office and our lives. The Jefferson County Commission thanks you for your service to the Jefferson County residents. As you cross this important bridge in your life remember to always follow your dreams.

Signature _____

Date _____

Signature _____

Date _____

Certificate of Appreciation

LATICIA SANTIAGO

This certificate is in recognition of your valuable contribution to our office and our lives. The Jefferson County Commission thanks you for your service to the Jefferson County residents. As you cross this important bridge in your life remember to always follow your dreams.

Signature _____

Date _____

Signature _____

Date _____

Certificate of Appreciation

HOPE CLEMONS

This certificate is in recognition of your valuable contribution to our office and our lives. The Jefferson County Commission thanks you for your service to the Jefferson County residents. As you cross this important bridge in your life remember to always follow your dreams.

Signature _____

Date _____

Signature _____

Date _____

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

AGENDA REQUEST FORM

Name: Sally Gran

Department or Entity: Chief Deputy Payroll/Finance

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: 6/21/12

Date Requested – 2nd Choice: _____

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

Subject: Explanation of Budget Revision #1018
Explanation of Budget Revision #1022

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: 6/21</p> <p>Appt Time or New Business:</p>

AGENDA REQUEST FORM

Name: Patricia E. McMillan

Department or Entity: HOME Administrator

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: June 14, 2012 (must be after 12 noon, if available)

Date Requested – 2nd Choice: June 21, 2012

If a specific date is needed, please provide reason for specific date: **Commission action is needed prior to June 29, 2012, in order to submit the resolution and Housing Consortium Cooperation Agreement to US HUD no later than June 29, 2012.**

Subject: **New HOME Consortium Agreement for Fiscal Years 2013, 2014 and 2015.**

Please provide the County Commission with a description of your request or presentation, including any background information: **Authorize the Jefferson County Council to enter into a new three-year Housing Consortium Cooperation Agreement for Fiscal Years 2013, 2014 and 2015. This will enable the Eastern Panhandle HOME Consortium to receive HOME funding**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Authorize participation of the County Commission of Jefferson County to in the Eastern Panhandle HOME Consortium for the period of July 1, 2013 to June 30, 2016.**

Attachments: (1) Resolution (2) Housing Consortium Cooperation Agreement for FY 2013, FY 2014, FY 2015.

RESOLUTION

A RESOLUTION OF THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA AUTHORIZING PARTICIPATION IN THE EASTERN PANHANDLE HOME CONSORTIUM FOR THE PERIOD OF JULY 1, 2013 TO JUNE 30, 2016.

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

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

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

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

WHEREAS, the Eastern Panhandle HOME Consortium is required to seek designation as a HOME Consortium for a subsequent qualifying period for July 1, 2013 through June 30, 2016 in order to seek annual funding; and

WHEREAS, the County Commission of Jefferson County desires to enter into a three (3) year Housing Consortium Cooperation Agreement for the period FY 2013, FY 2014 and FY 2015, with an annual renewal clause for participation in the HOME Consortium for the Eastern Panhandle;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA THAT:

1. The County of Jefferson will cooperate with the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson, Town of Shepherdstown, County of Morgan, Town of Bath and Town of Paw Paw, West Virginia, in a Consortium for participation in the HOME Program; and
2. The President of the County Commission of Jefferson County is hereby authorized to enter into a Housing Consortium Cooperation Agreement for the period of July 1, 2013 to June 30, 2016, renewable in one year increments through June 30, 2016, with the other members which form the Eastern Panhandle HOME Consortium; and
3. A copy of this resolution is to be submitted in the request to US. Department of Housing and Urban Development to approve the designation of the HOME Consortium of the Eastern Panhandle of West Virginia.

Adopted this 14th day of June, 2012.

Patricia A. Noland, Commission President

Attest: _____
Witness

**HOUSING CONSORTIUM COOPERATION AGREEMENT
BY AND BETWEEN
THE CITY OF MARTINSBURG
AND
THE COUNTIES OF BERKELEY, JEFFERSON AND MORGAN
WEST VIRGINIA**

This **AGREEMENT** is made and entered into between the City of Martinsburg (hereinafter referred to as "City"); and the Berkeley County Commission for and on behalf of Berkeley County, a political subdivision of the State of West Virginia; the Jefferson County Commission for and on behalf of Jefferson County, a political subdivision of the State of West Virginia; and the Morgan County Commission for and on behalf of Morgan County, a political subdivision of the State of West Virginia (hereinafter referred to as "Counties"), and the incorporated communities contained in each of the above said Counties.

WHEREAS, Title 11 of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnerships Program (hereinafter referred to as "HOME"); and

WHEREAS, the HOME regulations established by the U.S. Department of Housing and Urban Development (HUD) at 24 CFR Part 92 authorizes units of general local government to enter into Housing Consortium Cooperation Agreements for three year periods and allows for recertification of Consortiums; and

WHEREAS, the City and Counties have determined that obtaining funding under the HOME Program as part of a Consortium Participating Jurisdiction will increase their ability to provide affordable housing for their low income constituencies.

NOW THEREFORE, the parties to this **AGREEMENT** do hereby agree as follows:

SECTION I – DEFINITIONS:

The definitions contained in 24 CFR Part 92, Subpart A., paragraph 92.2 are incorporated herein by reference and made a part hereof, and the terms defined in this section have the meanings given them:

- A. "Act" means Title 11, of the Cranston-Gonzalez National Affordable Housing Act of 1990 (Pub. Law 101-625), (42 U.S.C. 12701)
- B. "Consolidated Plan" means the comprehensive planning and application document as set forth in 24 CFR Part 91 and encompasses a local government's housing needs, with a focus on affordable housing for low income families.

- C. "HOME Program" means a procedure established for the use of funds made available from HUD through the Act to carry out multi-year housing strategies through acquisition, rehabilitation and new construction of housing, tenant-based rental assistance, and homebuyer assistance.
- D. "HUD" means the United States Department of Housing and Urban Development.
- E. "Regulations" means 24 CFR Part 92 HOME Investment in Affordable Housing implementing regulations as issued by HUD.
- F. "Member" means a unit of local government which is a signatory to this Agreement and therefore a member of the Consortium for the purpose of carrying out eligible activities under 24 CFR Part 92, (which is the City of Martinsburg, Berkeley County, Jefferson County, and Morgan County in this instance).
- G. "Representative Member" means the unit of local government designated hereafter as the one member to act in a representative capacity for all members for the purposes of this agreement. The Representative Member, which is the City of Martinsburg in this instance, will be delegated the overall responsibility for ensuring that the Consortium's HOME Program is carried out in compliance with the requirements of 24 CFR Part 92 and will be responsibility for the requirements concerning the Consolidated Plan (CP).

SECTION II – PURPOSE:

This Agreement is to form a **CONSORTIUM** of four (4) units of general local government geographically located for designation as a **PARTICIPATING JURISDICTION** under the **ACT**, said **PARTICIPATING JURISDICTION** to be known and hereinafter may be referred to as the Eastern Panhandle HOME Consortium of West Virginia.

The signatory parties agree to cooperate in undertaking, or assisting in undertaking housing assistance activities under the HOME Investment Partnerships Program in compliance with HUD regulations and the local Consolidated Plan of the member jurisdictions.

SECTION III – ADMINISTRATION:

- A. The City and the Counties, including the incorporated communities in each County, mutually agree that the City of Martinsburg shall act as the Representative Member for all participants is the Eastern Panhandle HOME Consortium for the purposes of the Act.

- B. The City and the Counties, including the incorporated communities in each County, mutually agree that the City of Martinsburg, in its role as Representative Member, is granted the overall responsibility for ensuring that the Eastern Panhandle HOME Consortium's Program is carried out in compliance with the requirements of the HOME Program.
- C. The Counties and the incorporated communities in each County agree to fully participate with the City of Martinsburg in the development and preparation of the Consolidated Plan for their portion of the Consortium Area.
- D. The City and the Counties, including the incorporated communities in each County, shall participate jointly in the development of the Eastern Panhandle HOME Consortium's HOME Program. The Consortium will form a council known as the Eastern Panhandle HOME Consortium Council. Each Member of the Consortium will appoint three (3) representatives to the Council. The City and the Counties will mutually agree and appoint a Chairperson of the Council, who will be in addition to the number of representatives appointed by the Member Jurisdictions.
- E. The HOME Consortium Council will define a strategy and programs in sufficient detail to accommodate the collective and individual needs and priorities of any and all of the Members constituting the Eastern Panhandle HOME Consortium. The Members shall review and approve the strategy and programs for the annual use of HOME funds, as well as, have the opportunity to review and approve any program changes or amendments prior to action being taken by the Representative Member's governing body.
- F. The City and Counties, including the incorporated communities in each County, shall be entitled to the amount of HOME Program funding based on its percentage of the low/moderate income population of the entire Consortium Area, as established by U.S. Census data of the total allocation to the Eastern Panhandle HOME Consortium. Members of the Consortium may elect to combine their allocations to carry out collaborative HOME activities. Any funds allocated to Members but remaining unobligated fifteen (15) months after the initial allocation date will be recaptured and redistributed by the HOME Consortium Council. Any funds recaptured will be offered to the other Members for reprogramming for eligible activities in accordance with the HOME Program Regulations. The final decision for distribution of these funds will be made by the HOME Consortium Council. If any party terminates this agreement in whole or in part, all work completed and uncompleted on this project will become the property of the remaining parties to this agreement, and the disposition or completion of uncompleted work on the project will become the responsibility of the remaining parties, pursuant to the conditions of this paragraph. Ownership of all personal property acquired by virtue of the execution of or performance under this agreement is vested in the parties, pursuant to the prorata share of funds

allocated to them, but the parties shall not take legal title to any real property, including, but not limited to, easements.

- G. The HOME Consortium Council may amend the Consortium Agreement to increase its Members in the Consortium if the areas are coterminous with the existing boundaries of the area. These new Members will be entitled to funding based on their low- and moderate-income population as established by the U.S. Census data as a percentage of the total allocation to the Consortium for the next funding period.
- H. Nothing in this Agreement will preclude the ability of the City or Counties, including the incorporated communities in each County, either individually or jointly in applying for financial assistance under the State of West Virginia HOME Program. Furthermore, it is expressly agreed and understood that any specific projects eligible for HOME funding may be submitted to the HOME Consortium Council by any Consortium Member, any participating municipality located in Member Counties, any authority, and/or nonprofit housing agency for funding under the Consortium's annual HOME entitlement funds.
- I. Each Member is responsible for submitting in a timely manner to the Representative Member all information necessary for participation in the Eastern Panhandle HOME Consortium as defined in the Regulations. This includes all information necessary for the Consolidated Plan, the Program Description, Certifications, written agreements with sub-recipients and performance reports. The Counties of Berkeley, Jefferson and Morgan will submit this documentation to the City of Martinsburg in order to insure a coordinated effort.
- J. Each Member shall be responsible for any required matching funds for specific eligible projects as determined by HUD submitted by that particular member. However, this does not limit the use of excessive local match from one HOME Member to another, if agreed to by the HOME Consortium Council and the Member which has the excess local match.
- K. Each Member shall be responsible for the following:
 - 1. Appoint three (3) representatives to the Eastern Panhandle HOME Consortium Council.
 - 2. Fill vacancies on the Consortium Council in a timely manner and ensure the attendance of their appointments at meetings.
 - 3. Provide information required for the preparation of revisions to the existing Five Year Consolidated Plan.
 - 4. Conduct an annual housing needs public hearing for the use of HOME funds.
 - 5. Adopt by resolution and renew annually the participation in the Eastern Panhandle HOME Consortium.

6. Be responsible for determining local housing needs and the use of HOME funds to address those needs.
 7. Provide an annual description of proposed project activities in accordance with the annual budget and distribution of funds.
 8. Obtain written agreements for the expenditures of HOME funds from sub-recipients, contractors, homebuyers, etc. and provide copies to the Representative Member.
 9. Provide documentation for matching funds or donations to the HOME Program.
 10. Maintain files and documentation for compliance with Federal regulations and make these files available for review and monitoring by HUD and/or the Representative Member.
 11. Prepare, process and forward requisitions of funds to the Representative Member.
 12. Receive payment of funds from the Representative Member and pay sub-recipients, contractors, homebuyers, etc. in a timely manner.
 13. Review and approve any amendment to the cooperation agreement.
- L. The Representative Member shall be responsible for the overall administration of the HOME Program and meeting the Federal guidelines. In particular the following are the duties and responsibilities:
1. Provide staff to manage the program.
 2. Revise the existing Five Year Consolidated Plan to include the HOME Program and statistical information on the other consortium members.
 3. Prepare and submit all required notices, plans, performance reports, and other documentation as required by HUD.
 4. Ensure that the program and activities are in compliance with the Federal regulations.
 5. Provide the other members with guide form contracts, agreements, advertisements, etc.
 6. Hold a public hearing on the annual HOME Program and adopt the budgets and activities outlines by the HOME Consortium Council.
 7. Assist the other Consortium members in meeting the Citizen Participation requirements of HUD.
 8. Review and approve all project funding agreements for each activity.
 9. Monitor the other members for compliance with the Federal regulations.
 10. Prepare an environmental review record for the HOME Program and secure the release of funds from HUD for program activities.
 11. Provide guidance and assistance to the other members to ensure compliance with the Federal labor standards.
 12. Prepare and execute all written agreement with sub-recipients, contractors, etc. who receive HOME funds.
 13. Maintain files on each project activity for monitoring by HUD.
 14. Prepare and maintain the HOME match log as required by HUD.

15. Prepare the annual Consolidated Annual Performance Evaluation Report (CAPER) for annual submission to HUD.
16. Establish and maintain a local HOME fund account including Federal drawdowns, program income, etc.
17. Process Federal drawdowns of funds from the U.S. Treasury for project activities.
18. Process payment requisitions and requests for funds from the other consortium members for project activities.
19. Prepare an annual budget showing the distribution of HOME funds to each Consortium member.
20. Prepare monthly financial statements on expenditures, commitment of funds, and remaining balances for each consortium member and their project activities.
21. Contract for an annual audit of the HOME Program by an outside independent auditing firm.
22. Supervise the closeout of annual grants with HUD.

M. The HOME Consortium Council shall be formed to oversee the program and provide guidance on the use of funds. The specific duties and responsibilities of the Consortium Council is as follows:

1. Each member of the HOME Consortium shall have three (3) representative to the Consortium Council.
2. Provide guidance and direction in promoting and affirmatively further fair housing in the Eastern Panhandle.
3. Define an overall strategy and programs based on the needs of the Consortium members.
4. Establish priorities for the use of HOME funds.
5. Approve the allocation and distribution of funds among the Consortium members based on the low- and moderate-income population of each member as a percentage of the Eastern Panhandle's total low- and moderate-income population.
6. Reallocate funds that are uncommitted or unobligated after fifteen (15) months after the approval by HUD of the annual HOME grants.
7. Provide advice on the eligibility and feasibility of specific project activities.
8. Ensure that any required matching funds are provided by the Members or from the non-federal funds portion of HOME assisted projects.
9. Review and approve any amendments to the Cooperation Agreement.
10. Review and approve documentation submitted by non-profit organizations for designation as a local Community Housing Development Organization (CHDO).
11. Monitor and recertify annually any CHDO's.
12. Advertised requests for proposals from designated CHDO's for use of set-aside funds.
13. Adopt and assure compliance with affirmative marketing policies and procedures.

14. Approve the annual consolidated Action Plan in regard to the use of HOME funds.

N. In accordance with Section 91 .402 of the Consolidated Plan Final Rule, the City of Martinsburg has a Program year that begins on July 1st and ends on June 30th each year, the HOME funds will also have the same program year start date.

SECTION IV- AFFIRMATIVE MARKETING POLICIES AND PROCEDURES:

A. Statement of Policy -

In accordance with the Eastern Panhandle HOME Consortium's, commitment of non-discrimination and equal opportunity in housing, the Consortium hereby establishes procedures to affirmatively market units assisted under the HOME Investment Partnerships Program. These procedures are intended to further the objectives of Title VIII of the Civil Rights Act of 1988 and Executive Order 11063. In addition, the Consortium will abide by and establish a minority outreach program in accordance with 24 CFR 92.350 (a)(5).

The Consortium believes that individuals of similar economic levels in the same housing market area should have available to them a like range of housing choices regardless of their race, color, religion, sex, familial status, disability or national origin. Individuals eligible for public housing assistance or who have minor children should have available to them, a like range of housing choices.

The Consortium will carry out this policy through affirmative marketing procedures designed for the HOME Investment Partnerships Program.

B. Responsibility for Informing the Public, Potential Tenants, and Owners About Federal Fair Housing Laws and Affirmative Marketing Policies:

The Consortium will inform the public, potential tenants and owners about its Fair Housing and Affirmative Marketing Policy in the following manner:

1. Information regarding the policy will be included in all materials prepared by the Consortium for program marketing including press releases, advertising, program brochures, and application packages. The Equal Housing Opportunity logo type and slogan will be used in all printed information.
2. The Consortium will sponsor "Owner's Workshops" to discuss procedures and program requirements, including the affirmative marketing policy. Participating Owners shall be advised orally and in writing of this policy.
3. Provide information sheets to tenants of buildings to be rehabilitated through the HOME Program, including information on this policy and their rights under the Fair Housing Laws.

C. Requirements for Owners to Inform the General Public About Available Units Rehabilitated or Assisted Under the HOME Program.

In order to carry out the Consortium's affirmative marketing policy, the Owner shall certify that, to the extent there are vacant units in properties rehabilitated or assisted through the HOME Program, these units will be marketed in a good faith effort to attract tenants, or homebuyers regardless of their race, color, religion, sex, familial status, disability or national origin. In marketing units, the Owner shall agree to:

1. At least thirty (30) days prior to the date of expected availability or vacancy (when possible), contact the local West Virginia Housing Authorities and advise of the pending vacancy in order to receive referrals for tenants qualified for Section 8 Certificates or Vouchers. For units rented to tenants receiving housing assistance provided by the local West Virginia Housing Authorities, the Owner shall be relieved of any additional responsibility under this policy.
2. In advertising vacant units for rent, the following procedures shall be followed:
 - a. The owner shall use forms of media likely to reach persons of all minority and majority groups, including those persons identified as least likely to apply (e.g. use of community organizations, churches, fair housing groups, or housing counseling agencies).
 - b. The Owner shall use the Equal Housing Opportunity logo, slogan (Equal Housing Opportunity) or statement in all advertising, including signs placed on property.
3. The Owner shall display a fair housing poster in the rental office.
4. The Owner shall comply with the requirements of Title VI and Title VIII of the Civil Rights Acts of 1964 and 1968, respectively, which provide that (1) no person is to be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving financial assistance hereunder, and (2) no person shall discriminate in the sale or rental of housing, the financing of housing, or the provision of services, including in any way making unavailable or denying a dwelling to any person, because of race, color, religion, sex, disability, or national origin.
5. The Owner shall not discriminate against any person because of their eligibility for housing assistance or because of the fact that they have minor children in the household.

6. The Owner shall maintain and provide to the Consortium information on the racial, ethnic, and gender characteristics of:
 - a. Tenants occupying units before rehabilitation;
 - b. Tenants moving from and, initially after rehabilitation, to completed units; and,
 - c. Applicants for tenancy within ninety (90) days following completion of rehabilitation. Owner may, at his/her sole discretion maintain this information on applicants following this initial ninety (90) day period to demonstrate compliance with this policy.
7. The Owner shall maintain appropriate records to document his/her good faith effort to affirmatively market units as required by this policy including, but not limited to, copies of advertisements, special notices, etc.

D. Assessment and Corrective Action:

The effectiveness of the affirmative marketing will be assessed as follows:

1. The Consortium will review information, required to be maintained by the Owner in Parts C.6 and C.7 above. If the required steps were taken, the Consortium will determine that good faith efforts have been made.
2. Where there is evidence that the Owner has failed to take appropriate actions as called for above, including receipt of complaints by prospective tenants regarding discriminatory actions by the Owner, the Consortium will proceed to contact the Owner to investigate the nature of the complaint, actions taken by the Owner, and corrective actions to be taken by the Owner in marketing the next available unit. The Consortium reserves the right to require additional affirmative marketing procedures from those described above if determined necessary to achieve a good faith effort by Owner.
3. The Consortium shall at least annually examine whether or not persons from a variety of racial and ethnic groups in the market area applied for or became tenants of units that were affirmatively marketed. If such groups are not represented at least proportionally to their presence in the market area, the Consortium will review this policy to determine what changes, if any, will make the policy more effective in reaching these groups.

SECTION V – TERMS OF THE AGREEMENT:

- A. This agreement shall be in effect for a period of one fiscal year, subject to annual renewal for any additional period of time needed to complete all phases of the project, each of which annual renewal periods shall be limited to one fiscal year; provided that, in addition to the right of non-renewal, all parties hereto shall have the right to terminate this agreement on any 12-month anniversary of the date of this agreement by giving to the other parties 30 days' written notice of such termination. It is the City's the Counties' intentions to remain members of the Consortium for the period necessary to carry out all activities that will be funded from the three Federal Fiscal Years 2010, 2011 and 2012 provided that the Consortium qualifies as a participating jurisdiction under the Home Investment Partnerships Program, by approval of annual renewals of this agreement, and subject to said renewals will take necessary steps to provide budget allocations for funding purposes.
- B. Prior to the adoption of any amendment to this agreement, partial or complete termination of this agreement including the incorporation of changes necessary to meet the requirements for a subsequent three (3) year consortium designation period, the members agree to submit to the U.S. Dept. of HUD any revisions for its approval.
- C. This agreement covers the designation period of the **Federal Fiscal Years of 2013, 2014 and 2015** which the Consortium is to qualify to receive HOME funds. This agreement may automatically be renewed for participation in successive three (3) year designation periods for HOME Entitlement funds by the U.S. Dept. of HUD. In order to qualify for automatic renewal by HUD, the Representative Member must notify each participating unit of general local government of its right not to participate for the successive three (3) year designation periods. This notification must be submitted to each participating unit of general local government by the date specified in the U.S. Dept. of HUD Consortia designation notices.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this _____ day of _____, 2012

CITY OF MARTINSBURG, West Virginia

George Karos
Mayor

Attest: _____
Gena Long, City Recorder

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this _____ day of _____, 2012

BERKELEY COUNTY COUNCIL
For and on behalf of Berkeley County, a political
Subdivision of the State of West Virginia

Signature

PRESIDENT

Attest: _____

Including the incorporated area of the Town of Hedgesville, Berkeley County, West Virginia.

BERKELEY COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this _____ day of _____, 2012

TOWN OF HEDGESVILLE

For and on behalf of the municipality of Hedgesville,
a political subdivision of the State of West Virginia

Signature

MAYOR

Attest: _____

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this

_____ day of _____, 2012

JEFFERSON COUNTY COMMISSION
For and on behalf of Jefferson County, a political
Subdivision of the State of West Virginia

Signature

PRESIDENT

Attest: _____

Including the incorporated areas of the Town of Bolivar, City of Charles Town, Town of Harpers Ferry, Corporation of Ranson, and Town of Shepherdstown, Jefferson County, West Virginia.

JEFFERSON COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this _____ day of _____, 2012

TOWN OF BOLIVAR

For and on behalf of the municipality of Bolivar, a political subdivision of the State of West Virginia

Signature

MAYOR

Attest: _____

JEFFERSON COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this
_____ day of _____, 2012

CITY OF CHARLES TOWN
For and on behalf of the municipality of Charles Town,
a political subdivision of the State of West Virginia

Signature

MAYOR

Attest: _____

JEFFERSON COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this _____ day of _____, 2012

TOWN OF HARPERS FERRY

For and on behalf of the municipality of Harpers Ferry
a political subdivision of the State of West Virginia

Signature

MAYOR

Attest: _____

JEFFERSON COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this

_____ day of _____, 2012

CORPORATION OF RAN SON

For and on behalf of the municipality of Ranson, a
political subdivision of the State of West Virginia

Signature

MAYOR

Attest: _____

JEFFERSON COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this
_____ day of _____, 2012

CORPORATION OF SHEPHERDSTOWN
For and on behalf of the municipality of
Shepherdstown, a political subdivision of the State of
West Virginia

Signature

Title

Attest: _____

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this
_____ day of _____, 2012

MORGAN COUNTY COMMISSION
for and on behalf of Morgan County, a political
subdivision of the State of West Virginia

Signature

MAYOR

Attest: _____

Including the incorporated areas of the Town of Bath and the Town of Paw Paw,
Morgan County, West Virginia.

MORGAN COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this _____ day of _____, 2012

TOWN OF BATH

For and on behalf of the municipality of Bath, a political subdivision of the State of West Virginia

Signature

MAYOR

Attest: _____

MORGAN COUNTY INCORPORATED AREA:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this _____ day of _____, 2012

TOWN OF PAW PAW
For and on behalf of the municipality of Paw Paw,
a political subdivision of the State of West Virginia

Signature

MAYOR

Attest: _____

4A

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

AGENDA REQUEST FORM

Name: Paul Shroyer, Financial Director

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: 6/21/12

Date Requested – 2nd Choice: _____

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

Subject: Approval of WV Risk Pool Self-Insurance renewal

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

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

Attachments:

West Virginia Counties Group
 Self-Insurance Risk Pool (WVCoRP)
 308 Market St., SE
 Suite 1 & 2
 Roanoke, VA 24011
 (888) 822-6772
 FAX (540) 345-5330

Jefferson County Commission
 PO Box 250
 Charles Town, WV 25414

INVOICE	
INVOICE DATE	07/01/2012
DUE DATE	07/01/2012
POLICY #	WV-JE-019-13
INVOICE #	2881
MEMBER #	019
POLICY CONTRIB	\$247,224.00
AMOUNT DUE	\$247,224.00

West Virginia Counties Group Self-Insurance Risk Pool (WVCoRP) Policy Term: 07/01/2012 to 07/01/2013	
DESCRIPTION	AMOUNT
Business Auto	79,950.00
Crime Exposure	950.00
General Liability	109,022.00
Inland Marine	830.00
Public Officials Liability	29,192.00
PR - Boiler & Machinery	2,946.00
Property	24,334.00
	=====
Balance Due	247,224.00

* Work Comp Credit included if applicable

PLEASE RETURN THIS PORTION WITH REMITTANCE

MEMBER	POLICY #	AMOUNT DUE
Jefferson County Commission	WV-JE-019-13	\$247,224.00

AMOUNT ENCLOSED	

REMIT TO:

West Virginia Counties Group
 Self-Insurance Risk Pool (WVCoRP)
 308 Market St., SE
 Suite 1 & 2
 Roanoke, VA 24011

INVOICE DATE	07/01/2012
DUE DATE	07/01/2012
MEMBER #	019
INVOICE #	2881

WVCoRP
 308 Market Street
 Roanoke, VA 24011
 (888) 822-6772
 FAX (540) 345-5330

Jefferson County Commission
 PO Box 250
 Charles Town, WV 25414

INVOICE	
INVOICE DATE	07/01/2012
DUE DATE	07/01/2012
POLICY #	WV-JE-019-13
INVOICE #	0182
MEMBER #	019
POLICY CONTRIB	\$114,185.00
AMOUNT DUE	\$28,546.25

WVCoRP
 Policy Term: 07/01/2012 to 07/01/2013

DESCRIPTION	AMOUNT
Workers' Compensation	28,546.25
	=====
Balance Due	28,546.25
* Payments may be made in equal quarterly installments	

PLEASE RETURN THIS PORTION WITH REMITTANCE

MEMBER	POLICY #	AMOUNT DUE
Jefferson County Commission	WV-JE-019-13	\$28,546.25

AMOUNT ENCLOSED

REMIT TO:

WVCoRP
 308 Market Street
 Roanoke, VA 24011
 (888) 822-6772
 FAX (540) 345-5330

INVOICE DATE	07/01/2012
DUE DATE	07/01/2012
MEMBER #	019
INVOICE #	0182



June 1, 2012

Ms. Sandy McDonald
Jefferson County Commission
P.O. Box 250
Charles Town, WV 25414

Re: WVCoRP Renewal Information

Dear Sandy:

We are pleased to enclose your WVCoRP Self-Insurance Renewal Package.

Enclosed you will find the following items to be placed in your binder:

1. WVCoRP Renewal Certificates of Insurance for the Contract term effective July 1, 2012.
2. Copies of the Certificates of Insurance for the new contract term that were issued to third parties in the prior term; we have also mailed a copy to the Certificate Holders.
3. Updated schedules per your renewal changes and all changes received through May 18, 2012. Any required billings for changes received **after May 18, 2012, and before July 1, 2012**, will be reflected in a separate invoice.
4. A supply of Auto ID cards for each vehicle.

Also attached to this letter are the following items for your review:

1. **WVCoRP Cover Sheet to the Member Agreement.**
2. **Uninsured Motorists/Underinsured Motorist coverage offer**
3. **WVCoRP Invoices for the 2012/13 policy term.**

The Cover Sheet to the Member Agreement and Uninsured Motorists/Underinsured Motorist coverage offer must be signed, dated, and returned to me before August 1, 2012. Members need to choose limits on the Uninsured/Underinsured form before returning the form. The West Virginia Offices of the Insurance Commissioner requires these forms annually.

Please mail payment directly to **WVCoRP** in the small return envelope provided. This payment must be received within 60 days of the due date to avoid late charges. All other forms should be returned to me in the larger white return envelope provided.

We appreciate your continued support and look forward to working with you in the coming year. If you have any questions, please do not hesitate to contact me.

Sincerely:

Carol

Carol S. Jordan, CPIW, ACSR
Underwriting Manager

Enclosures

RECEIVED

JUN 04 2012

Jefferson County Commission

**WEST VIRGINIA COUNTIES
GROUP SELF INSURANCE RISK POOL
COVER SHEET TO MEMBER AGREEMENT**

Certificate # WV-JE-019-13

Name of Pool Participant: **Jefferson County Commission**

Coverage Certificate Term: Effective Date: 07-01-12

Expiration Date: 07-01-13

	I. Coverage	Limit of Liability	Annual Contribution
A.	<u>Property</u> –		\$ 28,110
	(Buildings/Contents, Inland Marine & Computers)		
	1. Valuation – Replacement Cost for Building & Contents; IM/Computers at Functional replacement up to policy limits cost if 100% replacement cost values are reported, otherwise Actual Cash Value		
	2. Flood (outside 100 year flood plain) up to policy limits and Earthquake –		
	3. Business Interruption/Extra Expense	\$ 100,000	
	4. Property in Transit	\$ 5,000,000	
	5. Increased Cost of Construction/ Ordinance/Demolition	\$ 20,000,000	
	6. Back-up of Sewers and Drains	\$ 10,000 \$ 25,000 per acc.	
	7. Debris Removal	\$ 20,000,000	
	8. Pollutant Clean-up and Removal	\$ 500,000	
	9. Off Premises Power Failure	\$ 1,000,000	
	10. Media Reproduction	\$ 5,000	
	11. Newly Acquired Locations	\$ 10,000,000 per occurrence for up to 90 days	
	12. Boiler & Machinery if Applicable	\$ 50,000,000	

Pool Participant: Jefferson County Commission

II. DEDUCTIBLES (per occurrence)

A. Property	\$5,000
Inland Marine & Computers	\$2,500
1. Flood	\$25,000
2. Earthquake	\$25,000
3. Boiler	\$1,000
B. General Liability	NONE
C. Automobile	NONE
1. Liability	\$500
2. Comprehensive	\$500
3. Collision	
D. Public Officials	\$5,000
E. Law Enforcement Liability	\$5,000
F. Crime	\$250
H. Workers' Compensation	N/A

III. EXCESS INSURANCE

Liability:

The Pool maintains reinsurance coverage up to the limit of liability shown on page one of this document in excess of the Pool's per occurrence retention of \$250,000 for General Liability, Auto Liability, Public Officials Liability and Law Enforcement Liability.

Property:

The Pool maintains reinsurance coverage up to \$100,000,000 covered by the Pool in excess of the Pool's per occurrence retention of \$250,000 for Property and Automobile Physical Damage.

Workers' Compensation:

The Pool maintains reinsurance coverage up to the statutory limit of liability in excess of the Pool's per occurrence retention of \$250,000. In addition, the Pool maintains a stop loss aggregate which attaches at 100% of the contribution collected.

IV. Contribution, Assessment

The contributions were based on Pool Members' experience modified in accordance with an actuarially derived formula. Whenever the Supervisory Board and the Insurance Commission determine that the fund account is actuarially insufficient, when considering Pool assets and reserves to cover known claims both reported and unreported, the board shall make an assessment of the members of the Pool. Such assessments shall be paid within 90 days.

V. Service Agent – Public Risk Services, Inc.

Note: A local government group self-insurance pool is not protected by any West Virginia insurance guaranty association against default due to insolvency. In the event of insolvency, members and persons filing claims against Members may be unable to collect any amount owed to them by the Pool regardless of the terms of the Member Agreement. In the event the Pool is in a deficit position, a Member may be liable for any and all unpaid claims against such Member.

With regards to workers' compensation liability, each member agrees to assume and discharge, jointly and severally, any liability under the West Virginia workers' compensation laws of any and all employers party to such agreement and which provides that, in addition to the rights of the Pool, in the event of failure of the pool to enforce such rights after reasonable notice to the pool, the Commission shall have the right independently to enforce on behalf of the Pool the joint and several liability of its members under the West Virginia workers' compensation laws and the liability of Members for any unpaid contributions and assessments.

BY: _____

UNDERINSURED MOTORISTS COVERAGE OFFER

Below are different limits and the contribution available to you.

UNDERINSURED MOTORISTS COVERAGE (OPTIONAL)

WVCoRP
Carrier

Number of vehicles subject to contributions below 82

Jefferson County Commission

WV-JE-019-13
CONTRACT/BINDER NUMBER

OPTIONAL LIMITS

Bodily Injury <u>Per Person</u> \$ 20,000	Bodily Injury <u>Per Accident</u> \$ 40,000	Property <u>Damage</u> \$ 10,000
---	---	--

Contribution
[A] \$ -574.00

WE SELECT
(Check One)

[A] _____

Single Limits

\$ 1,000,000

[B] \$ included

[B] _____

We have read the **IMPORTANT NOTICE**, attached, on **UNDERinsured** motor vehicle coverage and understand how this coverage works. We have been given the opportunity to select or reject limits of **UNDERinsured** motor vehicle coverage listed above and have selected the coverage that matches the box we have checked.

OR

We hereby **REJECT** **UNDERinsured** motor vehicle coverage. _____

\$ -820.00

An authorized representative of the named insured or applicant must select or reject coverage offered above, and complete this part of the form in his or her own handwriting.

**SIGNATURE OF AUTHORIZED REPRESENTATIVE
OF NAMED INSURED OR APPLICANT**

DATE

This selection or rejection of coverage is binding on all persons covered under the contract. These limits apply until a change in the limits is requested.

UNINSURED MOTORISTS COVERAGE OFFER

Below are different limits and the contribution available to you.

UNINSURED MOTORISTS COVERAGE (MANDATORY)

WVCoRP
Carrier

Number of vehicles subject to contributions below 82
Jefferson County Commission

WV-JE-019-13
CONTRACT/BINDER NUMBER

MANDATORY LIMITS

<u>Per Person</u>	<u>Per Accident</u>	<u>Damage</u>
\$ 20,000	\$ 40,000	\$ 10,000

Contribution

WE SELECT
(Check One)

[A] \$ -656.00 [A] _____

OPTIONAL LIMITS

<u>Bodily Injury</u>	<u>Bodily Injury</u>	<u>Property</u>
<u>Per Person</u>	<u>Per Accident</u>	<u>Damage</u>
\$100,000	\$ 300,000	\$ 50,000

[B] \$-328.00 [B] _____

Single Limits
\$ 1,000,000

[C] \$ _____ [C] _____
included

An authorized representative of the named insured or applicant must select or reject coverage offered above, and complete this part of the form in his or her own handwriting.

We have read the **IMPORTANT NOTICE**, attached, on **UNinsured** motor vehicle coverage and understand how this coverage works.

We have been given the opportunity to select the optional limits of **UNinsured** motor vehicle coverage listed above and have selected the coverage that matches the box we have checked.

**SIGNATURE OF AUTHORIZED REPRESENTATIVE
OF NAMED INSURED OR APPLICANT**

DATE

This selection of coverage is binding on all persons covered under the contract. These limits apply until a change in the limits is requested.

IMPORTANT NOTICE

OFFER VOID AFTER THIRTY (30) DAYS

TO: PROPOSED CONTRACTHOLDERS (APPLICANT);

IF YOU DO NOT RETURN THIS FORM TO WVCORP WITHIN THIRTY (30) DAYS IT MEANS YOU HAVE DECIDED NOT TO BUY OPTIONAL UNDERINSURED COVERAGES OR OPTIONAL LIMITS OF UNINSURED MOTORIST COVERAGE ABOVE THAT REQUIRED BY LAW.

OR

PRESENT CONTRACTHOLDERS;

IF YOU DO NOT RETURN THIS FORM TO YOUR INSURER WITHIN THIRTY (30) DAYS IT MEANS YOUR COVERAGE WILL STAY THE SAME AS IT IS NOW. THIS IS AN OPPORTUNITY TO CHANGE THE COVERAGE YOU PRESENTLY HAVE.

UNinsured Motor Vehicle Coverage

The State of West Virginia requires that you purchase UNinsured motor vehicle coverage with limits not less of \$20,000 per person, \$40,000 per accident for uninsured bodily injury losses, and \$10,000 for uninsured property losses. The law also requires that you be given the opportunity to purchase higher limits.

UNinsured Motor Vehicle Coverage will protect your employees and passengers in your car if they are injured in an accident that was caused by an uninsured driver who was at-fault, or an unidentified driver who was at-fault.

UNDERinsured Motor Vehicle Coverage

The State of West Virginia does not require you to purchase UNDERinsured motor vehicle coverage. However, the law does state that you must be given the opportunity to purchase this coverage at limits as high as your liability coverage.

If employees and passengers in your car are involved in an accident in which the other driver is legally at fault, the at-fault driver's insurance contract has the obligation to pay for your damages. It is not uncommon that the at-fault driver will not have enough liability insurance to pay for all the damages suffered. In order to protect your employees and others in your car, UNDERinsured motor vehicle coverage is available to you. This type of coverage will pay for the remainder of your damages up to your contract limits and in addition to any workers' compensation benefits.

EXAMPLE:

You have purchased UNDERinsured motor vehicle coverage with limits of \$50,000 per person with a maximum of \$100,000 for any accident. Your employee is in an accident where the other driver is at fault. The at-fault driver's liability contract limits are \$20,000 per person. Your employee suffered damages of \$30,000. Your employee receives \$20,000 from the at-fault driver's insurance. Since you still have outstanding losses of \$10,000, your employee can receive \$10,000 from your UNDERinsured motor vehicle coverage in addition to any workers' compensation benefits.

If you do not have UNDERinsured motor vehicle coverage, your employee may have found yourself in a situation where you did not have enough coverage to meet all of the losses he/she sustained in the accident.

Buildings and Contents Schedule

Member Name: Jefferson County Commission

As of Sunday, July 01, 2012

Bldg. #	Building Description	Building Street	City	Bldg. Value	Cts. Value	Contribution
1.1	Communications Center	28 Industrial Blvd.	Kearneysville	\$2,580,000	\$125,000	\$2,570.00
2.1	Sheriff's Office Substation	Blue Ridge School/Route 9	Charles Town	\$55,000	\$7,500	\$59.00
3.1	Biztec Center	150 E. Burr Blvd.	Kearneysville	\$0	\$419,000	\$398.00
4.1	Health Center	Bardane Industrial Park	Kearneysville	\$3,445,800	\$35,800	\$3,308.00
5.1	Animal Shelter	County Farm	Leetown	\$278,000	\$25,800	\$289.00
6.1	Caretakers Dwelling	County Farm-Leetown Rd	Leetown	\$204,900	\$0	\$195.00
7.1	County Judicial Center	110 North George Street	Charles Town	\$4,260,300	\$235,000	\$4,271.00
8.1	Planning Department	104-106 E. Washington Street	Charles Town	\$636,100	\$62,100	\$663.00
9.1	Impact Fee Office	114 E. Washington Street	Charles Town	\$196,800	\$12,400	\$199.00
10.1	Mason Building	116 E. Washington Street	Charles Town	\$1,402,000	\$135,300	\$1,460.00
11.1	Hunter House	124 E. Washington Street	Charles Town	\$884,900	\$50,000	\$888.00
12.1	Hunter House Annex	104 South Samuel Street	Charles Town	\$159,400	\$25,000	\$175.00
13.1	Courthouse	100-102 E. Washington Street	Charles Town	\$3,492,400	\$215,000	\$3,522.00
14.1	Riggler Building	108-110-112 E. Washington Stre	Charles Town	\$1,119,300	\$185,500	\$1,240.00
15.1	Sheriff's Office	102 Industrial Blvd.	Kearneysville	\$2,713,000	\$223,100	\$2,789.00
16.1	Lot 18 Maintenance Bldg 2	128 Industrial Blvd	Kearneysville	\$502,443	\$235,933	\$701.00
17.1	Briel Bldg	201 N. George St	Charles Town	\$1,541,200	\$150,000	\$1,607.00
9999.999	Business Income / Extra Expense	\$100,000 included at no charge		\$0	\$0	\$0.00
Totals				\$23,471,543	\$2,142,433	\$24,334.00

As of Sunday, July 01, 2012

Inland Marine Schedules

Member Name: Jefferson County Commission

Department	Description	Value	Contribution
		\$5,000	\$6.00
	Genie Equipment	\$8,000	\$9.00
2691	2008 Polaris Ranger	\$15,000	\$17.00
	Holland Tractor	\$350,000	\$385.00
	Sheriff/911 Phone System	\$227,350	\$250.00
	Hunter House Server Room - Basement	\$25,000	\$28.00
6253	Mid Atlantic - Maeh201	\$1,200	\$1.00
5962	1972 Dilly	\$24,000	\$26.00
E090	1990 Hovercraft	\$30,000	\$33.00
8974	2005 Mid Atlantic Trailer	\$7,500	\$8.00
8301	2007 Polaris Sportsman ATV500	\$7,500	\$8.00
6948	2007 Polaris Sportsman ATV500	\$2,500	\$3.00
4371	2006 Carry On Trailer	\$10,000	\$11.00
Sheriff	2010 Trailer S#2207	\$12,950	\$14.00
County	2011 Utility Trailer S#9731	\$3,000	\$3.00
Sheriff	2004 MidAtlantic Trailer	\$10,000	\$11.00
Sheriff	(2) E-Z-Go 2000 Yamaha Golf Carts	\$15,000	\$17.00
Maint	Maint. Nitrogen Generator		
Total Inland Marine Values:		\$754,000	\$830.00

As of Sunday, July 01, 2012

Auto Schedules

Member Name: Jefferson County Commission

Entity #	Department	Year	Make	Model	Replacement Cost	VIN #	Contribution
						1330	\$975.00
	Addressing	2001	Jeep	Cherokee Sport		6107	\$975.00
	Animal Control	2000	Ford	Ranger		0335	\$975.00
	Animal Control	2005	Ford	Ranger		3624	\$975.00
	Animal Control	2008	Ford	Utility Truck		5212	\$975.00
	Animal Control	1997	Ford	F250 4x4		2558	\$975.00
	Assessment	2002	Jeep	Liberty		6995	\$975.00
	Assessment	2005	Ford	Escape		7970	\$975.00
	Assessment	2008	Ford	Escape XLS		5830	\$975.00
	Assessment	2003	Jeep	Liberty		9995	\$975.00
	Assessment	2009	Ford	Escape		6722	\$975.00
DPZE	County	2003	Jeep	Liberty		2447	\$975.00
HomeLand	County	2001	Jeep	Cherokee		5376	\$975.00
HomeLand	County	1999	Jeep	Cherokee Sport		6721	\$975.00
DPZE	County	2003	Jeep	Liberty		4156	\$975.00
DPZE	County	2006	Ford	Explorer		9640	\$975.00
DPZE	County	2003	Ford	Explorer		8636	\$975.00
	County	2011	Ford	F350		9048	\$975.00
	County	2011	Ford	Expedition		1368	\$975.00
	County	2011	Dodge	Dakota		1369	\$975.00
	County	2011	Dodge	Dakota		0249	\$975.00
DPZE	DCS	2002	Jeep	Liberty		1329	\$975.00
	E-911	2001	Jeep	Cherokee Sport		8943	\$975.00
	E-911	2006	Dodge	Durango		3168	\$975.00
	Maintenance	2009	Ford	Ranger		7819	\$975.00
	Maintenance	1994	Jeep	Cherokee		8681	\$975.00
	Maintenance	2000	Dodge	Ram 3500		7249	\$975.00
	Maintenance	2002	Ford	F-250		3361	\$975.00
	Maintenance	2006	Ford	F-250 XL		1643	\$975.00
	Maintenance	1997	Jeep	Cherokee		5697	\$975.00
	Sheriff	1997	Ford	Crown Victoria			

As of Sunday, July 01, 2012

Auto Schedules

Member Name: Jefferson County Commission

Entity #	Department	Year	Make	Model	Replacement Cost	VIN #	Contribution
						0106	\$975.00
	Sheriff	1999	Ford	Crown Victoria		5698	\$975.00
	Sheriff	1996	Ford	Crown Victoria		6943	\$975.00
	Sheriff	1995	Jeep	Cherokee		1937	\$975.00
	Sheriff	1998	Chevrolet	Motor Home		6791	\$975.00
	Sheriff	2000	Ford	Crown Victoria		3744	\$975.00
	Sheriff	2001	Ford	Crown Victoria		4156	\$975.00
	Sheriff	2001	Ford	Crown Victoria		2106	\$975.00
	Sheriff	2002	Ford	Explorer		5072	\$975.00
	Sheriff	2002	Ford	Crown Victoria		7190	\$975.00
	Sheriff	2003	Ford	Explorer		1975	\$975.00
	Sheriff	2003	Ford	Crown Victoria		1976	\$975.00
	Sheriff	2003	Ford	Crown Victoria		2741	\$975.00
	Sheriff	2004	Ford	Crown Victoria		2742	\$975.00
	Sheriff	2004	Ford	Crown Victoria		5320	\$975.00
	Sheriff	2005	Dodge	Durango		6536	\$975.00
	Sheriff	2005	Ford	Explorer		3075	\$975.00
	Sheriff	2005	Ford	Crown Victoria		5376	\$975.00
	Sheriff	2005	Ford	Crown Victoria		5377	\$975.00
	Sheriff	2005	Ford	Crown Victoria		1116	\$975.00
	Sheriff	2006	Ford	Taurus		4155	\$975.00
	Sheriff	2006	Ford	Explorer XLS		5289	\$975.00
	Sheriff	2007	Ford	Crown Victoria		5288	\$975.00
	Sheriff	2007	Ford	Crown Victoria		5290	\$975.00
	Sheriff	2007	Ford	Crown Victoria		4372	\$975.00
	Sheriff	2008	Ford	Crown Victoria		4371	\$975.00
	Sheriff	2008	Ford	Crown Victoria		5019	\$975.00
	Sheriff	2008	Dodge	Durango		7139	\$975.00
	Sheriff	2005	Ford	Explorer		4767	\$975.00
	Sheriff	2008	Ford	Explorer		6432	\$975.00
	Sheriff	2008	Ford	Explorer			\$975.00

As of Sunday, July 01, 2012

Auto Schedules

Member Name: Jefferson County Commission

Entity #	Department	Year	Make	Model	Replacement Cost	VIN #	Contribution
	Sheriff	2009	Ford	Crown Victoria		9448	\$975.00
	Sheriff	2009	Ford	Crown Victoria		9449	\$975.00
	Sheriff	2010	Ford	Explorer		5546	\$975.00
	Sheriff	2005	Chevrolet	Trailblazer		1270	\$975.00
	Sheriff	2006	Ford	Explorer X		8134	\$975.00
	Sheriff	2000	Ford	Crown Victoria		6007	\$975.00
	Sheriff	2008	Dodge	Durango		5018	\$975.00
	Sheriff	2009	Ford	Explorer		1421	\$975.00
	Sheriff	2005	Ford	Crown Victoria		8629	\$975.00
	Sheriff	1997	BMW	540		1347	\$975.00
	Sheriff	1998	Chrysler	Concord		9065	\$975.00
	Sheriff	2005	Ford	Crown Victoria		1094	\$975.00
	Sheriff	2005	Ford	Explorer		5593	\$975.00
	Sheriff	2005	Ford	Crown Victoria		8529	\$975.00
	Sheriff	2006	Jeep	Cherokee		4901	\$975.00
	Sheriff	2000	Buick	4 door		6601	\$975.00
	Sheriff	2004	Jeep	Grand Cherokee		9829	\$975.00
	Sheriff	2004	Dodge	Dakota		2034	\$975.00
	Sheriff	2010	Ford	Crown Vic		4802	\$975.00
	Sheriff	2011	Ford	Crown Vic		9487	\$975.00
	Sheriff	2011	Ford	Crown Vic		9488	\$975.00
	Sheriff	1992	Nissan	Maxima		5081	\$975.00
						82	Total # Autos - \$79,950.00

CERTIFICATE OF LIABILITY INSURANCE

PRODUCER
WVCoRP
308 MARKET STREET SE
SUITES 1&2
ROANOKE VA 24011

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies below.

COMPANIES AFFORDING COVERAGE

INSURED
JEFFERSON COUNTY COMMISSION
114 E. WASHINGTON ST.
CHARLES TOWN, WV 25414

Company A **West Virginia Counties Group Self Insurance Risk Pool**
 Company B _____
 Company C _____
 Company D _____

COVERAGES

This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE	LIMITS	
					General	\$
	GENERAL LIABILITY <input type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input type="checkbox"/> Occur <input type="checkbox"/> Owners & Contractors Prot <input type="checkbox"/>				Products- Comp/OP	\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> Any Auto <input type="checkbox"/> All Owned Autos <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> Hired Autos <input type="checkbox"/> Non-Owned Autos				Personal & ADV Injury	\$
	LAW ENFORCEMENT LIABILITY				Each Occurrence	\$
	PUBLIC OFFICIALS LIABILITY INCLUDING EMPLOYMENT PRACTICES LIABILITY				Fire Damage (Any one fire)	\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Proprietor/Partners <input type="checkbox"/> Incl /Executive <input type="checkbox"/> Excl Officers Are:	WV-JE-019	7/1/2012	7/1/2013	Med. Exp. (Any one person)	\$
	OTHER				Combined Single Limit	\$
Description of Operations/Locations/Vehicles/Special Items:						
					Bodily Injury (Per person)	\$
					Bodily Injury (Per accident)	\$
					Property Damage	\$
					Each Wrongful Act	\$
					Deductible	\$
					Each Loss	\$
					Annual Aggregate	\$
					Deductible	\$
					<input type="checkbox"/> WC Statutory Limits	<input type="checkbox"/> Other
					EL Each Accident	\$ 1,000,000
					EL Disease-Policy Limit	\$ 1,000,000
					EL Disease-Each Emp.	\$ 1,000,000

CERTIFICATE HOLDER

JEFFERSON COUNTY COMMISSION
114 E. WASHINGTON ST.
CHARLES TOWN, WV 25414

CANCELLATION

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative

Carol Jordan

DATE
7/1/2012

CERTIFICATE OF LIABILITY INSURANCE

PRODUCER **WVCoRP**
308 MARKET STREET, SE. SUITES 1&2
ROANOKE VA 24011

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies below.

COMPANIES AFFORDING COVERAGE

INSURED **JEFFERSON COUNTY COMMISSION**
114 E. WASHINGTON STREET
CHARLES TOWN, WV 25414

Company A **West Virginia Counties Group Self Insurance Risk Pool**
Company B _____
Company C _____
Company D _____

COVERAGES
This is to certify that the policies of insurance listed below have been issued to the Insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occur <input type="checkbox"/> Owners & Contractors Prot <input type="checkbox"/>	WV-JE-019	7/1/2012	7/1/2013	General	\$ 1,000,000
					Products- Comp/OP	\$ 1,000,000
					Personal & ADV Injury	\$ 1,000,000
					Each Occurrence	\$ 1,000,000
					Fire Damage (Any one fire)	\$ 100,000
					Med. Exp. (Any one person)	\$ 0
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> Any Auto <input type="checkbox"/> All Owned Autos <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> Hired Autos <input type="checkbox"/> Non-Owned Autos	WV-JE-019	7/1/2012	7/1/2013	Combined Single Limit	\$ 1,000,000
					Bodily Injury (Per person)	\$
					Bodily Injury (Per accident)	\$
A	LAW ENFORCEMENT LIABILITY	WV-JE-019	7/1/2012	7/1/2013	Property Damage	\$
					Each Wrongful Act	\$ 1,000,000
A	PUBLIC OFFICIALS LIABILITY INCLUDING EMPLOYMENT PRACTICES LIABILITY	WV-JE-019	7/1/2012	7/1/2013	Deductible	\$ 5,000
					Each Loss	\$ 1,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Proprietor/Partners <input type="checkbox"/> Incl /Executive <input type="checkbox"/> Officers Are: <input type="checkbox"/> Excl				Annual Aggregate	\$ 1,000,000
					Deductible	\$ 5,000
A	OTHER Property Auto Physical Damage Crime Boiler & Machinery	WV-JE-019 WV-JE-019 WV-JE-019 WV-JE-019	7/1/2012 7/1/2012 7/1/2012 7/1/2012	7/1/2013 7/1/2013 7/1/2013 7/1/2013	<input type="checkbox"/> WC Statutory Limits <input type="checkbox"/> Other	
					EL Each Accident	\$
					EL Disease-Policy Limit	\$
					EL Disease-Each Emp.	\$
					\$5,000 Ded. B&C/\$2,500 IM Ded. \$500 Deductible Comprehensive & Collision \$250,000 Blanket, \$250 Deductible \$1,000 Deductible/Blanket per schedule on file	

Description of Operations/Locations/Vehicles/Special Items:

CERTIFICATE HOLDER
JEFFERSON COUNTY COMMISSION
114 E. WASHINGTON STREET
CHARLES TOWN, WV 25414

CANCELLATION
Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.
Authorized Representative
Carol Jordan

CERTIFICATE OF LIABILITY INSURANCE

DATE
7/1/2012

PRODUCER **WVCORP**
308 MARKET STREET, SE. SUITES 1&2
ROANOKE VA 24011

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies below.

COMPANIES AFFORDING COVERAGE

INSURED **JEFFERSON COUNTY COMMISSION**
114 E. WASHINGTON STREET
CHARLES TOWN, WV 25414

Company A **West Virginia Counties Group Self Insurance Risk Pool**
Company B _____
Company C _____
Company D _____

COVERAGES

This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occur <input type="checkbox"/> Owners & Contractors Prot <input type="checkbox"/>	WV-JE-019	7/1/2012	7/1/2013	General	\$ 1,000,000
					Products- Comp/OP	\$ 1,000,000
					Personal & ADV Injury	\$ 1,000,000
					Each Occurrence	\$ 1,000,000
					Fire Damage (Any one fire)	\$ 100,000
					Med. Exp. (Any one person)	\$ 0
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> Any Auto <input type="checkbox"/> All Owned Autos <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> Hired Autos <input type="checkbox"/> Non-Owned Autos	WV-JE-019	7/1/2012	7/1/2013	Combined Single Limit	\$ 1,000,000
					Bodily Injury (Per person)	\$
					Bodily Injury (Per accident)	\$
A	LAW ENFORCEMENT LIABILITY	WV-JE-019	7/1/2012	7/1/2013	Each Wrongful Act	\$ 1,000,000
					Deductible	\$ 5,000
A	PUBLIC OFFICIALS LIABILITY INCLUDING EMPLOYMENT PRACTICES LIABILITY	WV-JE-019	7/1/2012	7/1/2013	Each Loss	\$ 1,000,000
					Annual Aggregate	\$ 1,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Proprietor/Partners <input type="checkbox"/> Incl /Executive <input type="checkbox"/> Officers Are: <input type="checkbox"/> Excl				<input type="checkbox"/> WC Statutory Limits <input type="checkbox"/> Other	
					EL Each Accident	\$
					EL Disease-Policy Limit	\$
A	OTHER Property Auto Physical Damage Crime Boiler & Machinery	WV-JE-019 WV-JE-019 WV-JE-019 WV-JE-019	7/1/2012 7/1/2012 7/1/2012 7/1/2012	7/1/2013 7/1/2013 7/1/2013 7/1/2013	\$5,000 Ded. B&C/\$2,500 IM Ded. \$500 Deductible Comprehensive & Collision \$250,000 Blanket, \$250 Deductible \$1,000 Deductible/Blanket per schedule on file	

Description of Operations/Locations/Vehicles/Special Items: RE: 2003 Ford Crown Vic S#1975

CERTIFICATE HOLDER

JEFFERSON COUNTY COMMISSION
114 E. WASHINGTON STREET
CHARLES TOWN, WV 25414

CANCELLATION

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative

Carol Jordan

CERTIFICATE OF LIABILITY INSURANCE

DATE
7/1/2012

PRODUCER **WVCORP**
308 MARKET STREET, SE. SUITES 1&2
ROANOKE VA 24011

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies below.

COMPANIES AFFORDING COVERAGE

INSURED **JEFFERSON COUNTY COMMISSION**
114 E. WASHINGTON STREET
CHARLES TOWN, WV 25414

Company A **West Virginia Counties Group Self Insurance Risk Pool**
Company B _____
Company C _____
Company D _____

COVERAGES

This is to certify that the policies of insurance listed below have been issued to the Insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE	LIMITS		
A	GENERAL LIABILITY <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occur <input type="checkbox"/> Owners & Contractors Prot <input type="checkbox"/>	WV-JE-019	7/1/2012	7/1/2013	General	\$ 1,000,000	
					Products- Comp/OP	\$ 1,000,000	
					Personal & ADV Injury	\$ 1,000,000	
					Each Occurrence	\$ 1,000,000	
					Fire Damage (Any one fire)	\$ 100,000	
					Med. Exp. (Any one person)	\$ 0	
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> Any Auto <input type="checkbox"/> All Owned Autos <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> Hired Autos <input type="checkbox"/> Non-Owned Autos	WV-JE-019	7/1/2012	7/1/2013	Combined Single Limit	\$ 1,000,000	
					Bodily Injury (Per person)	\$	
					Bodily Injury (Per accident)	\$	
					Property Damage	\$	
A	LAW ENFORCEMENT LIABILITY	WV-JE-019	7/1/2012	7/1/2013	Each Wrongful Act	\$ 1,000,000	
					Deductible	\$ 5,000	
A	PUBLIC OFFICIALS LIABILITY INCLUDING EMPLOYMENT PRACTICES LIABILITY	WV-JE-019	7/1/2012	7/1/2013	Each Loss	\$ 1,000,000	
					Annual Aggregate	\$ 1,000,000	
					Deductible	\$ 5,000	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Proprietor/Partners <input type="checkbox"/> Incl /Executive <input type="checkbox"/> Officers Are: <input type="checkbox"/> Excl				<input type="checkbox"/> WC Statutory Limits	<input type="checkbox"/> Other	
					EL Each Accident		\$
					EL Disease-Policy Limit		\$
					EL Disease-Each Emp.		\$
A	OTHER Property Auto Physical Damage Crime Boiler & Machinery	WV-JE-019	7/1/2012	7/1/2013	\$5,000 Ded. B&C/\$2,500 IM Ded. \$500 Deductible Comprehensive & Collision \$250,000 Blanket, \$250 Deductible \$1,000 Deductible/Blanket per schedule on file		
A		WV-JE-019	7/1/2012	7/1/2013			
A		WV-JE-019	7/1/2012	7/1/2013			
A		WV-JE-019	7/1/2012	7/1/2013			

Description of Operations/Locations/Vehicles/Special Items: Cert holder is listed Loss Payee. L/N363057; \$227,500 EDP.

CERTIFICATE HOLDER

SUMMIT BANK
ATTN: REBECCA SURFACE
PO BOX 179
MOOREFIELD, WV 26830

CANCELLATION

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative

Carol Jordan

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

AGENDA REQUEST FORM

Name: Paul Shroyer, Financial Director

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: 6/21/12

Date Requested – 2nd Choice: _____

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

Subject: Approval of Budget Revision #1023

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:

4C

<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 – 1st Choice: 6/21/12

Date Requested – 2nd Choice: _____

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

Subject: Discuss list of expenses for CIP, Court House and Other Buildings

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

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

Attachments:

Jefferson County, West Virginia
Capital Project List
Jefferson County Commission

Project List as June 2012	Estimated Cost
<p>1 New Phone System Narrative: need narrative on what this project will changes and what cost are expected to be if the \$250,000 is not correct.</p>	\$ 175,000.00
<p>2 Move AS-400 Computer and other computer hardware to Mason Bldg Narrative: This project involves moving the AS-400 from the Hunter House Basement to the Basement of the Mason Building and replacement of some cabling and replacement of some hardware.</p>	\$ 175,000.00
<p>3 Repairs on Old Courthouse Narrative: The project cost are for on going projects with the Courthouse. This is the amount budgeted for the FYE 2013</p>	\$ 1,500,000.00
<p>4 GIS Mapping Software The purposed software will act as a Document Management System that will scan, classify, index and archive all existing and future public records into a data sharing system that incorporates linked workflow, searchable data bases and document retrieval amoung multiple departments and the public and potentially linking with a web-mapping tool.</p>	\$ 150,000.00
<p>5 Purchase Briel Building Narrative: Purchase of the Briel Building would provide needed office space for relocation of the Assessor's Office and possibly other offices. The Briel Building would provide 5,000 square foot of office space per floor. The office space now occupied by the Assessor's Office could provide additional office space needed by the Sheriff's Tax Office and the County Clerk's Office.</p>	\$ 1,500,000.00
<p>6 Move Assessor to Briel Building & Renovate Narrative: This is an estimated amount for moving and any minor changes that would need to be made to for the Assessor's Offices.</p>	\$ 75,000.00
<p>7 Renovate Sheriff's Tax Offices and added space Narrative: Renovate entrance from the street change office layout to create teller stations for six or seven tax collection stations to better serve tax payers. Renovate part of the area vacated by the Assessor into office space and work areas for Tax Office Staff.</p>	\$ 118,800.00

8	Purchase Computer Assisted Dispatch (CAD) Syster for E911 Center. This software in needed to enhance the operation of the E911 Center. The cost of the software is dependent on the complexity of the features that are built into the software.	\$ 800,000.00
9	Renovate Smoot Building for Commissioner Offices Narrative: Renovate Smoot Building to provide office space for County Commissioners or Commission Staff.	\$ 100,000.00
10	Addition to Smoot Building for Commission Staff Offices-2 stories Narrative: The addition of a two story addition to the back would provide space for new County Commission Staff Offices and allow for the installation of an elevator in the addition to access the second floor and the addition and the second floor of the Mason Building. Need estimated cost of project.	\$ 2,000,000.00
11	Install Elevator for Mason Building Install elevator to access the second for of the Mason Building.	\$ 250,000.00
12	Open	
13	Open	
14	Open	
15	Open	
16	Open	
17	Open	
18	Open	
19	Open	
20	Open	
	Total estimate capital projects cost	6,843,800.00

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TWENTY-THIRD JUDICIAL CIRCUIT
PROBATION DEPARTMENT
380 W. SOUTH STREET
Suite 1200
PO Box 1677
Martinsburg, West Virginia 25402
(304) 264-1969 * Facsimile (304) 267-3710

Chief Probation Officer
C. Mark Hofe

Deputy Chief Probation Officer
DeLaine Miller

Probation Officers
Richard Ashworth
William Brooks
Rick Futrell
Sahana Mills
Carolyn Williams
Laura Winkler

June 6, 2012

Jefferson County Commission
Charles Town, WV

Dear Ladies & Gentlemen:

Thank you for agreeing to host the Juvenile Drug Court, which is set to begin operations in Jefferson County in the immediate future. Referrals are now being accepted. We hope to identify & curtail drug use among youth before their issues become life altering (and county budget draining) concerns as adults. To fully facilitate Drug Court operations, we will be holding classes for the parents of the involved juveniles. To do this, it will be necessary to set up seating for the participants, which will involve some moderate expenditures. Specifically, we are requesting sixteen padded folding chairs and four folding tables. The cost and description of these items are as follows. Please note that the quoted prices are state rates, which the commission hopefully will qualify for.

The items are as follows:

(2) 96" X 30" folding tables at \$143.91 ea.
(Office Max #EB55234)

(2) 72" X 30" folding tables at \$110.91 ea.
(Office Max #E8FT727230WA)

(16) folding chairs with padded seats at \$140.84 per carton of 4
(Office Max #E4FC94VY10B)

Thank You for your commitment to the Juvenile Drug Court, and for your kind attention to this matter. Please contact the undersigned with any questions or concerns.

RECEIVED

JUN 06 2012

Jefferson County Commission

Respectfully,

C. Mark Hofe
Chief Probation Officer
23rd Judicial Circuit

<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, Director of Financial Management

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: June 21, 2012

Date Requested – 2nd Choice: _____

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

Subject: Discuss Audit Findings and response received from Stuart T. Stickel, CPA, Deputy State Auditor

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

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

Attachments:



State of West Virginia

Glen B. Gainer III
State Auditor and
Chief Inspector

Stuart T. Stickel, CPA
Deputy Chief Inspector

Office of the State Auditor
Chief Inspector Division
1900 Kanawha Boulevard, East
Building 1, Room W-100
Charleston, West Virginia 25305

Toll-Free: 877-982-9148
Telephone: (304) 558-2540
FAX: (304) 205-6033
www.wvsao.gov

June 13, 2012

Jefferson County Commission
P. O. Box 250
100 E. Washington Street
Charles Town, WV 25414

This letter is in response to your request for additional information related to the audit "Pay Adjustments" findings that were cited in the reports for the fiscal years ending June 30, 2010 (Finding #2010-04) and June 30, 2011 (Finding #2011-06).

Based on information obtained from the county and verified during our independent audit; the aforementioned findings were related to the following specific offices and circumstances. All amounts listed are gross pay amounts and do not include any fringe benefits the county paid on behalf of the employees.

Finding 2010-04

- Circuit Clerk employees were paid additional wages totaling \$4,300.00 on June 24, 2010.
- A one-time "longevity" pay of \$201,500.00 (paid on December 10, 2009 and December 24, 2009) for all county employees for the fiscal year ended June 30, 2010.
- Assessor employees were paid additional wages totaling \$12,700.00 on June 24, 2010.

Finding 2011-06

- County Clerk employees were paid additional wages totaling \$11,000.00 on June 23, 2011.
- A retroactive pay increase back to July 1, 2010 for all county employees that was approved in August of 2010 totaling \$26,948.28.

I hope this adequately addresses your request and if I can be of further assistance or you desire additional information, please do not hesitate to contact me.

Sincerely,

Stuart T. Stickel, CPA
Deputy State Auditor
Office of the State Auditor

4F

<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 – 1st Choice: 6/21/12

Date Requested – 2nd Choice: _____

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

Subject: Discuss Budget Analysis for May 2012

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

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

Attachments:

Jefferson County, West Virginia
Budget Analysis for the Month Ended
May 31, 2012
For the Fiscal Year Ending
June 30, 2012

Attachments

1. Graphic presentation of expenditures
2. Narrative of budget categories
3. Spreadsheet presentation of budget financial data
4. Listing of Fund Balances for current month

Listing of all County and Agency Bank Accounts

<u>Fund Name</u>	<u>Fund Number</u>	<u>Ending Cash Balance</u>
General County Fund	001	4,006,645
Coal Severance	002	\$ 307,750
Dog & Kennel	003	33,055
General School	004	0
Magistrate Court	005	4,613
Worthless Check	006	21,866
Home Confinement	008	26,102
Federal Grants	009	1,947
State Grants	010	190,254
Flood Mitigation	023	34,958
Unemployment Compensation	068	17,132
Jury & Witness	071	31,238
Sub Division Bond	075	172
Teen Court	077	335
Bardane Public Health Center	244	153,234
Emergency Services Cap Out	245	1,711
County Capital Outlay	246	5,698,042
Parks & Recreation	247	614,116
Shepherdstown Battlefeild	248	102,954
Impact Fees	249	1,733,533
Totals		\$ <u>12,979,656</u>

Listing of other Elected Officials Special Funds

<u>Fund Name</u>	<u>Fund Number</u>	<u>Ending Cash Balance</u>
Assessor Valuation	056	\$ 500,614
Farmland Protection	057	1
Sheriff's Concealed Weapons	059	50,453
Votes Registration	063	797
Law Enforcement Forfeiture	073	25,059
Pros Attny Forfeiture	074	6,001
Totals		\$ <u>582,925</u>

Listing of Other State and Agency Funds held by Sheriff

<u>Fund Name</u>	<u>Fund Number</u>	<u>Ending Cash Balance</u>
DMV	311 \$	5
Criminal Charges	312	90
Court Reporter	313	453
State Fines	314	1,010
State Police	315	60
State Current-Taxes	316	0
Tax Lien	364	135,592
Delinquent and Nonentered Lan	365	1,844
Board of Health	366	1,448,102
WVDeputy Sheriff's Retirement	369	1
School Current-Taxes	373	0
School Excess Levy-Taxes	374	0
School Debt Service-Taxes	376	0
Bolivar Current-Taxes	378	0
Charles Town Current-Taxes	379	0
Harpers Ferry Current-Taxes	380	0
Ranson Current-Taxes	381	0
Shepherdstown Current-Taxes	382	0
Totals		<u>1,587,157</u>
Net Balances of all Bank Accounts held by the		<u>15,149,738</u>

Jefferson County Commission
Budget Analysis Narrative-May 2012

Overall Budget Revenues

Overall, current revenues for the General County Fund are projected to be under budgeted revenues by approximately \$92,400

Individual Revenue Items Expected to Exceed Budget

Revenue items are projected to exceed budgeted estimates by \$15,000 or more are as follow:

Line #17	Wine & Liquor Tax	\$18,532
Line #18	Hotel/Motel Tax	\$17,701
Line #30	Circuit Clerk's Earnings	\$15,971
Line #37	E-911 Fees	\$88,833
Line #39	Franchise Fees	\$27,469
Line #50	Table Games	\$719,926

Individual Revenue Items Expected to be under Budget

Revenues items projected to be under budget estimates by \$15,000 or more are as follow:

Line #13	Ad Valorem Taxes	(\$105,424)
Line #14	Property Transfer Taxes	(\$238,859)
Line #15	Oil & Gas Severance tax	(\$15,722)
Line #20	Building Permits	(\$51,673)
Line #41	Jail Fee Reimb-State & Gen Sch Fund	(\$76,156)
Line #42	Interest-General County Fund	(\$16,810)
Line #51	Video Lottery	(\$486,959)

Overall Budget Expenditures

Overall estimated expenditures are expected to be under budget by \$3,801,888 on a Cash Basis. The total budgeted expenditures include all current estimated revenues for the current year and the carryover from the prior year. The amount would also represent the estimated carryover for the current fiscal year on a "Cash Basis". It is estimated this amount would be reduced by \$500,000 when converted an Accrual Basis of Accounting for Audit Purposes. The adjustment represents possible additional current year budget adjustment, end of year account payable and end of year encumbrances or a net accrual carryover of \$3,301,888.

	299	Unencumbered fund balance-added at bottom	3,408,661.00	3,408,661.00			
1	301-000	Public Utility Taxes	456,817.00	437,471.53	95.77%	443,482.39	(13,334.61)
2	301-001	Ad Valorem Taxes-Current	9,760,897.00	9,201,505.75	94.27%	9,308,651.89	(452,245.11)
3	301-002	Ad Valorem Taxes-1st Prior Year	500,000.00	636,121.18	127.22%	637,120.54	137,120.54
4	301-003	Ad Valorem Taxes-2nd Prior Year	10,000.00	31,718.27	317.18%	32,225.55	22,225.55
5	301-004	Ad Valorem Taxes-3rd Prior Year	1,000.00	11,559.44	1155.94%	23,006.85	22,006.85
6	301-005	Ad Valorem Taxes-4th & Other PY	1,000.00	476.91	47.69%	819.67	(180.33)
7	301-006	Supplimental taxes	150,000.00	155,512.32	103.67%	178,172.12	28,172.12
8	301-007	Land Sale Surplus	0.00	2,216.98		2,216.98	2,216.98
9	301-008	Delinquent & Nonentered Land	35,000.00	74,585.70	213.10%	93,506.80	58,506.80
10	301-009	Redemptions-State Auditor	0.00	0.00		0.00	0.00
11	301-099	Tax Discounts	(228,704.00)	(200,884.28)	87.84%	(193,854.20)	34,849.80
12	302	Interest and Publication Fees on Taxes	275,000.00	289,799.19	105.38%	330,227.34	55,227.34
13		Total all tax years, interest, publication fees minus discounts	10,961,010.00	10,640,082.99	97.07%	10,855,575.94	(105,434.06)
14	304	Property Transfer Taxes	600,000.00	350,813.10	58.47%	369,796.17	(230,203.83)
15	306	Oil and Gas Severance Tax	25,000.00	9,277.53	37.11%	9,277.53	(15,722.47)
16	307	Horse Racing	20,000.00	18,026.54	90.13%	20,219.93	219.93
17	308	Wine and Liquor Tax	5,000.00	23,531.71	470.63%	23,531.71	18,531.71
18	309	Hotel Occupancy Tax	600,000.00	562,705.55	93.78%	617,701.66	17,701.66
19	317	License Decal Fee	100.00	148.00	148.00%	160.13	60.13
20	318	Permits-Building	195,000.00	120,879.76	61.99%	143,327.32	(51,672.68)
22	322	Federal Grants	80,000.00	192,792.63	240.99%	79,636.84	(363.16)
23	325	Federal Payment in Lieu of Taxes	89,699.00	0.00	0.00%	16,023.00	0.00
24	329	Sheriff's Service of Pocess	15,000.00	17,170.00	114.47%	18,638.16	3,638.16
25	330-000	Sheriff's Earnings	18,000.00	11,327.21	62.93%	12,353.86	(5,646.14)
26	330-001	Sheriff's Earnings-Arrest Fees	10,000.00	12,696.10	126.96%	13,974.79	3,974.79
27	330-002	Sheriff's Earnings-Courts	14,000.00	0.00	0.00%	0.00	
28	331	County Clerks Earnings	175,000.00	174,160.05	99.52%	188,021.77	13,021.77
29	331-002	County Clerks Earnings-Preservation Fund	1,000.00	1,287.60	128.76%	1,390.95	390.95
30	332	Circuit Clerks Earnings	65,000.00	75,372.86	115.96%	80,971.48	15,971.48
31	333	Prosecuting Attorney Earnings	500.00	1,029.97	205.99%	1,111.55	611.55
32	334	Accidents Reports	4,000.00	3,220.00	80.50%	3,383.73	(616.27)
33	336	Map Sales	4,500.00	4,987.00	110.82%	5,667.09	1,167.09
34	340	Rents, Magistrate Court	45,000.00	41,250.00	91.67%	45,000.00	0.00
35	340-001	Rents, County Farm House	1,200.00	1,200.00	100.00%	1,200.00	0.00
36	340-002	Rent-County Farm	1,000.00	774.96	77.50%	774.96	(225.04)

37	346-000	E-911 Fees	1,220,000.00	1,255,073.44	102.87%	1,308,633.15	88,633.15
38	346-001	EMG Comm-Signs	1,000.00	525.00	52.50%	525.00	(475.00)
39	348	Franchise Fees	320,000.00	347,469.03	108.58%	347,469.03	27,469.03
40	350	IRP Fees	5,000.00	7,575.30	151.51%	7,616.49	2,616.49
41	362	Jail Cost Reimb-RJA & Gen School Fund	475,000.00	383,962.82	80.83%	398,843.74	(76,156.26)
42	365-000	Interest-GCF	34,000.00	16,044.44	47.19%	17,189.77	(16,810.23)
43	365-001	Interest-County Clerk	1,000.00	690.33	69.03%	735.52	(264.48)
44	365-002	Interest-Circuit Clerk	4,200.00	1,142.38	27.20%	1,201.80	(2,998.20)
45	365-004	Interest-State Fees	700.00	847.64	121.09%	870.85	170.85
46	365-005	Interest-Racing Fees	700.00	178.91	25.56%	186.54	(513.46)
47	365-006	Interest-Video Lottery	7,600.00	2,745.66	36.13%	2,998.52	(4,601.48)
48	366	Miscellaneous Revenue	0.00	33.11		33.44	33.44
49	367	Sheriff's Commission	15,000.00	12,108.96	80.73%	12,108.96	(2,891.04)
50	370	Table Games	920,000.00	1,458,487.36	158.53%	1,639,926.06	719,926.06
51	373-000	Video Lottery	4,600,000.00	3,843,223.04	83.55%	4,113,040.75	(486,959.25)
52	373-001	Video Lottery-Local	100,000.00	94,594.91	94.59%	102,696.70	2,696.70
53	382-000	Reimbursements-Local	320,428.00	283,004.26	88.32%	314,812.37	(5,615.63)
54	382-001	Reimbursements-Other	30,000.00	22,743.03	75.81%	23,635.01	(6,364.99)
55	399	Transfers-AVF	208,003.00	0.00	0.00%	360,000.00	151,997.00
57	Budgeted & Estimated Revenues		21,192,640.00	19,993,183.18	94.34%	21,160,262.30	
58	Prior Year Unencumbered Carryover		3,408,661.00			3,408,661.00	
59	Estimated Funds Available-Total		24,601,301.00			24,568,923.30	(32,377.70)
59	Total revenue increase over prior year		1,716,663.08				

Current Year Budget & Estimated Expenditures

61							
62	Column (a)	Column (b)	Column (c)	Column (d)	Column (e)	Column (g)	
63							
64	Dept.	Expenditure Classification	Budgeted Expenditures Current FY	CY actual expenditures May 2012	YTD Expenditures as a % of total budget	Estimated Total expenditures- FYE 6/2012	Under Budget or (over) Budget
65	401	County Commission	4,782,663.00	1,703,819.10	35.62%	2,000,819.04	2,781,843.96
66	402	County Clerk	890,659.00	753,944.00	84.65%	839,115.95	51,543.05
67	403	Circuit Clerk	629,697.00	571,550.73	90.77%	630,102.28	(405.28)
68	404	Sheriff-Treasurer	523,490.00	462,715.43	88.39%	505,760.24	17,729.76
69	405	Prosecuting Attny	1,692,004.00	1,549,204.08	91.56%	1,699,040.76	(7,036.76)

70	406	Assessor	689,581.00	529,585.65	76.80%	572,094.82	117,486.18
71	407	Assessor-AVF	300,000.00	332,403.64	110.80%	300,000.00	0.00
72	408	Statewide Computer Network	53,651.00	38,571.85	71.89%	38,571.85	15,079.15
73	412	Agricultural Agent	135,341.00	114,529.45	84.62%	128,251.17	7,089.83
74	413	County Election, Employees	378,650.00	298,649.51	78.87%	315,544.72	63,105.28
75	415	Magistrate Court, Other cost	4,100.00	759.34	18.52%	779.37	3,320.63
76	422	Capital Planning & Management	317,007.00	238,170.44	75.13%	258,280.14	58,726.86
77	424	Courthouse	1,470,265.00	1,190,842.72	81.00%	1,314,722.92	155,542.08
78	425	Other Buildings	767,079.00	708,485.92	92.36%	789,599.87	(22,520.87)
79	428	Data Processing, Employee Wages	94,500.00	52,927.98	56.01%	53,410.12	41,089.88
80	429	Regional Development Authority	19,795.00	19,794.26	100.00%	19,794.26	0.74
81	431	Economic Development	400,959.00	363,155.11	90.57%	391,379.24	9,579.76
82	433	GIS Addressing Dept	311,784.00	250,531.19	80.35%	294,589.95	17,194.05
83	439	Planning & Zoning, Employee Salaries	405,727.00	339,462.18	83.67%	376,627.28	29,099.72
84	440	Engineering, Employee Salaries	669,312.00	564,969.34	84.41%	630,907.13	38,404.87
85	451	Zoning	155,305.00	132,185.88	85.11%	145,969.47	9,335.53
86	700	Law Enforcement, Employee Salaries	2,974,874.00	2,626,052.79	88.27%	2,874,229.26	100,644.74
87	701	Service of Process, Employee Salaries	15,000.00	9,645.76	64.31%	9,645.76	5,354.24
88	704	Charges by other Gov't-Regional Jail Cost	1,300,000.00	1,064,230.40	81.86%	1,144,163.79	155,836.21
89	711	Emergency Services, Employee Salaries	245,963.00	202,893.59	82.49%	231,887.03	14,075.97
90	712	Communication Center	1,974,041.00	1,672,805.82	84.74%	1,834,067.38	139,973.62
91	715	Emergency Services Agency	1,962,500.00	1,962,500.00	100.00%	1,962,500.00	0.00
92	716	Animal Control, Salary Supplement	262,734.00	229,730.46	87.44%	253,039.79	9,694.21
93	800	Local Health Department-Contributions to	65,188.00	65,188.00	100.00%	65,188.00	0.00
94	808	Solid Waste Authority	35,000.00	35,000.00	100.00%	35,000.00	0.00
95	900	Parks & Recreation	460,056.00	415,515.91	90.32%	460,056.00	0.00
96	903	Arts & Humanities Contributions	25,000.00	19,567.61	78.27%	24,587.17	412.83
97	909	Historical Commission	25,000.00	19,567.60	78.27%	24,587.16	412.84
98	911	Other Gov't -Contrib to Visitors Center	300,000.00	244,595.11	81.53%	322,045.81	(22,045.81)
99	916	Other Gov't-Contrib to Libraries	221,160.00	221,160.00	100.00%	221,160.00	0.00
100	952	Other Gov't-Contrib to Senior Center	5,990.00	0.00	0.00%	0.00	5,990.00
101	953	Other Gov't-Contrib to Public Transit	13,823.00	13,823.00	100.00%	13,823.00	0.00
102	975	Capital Outlay-County Clerk	29,297.00	29,296.62	100.00%	31,959.95	(2,662.95)
103	976	Capital Outlay-Circuit Clerk	25,000.00	17,006.20	68.02%	17,006.20	7,993.80
104	980	Capital Outlay-Law Enforcement	69,400.00	69,400.00	100.00%	69,400.00	0.00
105	983	Election-Capital Outlay	31,000.00	0.00	0.00%	31,000.00	0.00
106		Total estimated expenditures and uses	24,732,595	19,134,237		20,930,707	3,801,888

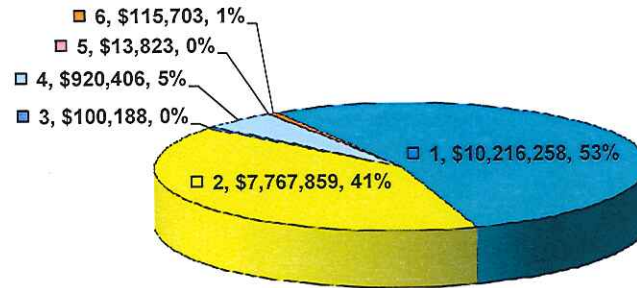
Departmental cost exceeding related revenue:

E-911 Center Cost YTD	\$1,672,806
E-911 Phone Charges	\$1,255,073
Shortfall	(\$417,733)
Regional Jail Cost	\$1,064,230
State reimbursements and General School Contribution	\$383,744
Shortfall	(\$680,486)

Jefferson County, WV
 FYE June 30, 2012
 Financial Statement Chart-General County Fund
 YTD Expenditure by Government Activity-May 2012

The Chart and financial data represent year to date budget expenditures from the General County Fund for the Fiscal Year Ending June 30, 2012.

General County Fund-Expenditure Summary by Government Activity-Year to date totals							
		General Government	Public Safety	Health & Sanitation	Culture & Recreation	Social Services	Capital Outlay
Color Coding		Item #1	Item #2	Item #3	Item #4	Item #5	Item #6
Grand total YTD	19,134,236.67	\$10,216,258	\$7,767,859	\$100,188	\$920,406	\$13,823	\$115,703
Percentage of gross expenditures		53.39%	40.60%	0.52%	4.81%	0.07%	0.60%



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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: Roger Goodwin, Chief County Engineer

Department or Entity: Engineering Department

Estimation of amount of time needed for appointment: 15 Minutes

Date Requested – 1st Choice: June 21, 2012

Date Requested – 2nd Choice: June 28, 2012

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

Subject: **Chesapeake Bay Initiative and the Chesapeake Bay Regulatory & Accountability Grant**

Please provide the County Commission with a description of your request or presentation, including any background information: **Consideration of accepting the proposal presented by Region 9 Planning & Development Council to perform the scope of work (as outlined in the Chesapeake Bay Regulatory & Accountability Grant Funds application) to write a stormwater management ordinance to meet the pollution reduction requirements of the Chesapeake Bay Initiative. Jefferson County was awarded a \$30,000 grant in March, 2012, by the WVDEP and FEMA for the purpose of helping in-house staff to write the stormwater management ordinance. Region 9's proposal is attached.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To accept the Region 9 – Eastern Panhandle Planning & Development Council's "Agreement for Administrative Services" to complete the scope of work outlined in the Chesapeake Bay Regulatory & Accountability Grant.**

Attachments: **See attached proposal dated June 7, 2012.**



June 7, 2012

Honorable Patsy Noland, President
Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Dear Commissioner Noland,

I have met with Roger Goodwin, Chief County Engineer for the Jefferson County Commission, to discuss possible options for securing a consultant to write your new stormwater management ordinance in order to satisfy the requirements of the Chesapeake Bay Initiatives and the Chesapeake Bay Regulatory and Accountability Grant (CBRAP).

I am contacting you to inform you that as members of the Eastern Panhandle Regional Planning and Development Council (Region 9), you are eligible to utilize our services for planning and technical assistance as outlined in WV State Code Chapter §8-25-8 Sub-section C. In addition, WV State Code Chapter §8-25-7 empowers and authorizes the Regional Councils to contract consultants for services including, planning, development, engineering, legal or other services of a professional, specialized or technical nature. Region 9, through a formal Request for Proposal (RFP) process has secured Delta Development Group, Inc., to provide technical assistance to Region 9 and its local governmental members. Therefore, Region 9 would like to propose that the Jefferson County Commission utilize our services to write your new stormwater management ordinance.

Region 9, through funding from WVDEP, has utilized Delta Development Group, Inc. for various Chesapeake Bay related projects, such as the development of the Region 9 Model Stormwater Ordinance, Phase II of the Watershed Implementation Plan (WIP) and the Harpers Ferry/Bolivar Stormwater Management Plan. Throughout this process, Delta Development Group, Inc. has lead local stakeholder work group meetings, public involvement meetings and worked closely with government representatives of the Eastern Panhandle.

The following are some of the benefits the Jefferson County Commission would receive, should they choose to utilize Region 9's technical assistance for this project:

- Delta Development Group, Inc., already under contract with Region 9, was selected via a formal RFP process, which included a review of the firm's qualifications, available at your request. Thus satisfying grant procurement process requirements.
- The grant has a deadline for completion of the scope of work. Utilizing Region 9 eliminates the need for the Jefferson County Engineering Department perform the

Request for Proposal (RFP) process, including advertising and associated costs, assembling a committee to review the proposals and selecting a consultant, thus expediting the project as well as conserving costs.

- Region 9's consultant has the proven qualifications and experience, along with the resources to perform the scope of work outlined under the grant application and to write the new stormwater management ordinance.
- Delta Development Group Inc., having worked on several projects with the CBRAP, is already familiar with the grant terms and conditions and is flexible when it comes to working with the payment terms under the grant.
- Having much experience in working with the Chesapeake Bay Initiatives in the region, Delta is familiar with the Eastern Panhandle and has either completed or is currently working on projects for the City of Charles Town, the City of Ranson, and the towns of Harpers Ferry/Bolivar, Berkeley County Fire Board, Jefferson County Emergency Service and the Region 9 – Eastern Panhandle Regional Planning and Development Council.
- Region 9 will administer the grant on behalf of Jefferson County, including providing the required periodic updates, reports and preparing the necessary documentation for request for payments for the WV Department of Environmental Protection; thus reducing engineering department staff time devoted to administrative work and allow more time concentrating on working with Delta Development Group, Inc. writing the ordinance. Overall, this will allow expertise to be assigned appropriately, producing an ordinance in an efficient manner.

Please find the enclosed agreement for administrative services between Jefferson County Commission and Region 9 along with the Work Statement from Delta Development Group, Inc. Should you agree to retain the technical assistance of Region 9, please sign the enclosed agreement and return to our office at your earliest convenience. If there are any questions please feel free to contact me.

Sincerely,



Carol A. Goolsby
Executive Director

Enclosures

jlo



West Virginia
Department of
Environmental Protection

CFDA#	NPS Number	Sub Recipient DUNS
66.466	NPS1399	07-741-4548

Recipient Type:	Grant Year/Type:	Grant Number:	Mailing Date:	Date of Award:
Government	2011/CBRAP	19049		February 22, 2012
Sub Recipient: (Include FEIN)		Sub Recipient Contact:		
Jefferson County Commission FEIN #55-66000333 P.O. Box 250 124 East Washington Street Charles Town, WV 25414		Patricia Noland, President		
Project Title and Description:				
Jefferson County Stormwater Ordinance - This project will fund a consultant to do an all-inclusive review of Jefferson County's Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, Improvement Location Permit Ordinance and Floodplain Ordinance; and conduct a comparison of these ordinances / regulations.				
Performance Period:		Total Sub Grant Award:		
February 22, 2012 -- June 30, 2013		\$30,000		
NOTICE OF AWARD				
<p>The West Virginia Department of Environmental Protection (WVDEP), Division of Water and Waste Management (DWWM), Nonpoint Source Program has determined, based on the project proposal identified above and made a part hereof by reference, to award a sub-grant to the Sub Recipient identified above in the amount of \$30,000. This award is being granted from federal Chesapeake Bay Regulatory and Accountability Grant funds. The Sub Recipient must match the Chesapeake Bay funding at 25 %, which is \$10,000.</p> <p>This sub-grant may be terminated by WVDEP without further cause if the sub-recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section, as well as signing all included certifications and assurances, and returning all pages of this agreement to the WVDEP Sub Grant Unit listed below within 21 days after receipt. This agreement is subject to all applicable federal and statutory provisions, the referenced project proposal, and all terms and grant conditions of this agreement and any attachments. Funding is contingent upon availability.</p>				
WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION Scott G. Mandirola, Director West Virginia Department of Environmental Protection Division of Water and Waste Management 601 57 th Street, S.E. Charleston, WV 25304				
WVDEP Grants Manager:		WVDEP Project Manager:		
Teresa M. Koon, Assistant Director WVDEP Division of Water and Waste Management Nonpoint Source Program 601 57 th Street, S.E. Charleston, WV 25304 Phone: 304-926-0499 ext 1020		Jennifer Pauer, Project Manager Division of Water and Waste Management Nonpoint Source Program 601 57 th Street, S.E. Charleston, WV 25304 Phone: 304-926-0499 ext 1038		
Signature of Award Official	Typed Name and Title:		Date	
	Scott G. Mandirola, Director Division of Water and Waste Management		3/26/12	
AFFIRMATION OF AWARD				
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION				
Signature of Recipient	Typed Name and Title:		Date	
	Patricia Noland, President		3-15-2012	

Agreement for Administrative Services

This Agreement, entered into this ____ day of _____ 2012 by and between the Jefferson County Commission, hereinafter referred to as the "COMMISSION", and the Eastern Panhandle Regional Planning and Development Council, ("Region 9"), hereinafter referred to as the "REGION 9", set forth as follows:

Whereas, the COMMISSION, a government entity in Jefferson County, on February 22, 2012, received funding in the amount of \$30,000 from the WV Department of Environmental Protection (WV DEP) Chesapeake Bay Regulatory and Accountability Program (CBRAP) Grant for The Jefferson County Stormwater Ordinance Project; and

Whereas, the COMMISSION is required to obligate itself to comply and adhere to the program requirements, regulations, terms and condition of said Program; and

Whereas, the REGION 9 has experience in the proper administration and operation of projects with these types of requirements and regulations, and

Whereas, WV State Code Chapter §8-25-7 empowers and authorizes the Regional Councils to contract consultants for services including, planning, development, engineering, legal or other services of a professional, specialized or technical nature, and

Whereas, REGION 9 has contracted with Delta Development, Inc., through a formal RFP process, to provide technical assistance where needed

NOW, THEREFORE BE IT RESOLVED, the COMMISSION and REGION 9 do agree as follows:

ARTICLE I: Upon signature of this document and Work Statement #8 from Delta Development Inc., REGION 9 and Delta Development Inc. will provide technical assistance to the COMMISSION and its staff in all matters relating to the proper administration of this project and compliance with the relevant program requirements and continues to agree to provide technical assistance until the project is complete. These duties involve, but are not limited to, the following areas:

- Accounting and financial transactions
- Project management
- Record retention and access to records
- Compliance with all Equal Opportunity and Disadvantaged Business requirements
- State and Federal reporting requirements
- Project close-out procedures
- Any additional program requirements that may be imposed by either the State or Federal Government

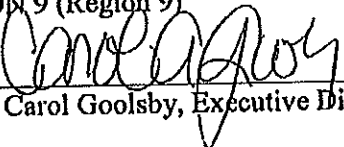
ARTICLE II: REGION 9 agrees to provide the COMMISSION with periodic reports and, at the completion of the project, with a complete file of the project activities, presented and organized with the required methodology and suitable for auditing purposes.

ARTICLE III: REGION 9 and the COMMISSION agree to follow program guidelines as they relate to the requirements and regulations set forth in the grant award from the WV DEP CBRAP.

ARTICLE IV: This agreement may be altered upon mutual agreement of both parties. It may also be terminated by either party upon the service of a thirty day notice so stating.

IN WITNESS HEREOF, the COMMISSION and REGION 9 have executed this agreement on or as of the date first written above.

Eastern Panhandle Regional Planning and Development
REGION 9 (Region 9)

By: 
Carol Goolsby, Executive Director

Jefferson County Commission – WV DEP CBRAP

By: _____
Patsy Noland, President

Work Statement No. 8
Jefferson County Stormwater Management Ordinance Development and Review

WORK STATEMENT NO. 8

Pursuant to Paragraph 2 of the Professional Services Agreement dated as of June 1, 2009 (Original Agreement), and as previously amended by the Letters of Amendment agreed to and accepted on April 15, 2010, May 31, 2011, and May 31, 2012 (Prior Amendments), by and between Delta Development Group, Inc., hereinafter referred to as "DELTA," and the Eastern Panhandle Regional Planning and Development Council, hereinafter referred to as the "CLIENT," DELTA has been contracted by the CLIENT to provide comprehensive planning and economic development strategies, community and economic development studies addressing goals in the CLIENT's five-year Comprehensive Economic Development Strategy (CEDS), and web design and development.

Project-specific services provided by DELTA are detailed in the attached Work Statement. Under this Work Statement, such services will be provided to the CLIENT.

Attachment 1 hereto specifies the Work Statement's scope of services, compensation, schedule, and deliverables.

In consideration of the foregoing and intending to be legally bound by the terms herein, DELTA and the CLIENT have caused this Work Statement to be executed by their duly authorized representatives as set forth below.

DELTA DEVELOPMENT GROUP, INC.

By: _____
Eric R. Clancy
Executive Vice President

Date: _____

**EASTERN PANHANDLE REGIONAL
PLANNING AND DEVELOPMENT
COUNCIL (REGION 9)**

By: _____
Carol A. Goolsby
Executive Director

Date: _____



*Work Statement No. 8
Jefferson County Stormwater Management Ordinance Development and Review Attachment 1*

SUMMARY OF OUTPUTS

DELTA will assist the Jefferson County Commission, Engineering Department and Planning Commission (Jefferson County) with preparing a new Stormwater Management Ordinance and amendments to the County's Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, Improvement Location Permit Ordinance, and Floodplain Ordinance to achieve the following water quality and quantity objectives:

- Enable Jefferson County to comply with the Environmental Protection Agency's (EPA) Total Maximum Daily Loads (TMDLs) Water Quality Standards established for the Potomac River Basin
- Limit the post-construction runoff rates to rates equal to or less than pre-development runoff rates
- Include provisions that will improve water quality by reducing nonpoint source pollution and nutrients
- Encourage flexible Best Management Practice (BMP) requirements and Low Impact Design (LID) criteria
- Address the vast areas of Karst geology and specify BMP criteria in these areas

DELTA's services will include performing a gap analysis of Jefferson County's stormwater management (i.e., water quality and quantity) policies by evaluating the County's Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, Improvement Location Permit Ordinance, and Floodplain Ordinance, and comparing them against the relevant stormwater management recommendations and BMPs documented in the following publications:

- West Virginia Phase II Watershed Implementation Plan
- Model Stormwater Management Ordinance produced for the Eastern Panhandle of West Virginia
- U.S. EPA Chesapeake Bay TMDL Executive Summary
- West Virginia Department of Environmental Protection Municipal Separate Storm Sewer Systems (MS4) permit program requirements
- West Virginia National Flood Insurance Program (NFIP) Model Floodplain Ordinance

DELTA's stormwater policy gap analysis will identify conflicts among Jefferson County's existing stormwater management policies; identify barriers within existing design standards that do not accommodate BMPs or allow for the flexibility in project designs that could reduce impacts to water quality and quantity; and develop recommended amendments to the existing ordinances and regulations (as specified above) required to achieve consistency and compatibility with the County's new Stormwater Management Ordinance.

The results of DELTA's policy gap analysis will be documented in Microsoft Word and summarized in PowerPoint, which will be used to disseminate gap analysis findings, water quality and quantity BMPs, and policy recommendations to the general public through the County's website, public meetings, news media outlets, and other appropriate and cost-effective means including Facebook, etc.



Work Statement No. 8

Jefferson County Stormwater Management Ordinance Development and Review Attachment 1

DELTA's preparation of the new Stormwater Management Ordinance and proposed amendments to Jefferson County's existing ordinances and regulations will include the following public involvement and stakeholder outreach initiatives:

- Work sessions with Jefferson County staff
- Stakeholder involvement with developers, economic development practitioners, watershed protection interests, Jefferson County Public Service District officials, etc.
- Public meetings to present, review, and discuss proposed new regulations and amendments
- Public hearings pursuant to the ordinance adoption and enactment procedures of West Virginia Code Chapter 8A
- Technical assistance for Jefferson County's public education and outreach initiatives

DELTA will culminate its technical assistance services by presenting the proposed Stormwater Management Ordinance and proposed amendments to the above-referenced ordinances and regulations to the Jefferson County Planning Commission and Jefferson County Commission for enactment and adoption.

DELIVERABLES

MEETINGS

- Four (4) Jefferson County work sessions
- One (1) stakeholder involvement session
- One (1) Planning Commission meeting
- Two (2) Jefferson County public hearings

WRITTEN REPORTS, ORDINANCES, AND AMENDMENTS

- Written gap analysis report (Microsoft Word) and summary (PowerPoint)
- Draft and final Stormwater Management Ordinance (printing of draft and final ordinances for public meetings and hearings will be at cost to Jefferson County)
- Draft and final Amendments to Jefferson County's Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, Improvement Location Permit Ordinance, and Floodplain Ordinance (printing of draft and final amendments for public meetings and hearings will be at cost to Jefferson County)

TASKS

DELTA will execute the following tasks to achieve the project's objectives and deliverables:

Task 1 – Scoping and Kick-off Meeting with Jefferson County (Work Session #1)

Task 2 – Stormwater Management Policy Gap Analysis

Task 3 – Stakeholder Involvement

Task 4 – Synthesis of Gap Analysis Findings

Task 5 – Jefferson County Work Session #2

Task 6 – Draft Stormwater Management Ordinance

Task 7 – Draft Ordinance and Regulation Amendments

Task 8 – Planning Commission Public Meeting



Work Statement No. 8

Jefferson County Stormwater Management Ordinance Development and Review Attachment 1

Task 9 – Jefferson County Work Session #3 (to review public comments)

Task 10 – Revisions to Stormwater Management Ordinance and Other Ordinances/Regulations

Task 11 – Jefferson County Work Session #4

Task 12 – Jefferson County Public Hearing(s) and Readings (Enactment/Adoption pursuant to West Virginia Code Chapter 8A)

SCHEDULE

The performance period for this Work Statement will be six (6) months from the date of execution of this Work Statement.

FEE

DELTA will be compensated for the services to be performed under this Work Statement on an hourly basis as established by the employee rate schedule below. Unless directed in writing by the CLIENT, DELTA's total compensation for executing this Work Statement shall not exceed Thirty Thousand Dollars (\$30,000.00), including reasonable and ordinary expenses.



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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: Roger Goodwin

Department or Entity: Department of Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: June 21, 2012

Date Requested – 2nd Choice: June 28, 2012

If a specific date is needed, please provide reason for specific date: To give Staff time to prepare the paperwork necessary to call any Letter of Credits that have not been renewed prior to the July 15, 2012 expiration date.

Subject: Letter of Credits securing construction bonds.

Please provide the County Commission with a description of your request or presentation, including any background information: Ask the Commission to allow Staff to call on any Letter of Credits that have not been renewed by Monday, July 9, 2012.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I authorize Staff to call on any Letter of Credits that are due that have not been renewed by the close of business on Monday, July 9, 2012.

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: Terry Simons

Department or Entity: The Catholic Diocese of Arlington

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: 6/21/12

Date Requested – 2nd Choice: _____

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

Subject: Request for waiver of fees for several home repair projects

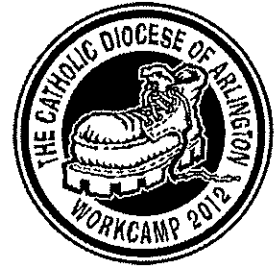
Please provide the County Commission with a description of your request or presentation, including any background information:

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

Attachments:

June 14, 2012

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



Dear Ms. Noland,

Each summer since 1989, the Catholic Diocese of Arlington, through its Office of Youth Ministry, has had the privilege of sponsoring a one-week WorkCamp program for high school aged youth. Through this program we are once again planning to repair several homes in and around Jefferson County in June 2012. We are requesting that you consider waiving several fees that are associated with the work that we will be completing, as you did last year. The fees the commission agreed to waive included the construction permit fees, the landfill tipping fees and other fees associated with the work that we completed. We were very grateful for this consideration last summer, and we were able to complete more projects with the monies that we saved in the permit process. We hope that we can do the same again this summer.

We are truly blessed to be returning to eastern West Virginia this year. We will again be staying at Millbrook High School in Frederick County, VA, and will be traveling to jobsites as far away as Shepherdstown, WV. While preparing for this summer, we have contacted and are working with several social service agencies in the area to connect with residents (the people that we serve) and potential projects. And, since WorkCamp is a non-profit organization, the fee waivers do not mean a cost savings; fee waivers mean that we are able to spend more money on the projects and ultimately serve your community in a greater way.

The residents that we will be serving do not have to meet any "means" tests and there is no cost to them or to their referring social service agencies; everything is paid for by us. Confidentiality and respect for the privacy of the residents are stressed heavily during the training that all WorkCamp participants receive.

The focus of the work is to make the residents' homes "warmer, safer, and drier." This work will be completed by 500 teens and 200 adult leaders and "contractors," all volunteers from across Virginia. A few examples of the work we do include repairing porches and leaky roofs; building wheelchair ramps and stairs; replacing or repairing windows, doors, storm doors and floors; repairing drywall and painting the interiors and exteriors of homes. We also install smoke and CO detectors in homes that need them.

WorkCamp will also help the local economy. We will spend over two hundred thousand dollars during the week, and nearly all purchases will be made locally. This includes food, construction materials, paper products, hotels, restaurants, tools and other supplies at local businesses and gasoline for over two hundred vehicles.

I appreciate your time and consideration, and look forward to hearing from you. I can be reached by email at t.simons@arlingtondiocese.org or by phone 703-841-2559.

Sincerely,

Terry Simons
WorkCamp Coordinator, Office of Youth Ministry

Nichelle Hosby

From: Engineering Department [engineering@jeffersoncountywv.org]
Sent: Thursday, June 14, 2012 12:57 PM
To: 'Nichelle Hosby'
Cc: 'Terry Simons'; 'Engineering Department'
Subject: RE: WorkCamp 2012 Fee Waiver Request

Nichelle,

As we discussed WorkCamp also requested a waiver of fees last year for several citizens of Jefferson County. They would like to process building permits through our office for eleven homeowners this year. The Commission acted favorably on their request last year with the condition they provide proof of liability insurance and based on the past action of the Commission staff supports the request.

It is also our understanding they will be providing this service for years to come to citizens of the County, so the Commission may want to consider granting the request for an unlimited period of time.

If you have any questions let me know.

Thanks.

Becky
Becky Burns, Office Manager
Jefferson County Department of Engineering &
Office of Building Permits & Inspections
Office (304)-728-3257

From: Terry Simons [mailto:T.Simons@arlingtondiocese.org]
Sent: Thursday, June 14, 2012 11:08 AM
To: 'nhosby@jeffersoncountywv.org'
Cc: engineering@jeffersoncountywv.org
Subject: WorkCamp 2012 Fee Waiver Request

To Whom It May Concern,

Attached, please find a letter of request for fee waivers for WorkCamp 2012 in the County of Jefferson. We will be happy to provide a letter of insurance as well as any other documentation needed for the commission to make an informed decision.

If you have any questions please feel free to contact me at the information below.

Terry Simons

Terry Simons

WorkCamp Coordinator
Office of Youth Ministry
Catholic Diocese of Arlington
200 N. Glebe Road, Suite 519
Arlington, Virginia 22203

703.841.2559 (office)

703.807.2032 (fax)

t.simons@arlingtondiocese.org

<http://www.arlingtondiocese.org/youth>

<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: Nichelle Hosby

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: 6/21/12

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 the purchase of the Briel Building

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

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

Attachments:

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 - Jun 2	May 27	28	29	30	31	Jun 1	2
Jun 3 - 9	3	4	5	6	7	8	9
Jun 10 - 16	10	11	12	13	14	15	16
Jun 17 - 23	17	18	19	20 West Virginia Day	21 Impact Fee Hearing	22	23
Jun 24 - 30	24	25	26	27	28	29	30

July 2012

July 2012

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

August 2012

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

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jul 1 - 7	Jul 1	2	3	4 Independence Day	5 No Commission Meeting	6	7
Jul 8 - 14	8	9	10	11	12	13	14
Jul 15 - 21	15	16	17	18	19	20	21
Jul 22 - 28	22	23	24	25	26	27	28
Jul 29 - Aug 4	29	30	31	Aug 1	2	3	4

<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: Nichelle Hosby

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: 6/21/12

Date Requested – 2nd Choice: _____

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

Subject: Discussion/Action on the following amendments/policy agreement

To extend the validity of any subdivision plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 from July 1, 2012 until July 1, 2015. Any other plan or permit associated with the subdivision or land development plan or plat would also be extended for the same time period

-To extend until July 1, 2015 the requirements for the vesting of property rights contained in an ordinance enacted pursuant to 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010. This provision would apply to all special and in conditional use permits or any other agreement or zoning action

- To determine whether the time extensions, if approved by the County Commission, should be adopted through an amendment, resolution, or agreement

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

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

Attachments:

NOTICE OF PUBLIC HEARING

COUNTY COMMISSION OF JEFFERSON.COUNTY

The County Commission of Jefferson County will hold a Public Hearing on, at 7:00 p.m. on Thursday, May 31, 2012 in the County Commission meeting room located at the Old Charles Town Library Meeting Room on the ground floor, 200 East Washington Street, Charles Town, WV25414. The Commission will address a request by developers to extend subdivision approval from 2012 to 2015.

The purpose of the hearing is for public input for the following amendments/ policy agreement:

- To extend the validity of any subdivision plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 from July 1, 2012 until July 1, 2015. Any other plan or permit associated with the subdivision or land development plan or plat would also be extended for the same time period.

-To extend until July 1, 2015 the requirements for the vesting of property rights contained in an ordinance enacted pursuant to 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010. This provision would apply to all special and conditional use permits or any other agreement or zoning action.

- To determine whether the time extensions, if approved by the County Commission, should be adopted through an amendment, resolution, or agreement.

A copy of the request being considered can be found on the Jefferson County Commission's website at www.jeffersoncountywv.org.

If you have any questions, please call the Department of Planning office at (304) 728-3228.

A decision will be made at a later date.

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



JEFFERSON COUNTY, West Virginia

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor
Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email: zoning@jeffersoncountywv.org

Fax: (304) 728-8126

MEMORANDUM

TO: County Commission
FROM: Jennifer Brockman
DATE: June 21, 2012
RE: Regarding the JCEP request for an Amendment to allow Time Extensions of Vested Rights – Discussion and Possible Action

Attached are two staff prepared spreadsheets:

- 1) The first spreadsheet is a summary of the citizen comments received at the May 31, 2012 Public Hearing regarding the request made by JCEP to extend timelines for certain projects to July 1, 2015. Staff notes that this request is primarily a policy decision to be made by the County Commission. The Planning Commission discussed it at their May 15, 2012 meeting and recommended approval of a policy along these lines. The request impacts 10 projects that have progressed through the point of Preliminary Plat approval as of March 1, 2010. In Jefferson County, a Preliminary Plat includes all construction documents prepared by a civil engineer and includes the design of all amenities. Typically, this level of investment is considered to be a vested project.

The comments included on the attached spread sheet include comments in support and in opposition to the proposed policy. A number of the opposition comments relate to interest in having these developments conform to the stormwater regulations that are a part of the 2008 Subdivision Regulations. Toward this end, the draft motion attached to this memo includes a provision along these lines, if that is the desire of the County Commission.

- 2) The second spreadsheet includes the list of the ten projects that would benefit from the requested policy including information in the final column about amenities that were proposed as a part of the proposed developments. Note in particular that one development includes the 15 acre site already dedicated, graded and built upon for the Driswood School and that one development includes a 22 +/- acre tract of parkland that has already been dedicated to the County Parks and Recreation Department.

A few of these projects are also developments that are partially underway and therefore may already include constructed roads, stormwater and other utilizes as well as some housing construction. The extension would be for the portions of the development that have not been completed.

Attachments:

- Proposed Draft Motion
- Citizen Comments from 5/31/12 Public Hearing
- Amenity Summary for Projects Affected by JCEEP Request

**A Motion to Approve
A Policy Related to Vested Property Rights in Jefferson County WV**

June 21, 2012

Whereas, The Jefferson County Citizen for Economic Preservation have requested that the County Commission approve a policy or ordinance amendment extending relevant time frames relating to plans and plats vested under the provision of SB 595 in 2010 to July 1, 2015; and

Whereas, The Planning Commission discussed this request at their May 15, 2012 meeting and recommended approval to the County Commission; and

Whereas, the County Commission reviewed the draft proposal on May 3, 2012 and conducted a public hearing on the draft proposal on May 31, 2012;

Now therefore be it moved, that the Jefferson County Commission approves the following policy:

1. The validity of any subdivision plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2012 until July 1, 2015. Any other plan or permit associated with the subdivision or land development plan or plat shall also be extended for the same time period.
2. The requirements for the vesting of property rights contained in an ordinance enacted pursuant to 8A-4-2 that require the performance of any action within a certain time period for any subdivision or land development plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2012 until July 1, 2015. This provision would apply to all special and conditional use permits or any other agreement or zoning action.
3. Any plat or plan affected by this extension shall conform with the Stormwater Requirements of the most current regulations in effect at the time when the plat or plan is submitted for approval.

Recommended _____ this ___ day of _____, 2012
By vote of the Jefferson County Commission
By a vote of ___ Yes ___ No

Patsy Noland, President
Jefferson County Commission

**SUMMARY OF AND RESPONSE TO CITIZEN COMMENTS RECEIVED AT 5/31/12 PUBLIC HEARING REGARDING
JCEP TIME EXTENSIONS REQUEST TO COUNTY COMMISSION
For 6/21/12 County Commission Discussion and Action**

Representative	Affiliation/ District	Commentary
Joe Thompson	Kabletown	Had questions about: <ul style="list-style-type: none"> • which regulations this relates to; • what the request is • whether they are in compliance with new regulations
Susan Rissler Sheeley	Kabletown	Objects to the request with the following comments: <ul style="list-style-type: none"> • Protect County as a whole by not approving expirations • Developers undertook risk like any other business • All plats and plans need to be reconsidered in light of 2008 Subdivision Regs, new staff, and new processes
Earl Jackson	n/a	Objects to the request and wants all plans and plats to meet newest regulations and requirements (submitted letter)
Pete Appignani	EPOHOA	Objects to the request with the following comments (submitted letter): <ul style="list-style-type: none"> • Concerned about protecting the interests and welfare of Jefferson County homeowners; • Concerned about abrogation of contracts between developers and HOAs if approved; • Concerned about conformance with Chesapeake Bay WIP and Senate Bill 540 water quality standards • Questioned changes to the Bonding Policy
John Maxey	Harpers Ferry	Requested that if the request is approved it include a provision that the plans and plats must conform with the 2008 Subdivision Regulations' stormwater requirements. <ul style="list-style-type: none"> • Mr. Maxey was on the PC when these Regulations were approved • The 1979 Sub Regs were primarily flood control • Questioned compliance with the Chesapeake Bay WIP requirements and who pays if the sediment limits are not met
David Hartley	EP Home Builders Assoc.	In support of the request with the following comments: <ul style="list-style-type: none"> • The Plats/Plans met the regulations in effect at that time they were approved

**SUMMARY OF AND RESPONSE TO CITIZEN COMMENTS RECEIVED AT 5/31/12 PUBLIC HEARING REGARDING
JCCEP TIME EXTENSIONS REQUEST TO COUNTY COMMISSION
For 6/21/12 County Commission Discussion and Action**

Representative	Affiliation/ District	Commentary
		<ul style="list-style-type: none"> • JCPC recommended approval of the request • Dramatic economic slowdown • Concerned about impact on current homeowners in sectionalized developments
Carla Coffey	Arcadia/ JCCEP	<p>In support of the request with the following comments:</p> <ul style="list-style-type: none"> • Supports Hartley's statements • Harvest Hills is being approved in phases – currently 81 lots approved, 59 bonded and recorded, and 21 recently approved
Mike Wiley	VP Development of Beallair Homes	<p>In support of the request with the following comments:</p> <ul style="list-style-type: none"> • The request is an effort to stop developments that go unfinished • Instead of walking away and leaving homeowners with unfinished project, an extension allows the developers to incrementally complete a project as the economy allows • Beallair currently has 180 lots out of 300 final platted (some with bond tolled), with 45 on the market now (due to economy)
Barbara Humes	Harpers Ferry	<p>Objects to the request with the following comments:</p> <ul style="list-style-type: none"> • Not a good idea • Diminishes public trust in having ordinance in the first place • Sets precedence • Makes mockery of planning process • Time limits are there for a reason
Mark Shields	Shenandoah Junction (FDA employee)	<p>Objects to the request with the following comments:</p> <ul style="list-style-type: none"> • Just say no • Bad precedence/slippery slope • Reason for the regulations and timelines – define that reason • Need to be sure we are on the right road and need to protect tax payers

**SUMMARY OF AND RESPONSE TO CITIZEN COMMENTS RECEIVED AT 5/31/12 PUBLIC HEARING REGARDING
 JCCEP TIME EXTENSIONS REQUEST TO COUNTY COMMISSION
 For 6/21/12 County Commission Discussion and Action**

Representative	Affiliation/ District	Commentary
Peter Fricke	Middleway	<p>Objects to the request with the following comments (referred to JCCEP 4/22/12 letter of request):</p> <ul style="list-style-type: none"> • Hardship to property developers and builders on those who speculated on real estate deals (state legislature already extended time frames from January 2012 to July 1, 2012); Now asking for further extensions; If lost a bet or small shop, could not ask for this help • It's not the government's role to regulate market • Difficulty in meeting new regulations is not a good argument -- All agree to meet building codes; everyone should understand that • Approval of this for current developments makes a hardship on future developers due to unfair advantage to older developers • Core issues are equity and fairness
John Reisenweber	JCDA Executive Director	<p>In support of the request with the following comments:</p> <ul style="list-style-type: none"> • Speaking on behalf of JCDA Board • Board supports this request • Tremendous effect of economy downturn on the development community
Peter Corum	Small Business Owner and Franklin American Mortgage Loan Originator	<p>In support of the request with the following comments:</p> <ul style="list-style-type: none"> • By not extending this, effectively eliminate all small local builders down to just a few • The only ones who could withstand it are the big national firms • Need to be aware of local implications

Projects Affected by JCEP Extension Request

Project Name	Subdivision	Lots Proposed	Preliminary Plat Approval Date	Does it have "Preliminary Approval by the PC?"	Final Plat Approval or Due Date**	Do SB 595 Provisions Apply?	Comment	Development Construction Initiated	Information Related to Amenities Proposed with Development in the Community Impact Statement (CIS)
Allemont	07-21	9 single family lots	CIS/Flie reopened 11/10/09	The return of 1 st review considered to be "approved with conditions"	FP PH required by 7/1/12 (SB 595)	Yes	Believed to be a project that is no longer being pursued	No	Approximately 1.1 acres will be dedicated to the WVDOH for eventual widening of Bloomery Road. A total of 16.15 acres of the residue will be dedicated for enforcement of the hillside slope requirements to maintain natural conditions. The existing farmstead will remain intact with exception of a garage and a small paddock.
Allstadt's Corner	07-10	2 multifamily. 28 duplex lots, two common areas	CIS approved 5/26/07 Preliminary Plat approved 8/28/08		Approved 7/14/09	Yes; Requested extension 08/25/09 – PC denied; Out of Court Settlement 7/7/11	Needs to be bonded and recorded by 7/1/12	NO	Total land dedicated to WVDOH to widen Allstadts Hill Road is 0.64 of an acre. Two parkland areas will include a tot lot and a walking trail. The Allstadts "Ordinary", listed on the historic register, and the Allstadts Family Cemetery will be preserved.
Beallair West	07-30	132 single family attached villas in a gated community	1 st review 10/09	The return of 1 st review considered "approved with conditions"	FP PH due by 7/1/12 (SB 595)	Yes		No	A total of 5911 square feet (0.135 acres) will be dedicated to the WVDOH. 3.63 acres of common open spaces/parks. Members of the conservancy will have access to walking trails and a clubhouse (the Historic Beallair Manor House).
Daniels Forest	02-01	192 single family lots	01/20/10	Yes	Approved 3/23/10	Yes – for bonding and recording	CC approved 5/10/12 recordation with tolling of bond	No	Proposed passive open space/recreation areas.
Kensington	06-41	36 Townhome lots	12/28/09	Yes	Approved 3/23/10	Yes – for bonding and recording	PC approved 5/15/12 extension to 7/1/14 to bond and record	No	Two pocket park areas totaling 0.34 acres and Open green space totaling 0.49 acres.
Sectionalized Projects: Beallair Phase 4-8		245 single family lots and 54 villa lots			Phase 3 FP Approved 1/21/10	Process next phase by 7/1/12		Yes	Beallair Manor House clubhouse, a country store, two gardens, a pool and poolhouse, walking paths
Sectionalized Projects: Breckenridge East Phase 1A FP			09/14/09		Phase Approved 4/10/12	Bond and Record within 90 Days		No	Land to be dedicated to WV DOH to widen Old Country Club Road (25 feet by 1300 feet) Access easement to Allegheny Power substation Hiker-biker trail set back along spine road and along 2 major east-west roads Pool, bathhouse, tennis court, Community Park with ball fields, tot lot and playground; pocket parks. Future elementary school site proposed (NOTE: the 15 acre

Follow up to 5/31/12 public hearing – information for CC consideration 6/21/12

Projects Affected by JCCEP Extension Request

Project Name	Subdivision	Lots Proposed	Preliminary Plat Approval Date	Does it have "Preliminary Approval by the PC?"	Final Plat Approval or Due Date**	Do SB 595 Provisions Apply?	Comment	Development Construction Initiated	Information Related to Amenities Proposed with Development in the Community Impact Statement (CIS)
									school site was dedicate and graded as a part of agreement related to impact fees and Driswood Elementary School has been built on this site).
Sectionalized Projects: Cambridge FP		179 lots for single and double wide mobile homes	08/06/97		Phase Approved 4/24/12	Bond and Record within 90 Days		Yes	1.4638 acres of green space will be reserved for recreational use.
Sectionalized Projects: Harvest Hills FP		387 single family lots	CIS approved 01/08/02; Preliminary Plat approved 01/08/08		Phase Approved 4/24/12	Bond and Record within 90 Days		No (Note: a portion was built as a by-right cluster development)	A 2 acre site will be offered to the existing church for parking or expansion. A 7.5 acre site will be dedicated for a train station/parking lot. There will be 143 acres of open space/park area (NOTE: a 22 +/- acre site has been dedicate to the County Parks and Recreation Departments as a fulfillment of a CUP condition).
Wild Goose	08-18	13 single family lots	CIS approved 8/26/08 Preliminary Plat approved on 4/3/09	The return of 1 st review considered to be "approved with conditions"	FP PH required by 07/01/12 (SB 595) Approved 01/10/12	Yes	Needs to be bonded and recorded by 07/01/12	No	Total land dedicated to the WVDOM for eventual widening of Shepherd Grade Road is 0.55 of an acre. Planned improvements to the residue include; an Equestrian Center, nine paddocks, a Pole Barn, and a vinery for wine grape production.

- "Valid and Outstanding" means that the application was existing and valid as of January 1, 2010, in accordance with the memo dated June 8, 2010 re: Local Application of SB 595
- "Preliminary Approval by the PC" means that a Preliminary Plat was approved prior to March 1, 2010; this includes plats that have been "approved with conditions" and have outstanding comments

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

stay financially sound, so that we may continue to provide quality products and services to the good citizens of Jefferson County. One of the most prevalent issues several of our members face is the expiration of land development entitlement approvals, primarily related to Preliminary Plans, Site Plans, etc. The expiration of plan approvals will cause dramatic financial hardship in the event of their expiration, due to the need to re-process plans, possibly causing increased costs, time, and efforts to achieve new plan approvals that will likely require significant design changes to comply with changed regulations enacted since the date of prior approvals under previous regulations. These changes can range from total development character design and layout changes caused by the adoption of the current *Subdivision Regulations* that have significantly and detrimentally changed since the time of many prior approvals, advanced environmental permitting requirements, and other State and Federal regulatory requirements. This is not to say the prior approvals are "more lax" than current regulations; one must understand current approvals fully meet the approval and permitting requirements at the time of their approval, and should be allowed to continue under prior approvals. This is a basic tenet of obtaining an entitlement for land development, and should not be minimized.

It is important to understand that although land developers, like any other businesses, strive for a profit from their efforts; however, they also routinely incur significant financial risks in their business. Therefore, an assurance for maintenance of approvals is monumentally important to assure the financial viability and success of the business, as well as provide a needed public service: that of business development and growth through land development and construction opportunities. Some comments reinforcing this importance from our members concerned about the expiration of approvals include the following anecdotes:

"...the economic conditions which gave rise to this legislation in 2010 have persisted, if not worsened, especially in Jefferson County. For example, we only sold 3 new homes in the last 5 years in our project there.

Extending the sunset date helps those who have expended thousands (if not millions in our case) of dollars to obtain entitlements, especially for all activities leading up to and including obtaining approvals for Preliminary Plats, to assure their efforts won't be "extinguished" if the date expires in 2012. The consequences of not changing the date would be to start the entitlement process all over again at great time and expense, to only achieve the same result, or worse, be subjected to more stringent and costly regulations."

And also:

"...we have been involved in real estate development for 23 years. Personally, I have been involved in development for 40 years. During that period, I have not experienced a period with such financially devastating effects on the value of real estate, nor have I seen demand for real estate fall so far for such a lengthy period. We are not yet starting a healthy real estate recovery, especially in the West Virginia panhandle!

We need assistance to extend our project approvals, and the State needs to encourage investments in real estate by professionals. Our project (in Jefferson County) has required us to invest millions of dollars to get to our current point. If we do not vest our approvals, much of this will be at risk. Whatever the State of West Virginia can do to assist will be helpful."

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*

a special exception, special use permit, conditional use permit or other agreement or zoning action be terminated or ended by a certain date or within a certain number of years.

2. 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.

(emphasis added).

Note that although both codes contain a provision "...or for a longer period as agreed to by the Planning Commission or County Commission...", under §8A-4-3, the enabling legislation clearly directs the County Commissioners as the County's "governing body" and therefore the decision-makers in this process.

Recently, several members of JCCEP were actively engaged in the attempts for passage of Senate Bill 540, which would have extended the approvals in §8A-5-12 (f) to July 1, 2015. Because the legislative session ran out of time, we now must seek relief of the current "sunset" expiration date of July 1, 2012, via the County Commissioners through a simple amendment to the current *Subdivision Regulations*, Article 20, Section 20.105 D.1 & 2 as highlighted below:

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, 201215, 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 a special exception, special use permit, conditional use permit or other agreement or zoning action be terminated or ended by a certain date or within a certain number of years.

2. 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, 201215, 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.

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 anytime if you have any questions or concerns, and we look forward to your support.

Sincerely,
JCCEP



Michael T. Wiley
President

MTW/mw/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



May 30, 2012

Patsy Noland, President
Dale Manuel, Vice President
Lyn Widmyer, Commissioner
Walt Pellish, Commissioner
Frances Morgan, Commissioner
Jefferson County Commission
P.O Box 250,
124 E. Washington Street,
Charles Town, WV 25414

Subject: Public input May 31, 2012 Public Hearing on request to amend the Subdivision Regulations by Jefferson County Citizens for Economic Preservation (JCCEP), letter dated April 12, 2012, and the request by Mike Wiley of Beallair Homes, LLC on April 26, 2012 that the County Commission amend the bonding tolling policy to allow a one time partial release of previously tolled lots.

Dear Commissioners:

We are concerned with the potential long term consequences of implementing the requested amendments and do not believe that several issues have been examined or are fully understood. We have no objection to tolling an entire subdivision where no construction or alterations to the land has taken place.

As our preamble indicates, our main objective is to *protect the interests and welfare of Jefferson County homeowners*, including those homeowners who purchased homes in these uncompleted subdivisions. The largest investment most families make is in their home. When committing to this investment, people are not only choosing a structure but also a neighborhood where their children can grow and flourish. The issue on the table is not just about bricks and mortar and roads and drainage. It's about protecting the American dream of home-ownership. That is the primary goal of the EPOHOA.

Abrogation of Contracts

We understand that covenants, contracts, or other agreements between the homeowners and developer are not reviewed by the Planning Commission, nor is the County allowed to enforce these contractual arrangements.

QUESTION: Will the County Commission or Planning Commission review the covenants, contracts, or other agreements between the homeowners and developer to determine if these actions will abrogate any part of these contracts or agreements?

QUESTION: If these actions do abrogate those contracts, does the County Commission have the authority do so?

Watershed Implementation Plan and Senate Bill 540

The requirements in section 4 of the Site Improvements Bonding & Bond Surety Policy also appear to have a direct impact in the WV Watershed Implementation Plan (WIP) and the ability for the State of WV to achieve the goals of that plan to satisfy the Chesapeake Bay Mandates regarding storm water management. The Eastern Panhandle Regional Planning & Development Council communicated with the Eastern Panhandle legislative delegates to voice their concern with Senate Bill 540. A copy of that communication is provided as enclosure 1. We believe the impact Senate Bill 540 could have on the Watershed Implementation Plan (WIP) for the Eastern Panhandle is one of the main reasons Senate Bill 540 was not approved during the last legislative session.

QUESTION: If by tolling these subdivisions, in which construction has not begun, and/or those in which the bonds have effectively been released through tolling of the bond, and if the infrastructure is not completed correctly and in accordance with the new requirements imposed by the WIP at this later date, will the citizens of Jefferson County pay a penalty in terms of storm water retrofits, additional regulatory burden or some other penalty?

QUESTION: What will the County Commission do in 2015 if the demand for the type of housing in these proposed subdivisions does not increase sufficiently enough so as to ensure profitability for these developers? Will the County continue to grant time extensions without requiring the developers to meet updated subdivision ordinances?

QUESTION: At what point does the County Commission say: maybe the market is not going to come back to previous levels? Will the current needs for more strenuous engineering standards in the county outweigh the county's ability to allow subdivisions with 1979 standards to be built?

QUESTION: To what extent will the County Commission's acquiescence to this request interfere with market forces? And what are the repercussions of doing so?

Existing Bonding Policy

It is our understanding that the County Commission would like a policy on the one time partial release of tolled lots, so that each request does not have to come before the County Commission.

QUESTION: While Mr. Wormald assured the County Commission that the desirable Beallair lots to be released are close to Phase 1 and will rely on infrastructure already constructed for Phase 1, if the County Commission develops such a policy in order to avoid the need to come before the Commission, how will the County verify that this is the case for other subdivisions without review? How will it ascertain that future subdivisions meet some acceptable standard before granting partial release?

Current policy, Jefferson County, Land Development, Site Improvements Bonding & Bond Surety Policy (Effective Date: September 2, 2010), states:

The tolling of construction shall not apply to projects where construction of the site improvements has already begun.

Referring to the word "site",

QUESTION: If this is indeed the language of the policy is the definition of SITE the entire subdivision (not phases or sub-phases)?

This request not only allows for a delay in completing the subdivision but we understand it also allows for a significant reduction in the bonding requirements.

We are also uncertain if the requirements in Section 4, Time Extensions of Construction Bonds, will be satisfied prior to the reduction of any bond. These requirements are:

- A. *All occupied dwelling units are served by a road that is totally improved with the exception of the top/finish coat of asphalt; and*
- B. *All erosion and sediment control measures are in place in accordance with the approved sediment and erosion control plan and functioning properly; and*
- C. *The stormwater management facilities are in place and functioning as either temporary sediment traps per the sediment and erosion control plan, or as permanent stormwater management basins that are protected from discharging sediment from undisturbed areas on the project site. In either case, the stormwater management facility shall itself be stabilized; and*
- D. *Existing infrastructure that has failed is satisfactorily reconstructed; or redesigned if necessary and additional surety provided; and*
- E. *Elements of the preliminary plat or site plan that are not constructed, are reviewed for compliance with the current design standards; and the preliminary plat or site plan elements not meeting current standards, at the discretion of the Chief County Engineer and where practical, are redesigned or modified to meet current standards; and*

F. The bond amount is re-evaluated to determine if the amount is still adequate;

QUESTION: If the storm water management and other infrastructure are not completed, what happens if the developer walks away since the bond would now be insufficient to cover the cost?

QUESTION: Given that the County Commission or Planning Commission voted to release the bond, is the County, the taxpayer, now responsible for financing the completion and maintenance of the subdivision? Will the few homeowners be responsible?

We suggest that any tolling of phases that have not started build-out, that are coupled to phases that have homes and other infrastructure installed should be carefully scrutinized to ensure sufficient infrastructure is in place to serve existing homeowners, and also to ensure the existing homeowners can manage and maintain the infrastructure. For example, are 40 homeowners able to bear the cost of maintenance in Beallair given the Beallair Conservancy requirements and other large infrastructure?

QUESTION: Has a Reserve Study been completed to identify any increased cost to be borne by the reduced number of homes to maintain the planned infrastructure?

Apparently, "phase" of a subdivision can be treated as an independently approved unit/lot for regulatory purposes such as Cambridge Mobile Home Park off Flowing Springs Road? For example, Cambridge Mobile Home Park developer claims that every individual trailer added is a new and separate "phase". Perhaps one reason they do this is to drag out the timeline. If they are required to complete construction within 2 years they just wait two years and then declare that "phase 12" or whatever pad for a mobile home is now complete - with whatever number of units they happen to have finished.

QUESTION: Does this type of phase qualify for tolling?

Beallair Homes, LLC requested its Phase 2 and residual parcel A to be tolled on July 21, 2011 due to the slow sales pace of Phase 1 (i.e., the sale of 28 out of 49 homes since it was recorded in 2004). Nine months later, Beallair requested partial release of lots in Phase 2, although there are still numerous available lots in Phase 1.

QUESTION: Has the housing market significantly changed since then to warrant granting this request? If the bonding policy is changed to allow one time partial release of the tolled lots, what supporting documentation will the County Commission request to ensure that the market conditions and economic feasibility of the partial lots warrant such release?

QUESTION: WV Code 36B and frequently DCCRs require the Developer to pay for lot assessments, as well as for maintenance of the roads and common areas while the HOA is under control of the Declarant. With Developers struggling financially in these tough economic markets, will the Developers continue to satisfy these financial obligations? Will the County Commission require evidence that the developer is meeting these financial obligations to the existing homeowners prior to allowing partial release of the tolled lots?

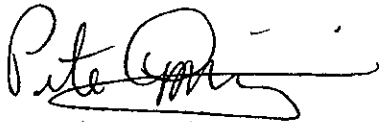
Breckenridge subdivision sub categorizes their phases. They now have "Phase II-A4" etc. This makes the issue of HOA regulation and completion of promised amenities completely irregular. Because of the irregularity of amenities, sections of Breckenridge are categorized differently in their restrictions that run with the land. This will eventually promote geographical sub-classes of one subdivision, similar to Spruce Hill and Spruce Hill North where two unique HOAs were originally intended to have been one HOA.

QUESTION: Is the county agreeing to this type of HOA separation due to tolling phases?

Because of the unfortunate economic climate over the past few years we are acutely aware of the financial hardships suffered by many local families and businesses. These conditions are beyond the control of our county government and we applaud the efforts of the commission to minimize these adverse effects on our citizens. However, the financial risks should not be transferred to the homeowners who bought in good faith or to the taxpayers.

Thank you for the opportunity for our organization to submit these questions for your consideration.

Sincerely,



Peter Appignani
President, EPOHOA

Enclosure as stated

Cc: with enclosure (via email)

Senator Herb Snyder

Senator John Unger

Delegate Eric Householder

Delegate John Doyle

Delegate Tiffany Lawrence

Carol A Goolsby,

Eastern Panhandle Regional Planning and Development Council-Region 9

EPOHOA Board of Directors

Enclosure

From: Carol (Crabtree) Goolsby
Sent: Wed 2/29/2012 12:42 PM
To: Delegate Daryl Cowles (51st) (darylcowles1@frontier.com); Delegate Eric Householder (56th); Delegate John Doyle (57th); Delegate Larry Kump (52nd); Delegate Tiffany Lawrence (58th); Delegate Walter Duke; Herb Snyder; John Overington; Jonathan Miller; Senator Clark Barnes (15th); Senator John Unger (16th); Senator Walt Helmick (15th)
Cc: Matthew Pennington
Subject: Senate Bill 540

Dear Eastern Panhandle Legislators,

Please be advised the impact Senate Bill 540 could have on the Watershed Implementation Plan (WIP) for the Eastern Panhandle and its efforts to meet the Chesapeake Bay Mandates regarding stormwater management. On February 8th of the 2012 Regular Session, Senate Bill 540 was introduced. This bill proposes extending all preliminarily approved development plans to July 1, 2015. If passed as is, this bill will grandfather approved development projects between January 2005 and July 2009, which may not conform to the MS4 permit stormwater design standards for Berkeley County and Martinsburg, as well as other communities who are currently looking at increasing their stormwater regulations to meet Chesapeake Bay mandates.

It would be difficult to implement and enforce higher regulatory standards, a strategy identified in the Developed Lands section of the Watershed Implementation Plan, in the face of additional state ordered extensions. This may jeopardize our regions current strategy to "hold the line" on new development, and could be required to perform stormwater retrofits in the future. West Virginia's Bay watershed jurisdictions are revising their current development regulations to benefit water quality and will need full support from all authorities.

Please see the attached report for additional details. Also, I am heading out of town, so please contact Matt Pennington, Region 9's Chesapeake Bay Coordinator mpennington@region9wv.com should you have any questions.

Thanks,
Carol
Carol A Goolsby
Executive Director
Eastern Panhandle Regional Planning & Development Council
400 W Stephen Street, Suite 301
Martinsburg, WV 25401
www.Region9wv.com <<http://www.region9wv.com/>>
cgoolsby@region9wv.com
[304-263-1743](tel:304-263-1743)

June 1, 2012

**TO: Patsy Noland
Dale Manuel
Frances Morgan
Walt Pellish
Lyn Widmyer
Jefferson County Commissioners**

FROM: Ellen May

CC: Jenny Brockman, Planning Department

RE: Time Extensions for Developments

I appreciate the opportunity to express my opinion in writing. I was unable to attend the public meeting last night. I would like this communication to be included in the record.

My opinion is based on my direct experience on the Jefferson County Planning Commission.

Proposed developments are reviewed and assessed by the Planning Department and the Planning Commission based on reports submitted by the developer. These reports might include, but are not limited to:

- traffic impact studies
- school & safety impact studies/statements
- water & sewer impact statements

By the time a development comes before the Planning Commission these reports might be five years old. I was not alone in thinking that this was not reasonable. Elements of our infrastructure can change significantly in one year, much less five.

I had always thought the expiration of approvals was sensible, specifically due to the above.

Now you are considering extending these even more? This could make developments approved based on data that is 15 years old. Think back on how much Jefferson County has changed in those 15 years.

You have a Planning Department and Planning Commission for a reason. They have set in motion a very thoughtful process, part of which includes expiration of approvals. Follow the policies and procedures that have been approved and put in place.

Sandy McDonald

From: Debbie Keyser [dkeyser@jeffersoncountywv.org]
Sent: Friday, June 01, 2012 11:33 AM
To: 'Sandy McDonald'
Subject: FW: Proposed Extension of Time for Developers

Please include with your package of information. Thanks!

From: Patsy Noland [mailto:pnoland@jeffersoncountywv.org]
Sent: Friday, June 01, 2012 10:21 AM
To: Pete Smith N4ZR
Cc: jbrockman@jeffersoncountywv.org; dkeyser@jeffersoncountywv.org
Subject: Re: Proposed Extension of Time for Developers

Hi, Pete!

I hope that you are well.

Thank you for submitting your suggestion and will pass it along for inclusion in the written public comments.

Best regards,
Patsy

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

From: "Pete Smith N4ZR" <n4zr@contesting.com>
Sent 5/31/2012 4:02:39 PM
To: pnoland@jeffersoncountywv.org, dmanuel@frontiernet.net, fberrymorgan@aol.com, "Walter Pellish" <walterpellish@mac.com>, lynwidmyer@gmail.com
Subject: Proposed Extension of Time for Developers

Unfortunately, I missed last evening's public meeting regarding a request by developers to extend subdivision approval from 2012 to 2015. I hope the following suggestion may still be timely.

It seems to me that a degree of sympathy is due the developers because of the extraordinary economic conditions of the last 3 years. However, I also believe that the Subdivision Regulations in their present form reflect the best available expression of the county's wishes with respect to the shape of subdivisions yet to be built. So how to resolve this. I suggest:

1. Grant the developers their extension, and waive any requirement for re-approval.
2. Require that developments begun under this extension must meet all the requirements of the Subdivision Regulations in their present form.
3. Enforce compliance with point 2 through special inspections, with all cost to be paid by the developers.

Sincerely,

Peter G. Smith
96 Willow Well Ln

Kearneysville, WV 25430
304/728-8454

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

Delivered: June 7, 2012

This comment is made on behalf of the League of Women Voters of Jefferson County.

On May 3, 2012 Jefferson County Citizens for Economic Preservation requested that the Commission revise the sunset date for extension of plan approvals from July 1, 2012 to July 1, 2015.

The matter engendered lively discussion and was then referred to the Planning Commission for discussion on May 15, 2012. The Planning Commission voted in favor of the time extension by 8-1. The County Commission then held a Public Hearing on May 31, 2012. The League commends the effort made to seek and to hear public input from the community on this topic.

The reservations expressed by several public speakers on May 31 are a cause of concern. I quote from the JCCEP letter to the Commission dated April 12, 2012 “ The expiration of plan approvals will cause dramatic financial hardship....possibly causing increased costs, time, and efforts to achieve new plan approvals that will likely require significant design changes to comply with changed regulations enacted since the date of prior approvals under previous regulations. These changes....(include) many prior approvals, advanced environmental permitting requirements and other State and Federal regulatory requirements.”

It is not clear exactly which regulations are at issue here or how extensive the revisions might need to be. However, our serious concern is that these new regulations would not be adhered to by developers under the time extension. The new storm water regulations, for example, are part of complying with the Chesapeake Bay Initiative. If the County Commission agrees to the requested extension of plan approvals, noncompliance of the developments on the “Outstanding Project” list, may transfer the financial burden of required compliance to taxpayers and to the agricultural community. As the County Commission has an obligation to continue to protect the citizens and taxpayers of Jefferson County, the consequences of grandfathering these development projects needs to be thoroughly investigated.

I am here today to explain my concerns regarding a policy allowing for a one time partial release of lots from tolled subdivisions.

I live on an unfinished street in a subdivision in Jefferson County. When I signed a contract to build, I was told they would be building out one end of the street and then other. Two months later the developer began selling the most desirable lots. 13 of the planned 26 homes on this street were constructed randomly throughout the street. So instead to having one finished section of street, we have an entire street with homes interspersed with empty, ungraded, now lots. Empty, unkempt lots next to a home decreases property values, because difficult economic times means future homes may not conform to the original plan. Typically there are construction easements (in our community, 10ft) -- that's 10ft of your property along the property line that you can't use until the adjacent home is built. So you're temporarily deprived full enjoyment of your property. You can't build that fence to keep your children or pets in the backyard. You can't plant a hedge, shrubs, or trees to define your property line or more importantly to deal with stormwater management issues from the neighboring lot. That's reasonable when it's a few months to a year, but what about when it's five or ten years. While Beallair's request for partial release of lots is, I believe, for contiguous lots off the main road, I am deeply concerned that if a policy is adopted in order to prevent each developer from having to seek approval before the County Commission, future partial releases may not as ideal as it is rare to have so many desirable lots in a row. If this policy is passed, as inconvenient as it would be for the County Commission, and as time consuming as it would be for the Engineering Department, the County Commission should review any partial lot release request to ensure continuity and completion.

A couple of years ago I would not have agreed with tolling of construction bonds at all. My anger at not getting the community and the amenities that I was promised by the developer, which were guaranteed by the County subdivision ordinances, and which I paid for in the purchase price of my home, was too fresh. I've come to accept the risk a homeowner takes with regard to amenities and additional phases of construction when purchasing a home in an incomplete subdivision. Tolling seems to me the most reasonable, albeit regrettable, course of action for all interested parties in an economy where the market has evaporated --- because the most critical factor in home property values is not the walking trails or green space, but the ability of the subdivision to financially maintain its infrastructure in both the short and long run. *It seems to me a far greater problem to put in the infrastructure and amenities if the HOA will not be able to sustain it (eg. golf course)*

A community's ability to financially maintain its infrastructure is dependent upon the developer, who creates that initial foundation for the HOA through the covenants. Theoretically, the number of homes and the annual assessments are calculated so that the association has sufficient funds to operate, but no excess funds. In fact, 36B requires excess funds be returned. When less homes than planned have been built, there are less funds for the HOA to expend on maintenance and operation. In our case, we have the infrastructure for 105 homes, but 91 that are assessed. It's a shortfall of \$4,500/year -- nearly 15% of what was planned. Imagine operating the County with a 15% shortfall in revenue each year. When a developer opens a new phase without build-out in the first phase, the additional infrastructure places a tremendous financial burden on the HOA -- burden that in the case of limited expense communities cannot be met by raising assessments. The law sets a cap on assessments for those communities.

Now typically developers do have financial obligations to the homeowners association for the empty lots. They also may be required to pay maintenance of the infrastructure until it is turned over to the HOA. But for most communities it depends upon the covenants, which stipulate if and when the developer pays. Even when Developers are required to pay, they don't always pay. Patrick Henry Estates is a good example. The likelihood that a developer will fail to meet these financial responsibilities is increased when a developer is experiencing financial difficulties.

and it's precisely because of financial difficulties that Developers choose to toll projects.

Nobody wants to push a developer into bankruptcy with onerous regulations. That's not in the best interests of the homeowners living in the subdivision. It is far better to have what's started completed. When the County adopted the Bond tolling policy, it threw a generous life line out there for Developers to use. I know everyone wants to help Beallair, because they are so committed to the County, but in this economy the reality is that the best intentions may not be enough, and this policy you will be considering today is for all developers, not just those with the best intentions and practices.

The potential consequences of this policy for homeowners and the County are tremendous. A home is most people's greatest investment, largest expenditure. So the County Commission has to make decisions that reflect the reality of our economic conditions. Can you really say with certainty that the housing market is on a strong rebound?

Dave Tabb

Good glorious morning Commissioners.

For the record Debbie Royalty from Charles Town

I am here this morning to thank you for holding the Public Hearing on May 31 regarding the request by JCCEP for an amendment to the JC Subdivision Regulations. I attended the public hearing not having any particular opinion or for that matter any specific information or knowledge on the topic. Realizing that ^{it was} ~~this is~~ an important topic I attended to learn more about the issue. I came away from the hearing certainly better informed.

After hearing the voiced reasons for and against the amendment I came away believing that the request of extension of land development entitlement approvals by JCCEP is not an unreasonable request by this lobby group for it was formed for the purpose of requesting regulations that assist their members. And I am not at all opposed to taking a look at the issue in order to provide some assistance these members.

We must however ensure that we are evaluating the request thoroughly. As I have learned in the past 18 years, and it was certainly confirmed on the 31st, the issues that come before this Commission are almost always multi-faceted, complicated and can not be a simple YES or NO. They are rarely, if ever, SIMPLE as some would believe. The issues that come before this Commission are like throwing a stone into a lake...the ripples from that stones throw are infinitely vast, and as well, so are the effects of the decisions made by this commission. I sit here across from you and realize that it is not at all easy to consider the requests that come before you. I have, however, been very encouraged that this Commission increasingly seeks the input from the public. I have been encouraged over the last 4 - 8 years regarding the work this Commission has been doing to not only seek public input, but to increase transparency and accountability both financially and regulatory.

I thank you for this opportunity to speak. Thank you for your contemplative work on this Commission and please hear and consider all the people you represent on this and all future matters and regulate mindfully.

Jefferson County Commission Hearing; 31 May 2012

My name is Peter Fricke; I am a resident of Middleway, Jefferson County.

In his letter to you dated April 12, 2012, Mr. Wiley, President, Jefferson County Citizens for Economic Preservation (JCCEP), raised three items I wish to address.

At issue is hardship to property developers and builders who own land that they cannot afford to build on:

- 1. The hardship is of those who speculated (gambled) on real estate deals. Many of these deals failed in the housing collapse of 2007-2009. The speculators sought relief from the state legislature and had their subdivision permits, preliminary plats and site plans extended from January 1, 2010 to July 1, 2012. On the basis of continuing hardship due to their failed bets, the JCCEP is asking you, the County Commission, to further extend the land speculators' subdivision permits, preliminary plats and site plans. If a developer lost a bet as a gambler at the casino or on the stock market, or was a small shopkeeper who lost his business due to the recession, he would not be here claiming hardship and asking for relief from his losses. The nature of capitalism is that failure is part of the gamble, and the role of the County Commission is not to regulate the market in land.**
- 2. The JCCEP claims it would be a hardship for property and land speculators to comply with new regulations enacted while their developments languished unsold. The developers and builders would all agree that they have to meet the requirements of the building code at the time a structure is erected. So why should outdated subdivision plans, preliminary plats and site plans not be subjected to review under the current comprehensive plan and zoning ordinances for the county? It makes sense for all parties involved that infrastructure and developments be reviewed together.**
- 3. If you should grant the extension of existing subdivision plans, preliminary plats, and site plans to 2015 as the JCCEP requested, there is the hardship of future property owners and developers who have to**

compete against those who do not have to re-apply and show that their decade old plans are still relevant to the future of Jefferson County.

The core issues in your decision are equity and fairness:

- 1. Equity because all citizens expect the County Commission to act in the best interests of the county and all its citizens. The proposal before you is inequitable because it grants rights to a certain group at the expense of others. In striking down a Tennessee law, the U.S. Court of Appeals for the 6th Circuit found that an attempt "to privilege certain businessmen over others at the expenses of consumers is not animated by a legitimate government purpose."**
- 2. Fairness is an issue. If you are going to extend help to land speculators, you should also extend help to others who through misjudgment or mistake come before you asking for relief. In this matter you have set a precedent for denying the JCCEP request. On February 7, 2012, the County Commission, acting as the BORE, ruled that the mistake of a deaf, 93-year old farmer in failing to file his farm use assessment forms on time changed the assessed value of his farm from \$250,000 to \$1.29 million for the current tax year. That precedent suggests that the County Commission will be acting arbitrarily and capriciously if you grant the request of the JCCEP.**

Thank you.

COMMENTS TO THE COUNTY COMMISSION AT A PUBLIC HEARING ON MAY 31, 2012

I am Susan Rissler-Sheely and I live in the Kabletown area at 142 Long Marsh Lane.

Thank you for the opportunity to speak this evening on this important matter.

I urge the Commission to turn down the extension requests from the coalition of county developers.

I ask the Commission to place the welfare of the whole county and its citizens ahead of the welfare of the few, that is, ahead of the welfare of a few developers who gambled big during the housing boom and lost when the bubble burst.

County developers - who overextended and gambled on a continuing housing boom—are now coming to the county commission to protect them from the consequences of their poor and greedy judgment. They want the county and its taxpayers to protect them by extending their development approvals **well** beyond the original expiration dates set by county regulations.

Approvals expire for a reason. We live in a world of expirations, time limits, and limited approvals. The expirations on the approvals provides the county an opportunity to take a fresh look at unbuilt developments in light of changes that have occurred in county planning goals, regulations, or processes.

Developers want to extend the approvals of developments that were made years ago—under county regulations and a regulatory process that were extremely favorable to them.

In the last few years—since the housing bubble burst—things have changed in the county. We have new regulations, a new staff, and a new process. All of these changes have been in the best interest of the county.

Developers desperately want to avoid having their old developments looked at under these new circumstances.

However, there are very large benefits to the **county** and **its citizens** if a fresh look is provided to the old plans.

I urge you to take advantage of the opportunity to apply new regulations, new processes, and new staff expertise to the poorly and haphazardly planned developments which were too-easily approved in the past.

The benefits to the vast majority of the county are huge. They include the creation of more sustainable communities and a more sustainable economy, the preservation of rural and agricultural landscapes, and the protection of our environmental, historic, and cultural resources.

Please do not forget the Federal regulations with mandatory compliance to protect the Chesapeake Bay. The developments as approved years ago were not subject to these Federal requirements.

In summary, I ask you to vote against the extensions requested by developers. Please do not reward the risk-taking, the overextension, the poor financial judgment of a few people at the expense of the economic and social wellbeing of thousands of county citizens.


Susan Rissler-Sheely
CC: County Commissioners

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

AGENDA REQUEST FORM

Name: Sandy Slusher McDonald, Deputy County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: June 21, 2012

Date Requested – 2nd Choice: _____

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

Subject: Approval of Resolution for the Community Participation Grant in the amount of \$2,500 for the Convention and Visitors Bureau

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **motion to approve the Resolution for the Community Participation Grant for the Convention and Visitor Bureau in the amount of \$2,500 and to authorize the President of the Commission to affix her signature the appropriate documents**

Attachments:

JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

RESOLUTION

The Jefferson County Commission met on the 21st day of June, 2012 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provisions of the Community Participation Grant Program in the amount of \$2,500. The funds from this project is for materials and installation for new flooring for the Convention and Visitors Bureau.

Dated: _____

PATRICIA A. NOLAND
PRESIDENT
JEFFERSON COUNTY COMMISSION

ATTESTED: _____
County Clerk

09LEDA0836N

PROJECT NUMBER: 09LEDA0836N \$2,500

SECTION 1. GRANTEE

Local Governing Agency (Grantee): Jefferson County Commission Project Title: Convention & Visitors' Bureau.
 Street Address: 124 E. Washington St City: Charles Town Zip: 25414
 Chief Elected Official: Katrina Roland President Email: Sandy@jeffersoncountywv.org
 Phone: (304) 728-3284 Fax: (304) 725-7916 Form Completed By: Paulette Sprinkle
 Brief Description of Project: Manuals for flooring & installation

NOTE: PHOTOGRAPHS WILL BE REQUIRED UPON COMPLETION OF THE PROJECT, PRIOR TO THE RELEASE OF GRANT FUNDS.

SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)

Are funds requested for a nonprofit organization? Yes No

Nonprofit Organization: Jefferson County CVB Executive Director: Paulette Sprinkle
 Street Address: 37 Washington Court City: Harpers Ferry State/Zip: 25425
 Phone: (304) 535-2627 Fax: (304) 535-2131 Email: execdir@wv-eastern-gateway.com
 Website: www.wv-eastern-gateway.com IRS Cert. (Ex: 501(c) 3, etc.): 501(c) 6 Yr. Cert: _____

Federal Nonprofit Certification is attached. This application **WILL NOT** be processed without Federal nonprofit status.

State Regulation Checklist for Nonprofit Organization is attached. This application **WILL NOT** be processed without this Checklist.

SECTION 3. PROJECT OWNER AND LOCATION

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

Owner of project site, property or building: Jefferson County CVB Vicinity/site plan attached? Yes No
 Location and address where grant funds will be used (sufficient to drive to site): 37 Washington Court, Harpers Ferry, WV 25425 (physical location - corner of Rt. 340 + Washington St.)
 Upon completion, what government agency will own, operate, or be responsible for the project? Jefferson County Commission

Yes No Project site(s) or building(s) are owned by a government agency. WVDO

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

SECTION 4. FUNDING SUMMARY

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

	Amount	Source Grant Program, Bank Loan, Fundraising, Fees, etc.	Status Pending, Approved, Ongoing, etc.	Documentation Letter, Resolution, etc.
a. Grant Funds Requested	\$ <u>2,500.00</u>	<u>Community Part. Grant</u>		
b. Local Funds (10% local match required)	\$ <u>750.00</u>	<u>Jeff. Co. CVB - Bank Acct.</u>		
c. Other Funds	\$ <u>5,000.00</u>	<u>Community Part. Grant</u>		
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$ <u>8,250.00</u>			

SECTION 5. CERTIFICATION OF STATE REGULATIONS

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

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

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

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

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

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

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

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

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

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

SECTION 6. ELIGIBLE PROJECTS

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

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

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

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

PROJECT DESCRIPTION

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

The Jefferson County CVB (a 501(c)(6)) is adding an addition to the Harpers Ferry Welcome Center (owned by the CVB) and located on State Highway land (the CVB has a lease).

Wanting to promote environmental responsibility, we plan to utilize bamboo floors within the addition. The flooring and installation should cost \$8,250. This particular grant with the 10%+ matches should pay for the materials.

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

See attached

Checklist for Nonprofit Organizations

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

1. Local Government Agency: Jefferson County Commission Chief Elected Official: Patricia Roland, President
 Project Title: Convention Visitor Bureau Amount of Grant: \$ 2500.00
 Form Completed By: Paulette Sprinkle Phone: (304) 535-2627 Fax: (304) 535-2131
2. Nonprofit Organization: Jefferson County CVB Executive Director: Paulette Sprinkle
 Street Address, City, Zip: 37 Wash. Ct., Harpers Ferry, WV 25425 Phone: (304) 535-2627 Fax: (304) 535-2131
- Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached.
 Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached.

CERTIFICATIONS AND ASSURANCES

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

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

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

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

Signature: Paulette Sprinkle
 Executive Director, Nonprofit Organization
ORIGINAL SIGNATURE REQUIRED

Date: 3/1/2012

SECTION 7. ASSURANCES

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

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

SECTION 8. SIGNATURE AND RESOLUTION

This application must contain the following:

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

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

Name: _____ Title: _____

Signature: _____ Date: _____

Mayor or County Commission President
ORIGINAL SIGNATURE REQUIRED

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





JOHN R. UNGER II
MAJORITY LEADER

THE SENATE OF WEST VIRGINIA
OFFICE OF THE MAJORITY LEADER
CHARLESTON 25305

ROOM 227-M, STATE CAPITOL
(304) 357-7933

November 1, 2011

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

Dear ^{Patsy} President Noland:

As your Senator from the 16th District, I am pleased to inform you that I have successfully obtained a grant on behalf of Jefferson County Convention and Visitors Bureau, in the amount of \$2,500.00 from the (2010) Community Participation Grant Program. These funds will be used for capital improvements.

Enclosed you will find the original award certificate from the West Virginia Senate to the Jefferson County Commission. You should receive an application from the state agency responsible for processing this type of grant request within the next several weeks. Please review, complete and return the application as soon as possible to avoid any delay in the receipt of your grant.

As the certificate indicates, this grant has been forwarded by the Senate for final consideration. Please be mindful that the final approval of this grant will be contingent upon your eligibility to receive grant funding and final review and approval by the Governor.

I was honored to obtain this grant for the Jefferson County Convention and Visitors Bureau and hope that these monies will be used to continue meeting the needs of those in our community. As always, I thank you for your service to our community and look forward to working with you in the future.

Sincerely,

Senator John R. Unger II
Majority Leader

JRU:tls

cc: Ms. Paulette Sprinkle
Mr. Michael Cook, Budget Analyst-West Virginia Senate

RECEIVED

NOV 1 2011

Jefferson County Commission

Senate of West Virginia Community Participation Discretionary Grant Award



THIS IS TO CERTIFY THAT A GRANT REQUEST BY SENATOR UNGER
IN THE AMOUNT OF \$2,500
HAS BEEN SUBMITTED FOR

Jefferson County Commission

Jefferson County Convention and Visitors Bureau - improvements

Roman W. Prezioso Jr., Chairman

Jeffrey V. Kessler, Acting President

Internal Revenue Service

Date: June 30, 2006

VISITORS BUREAU FOR THE PROMOTION
PO BOX 610
CHARLES TOWN WV 25414-0610

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:
Ms. Edwards 31-07427
Customer Service Representative
Toll Free Telephone Number:
877-829-5500
Federal Identification Number:
55-0681043

Dear Sir or Madam:

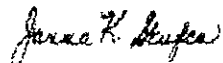
This is in response to your request of June 3, 2006 regarding your organization's tax-exempt status.

In December 1988 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(5) of the Internal Revenue Code.

Because your organization is not an organization described in section 170(c) of the Code, donors may not deduct contributions made to your organization. You should advise your contributors to that effect.

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

Sincerely,



Janna K. Skufca, Director, TE/GE
Customer Account Services



37 Washington Court, Harpers Ferry, WV 25425 • 304.535.2627 • 866.HELLO-WV • fax 304.535.2131 • www.wveasterngateway.com

To whom it may concern,

Please consider this a commitment letter for funds needed to cover our 10% match for Community Grants: Project number- 09LEDA0836N for \$2500 and Project number- 12LEDA0077 for \$5000. You will find attached a bank page for a stand-alone checking account to help cover beginning expenses for this project.

If you have any questions, please feel free to call me at 304-535-2627.

Sincerely,

Paulette Sprinkle, Executive Director
Jefferson County CVB



View Transactions for: PLAT CKG 0002

Current Balance: 7,006.68
Available Balance: 7,006.68

Transactions from 05/27/2012 to 06/11/2012

View Range: [Since Last Statement](#) | [7 Days](#) | **15 Days** | [30 Days](#) | [All](#)

Date: ▾	Ref/Check No:	Description:	Debit:	Credit:	Balance
05/31/2012		INTEREST PAID		0.59	7,006.68
Totals (this page):		Transactions: 1	Debits: 0.00	Credits: 0.59	

[Print Preview](#)



TOURISM IS NUMBER ONE IN WEST VIRGINIA AND JEFFERSON COUNTY

“Visitors traveling to and throughout West Virginia represent an extremely important component of the state's economy as well as Jefferson County’s economy. Travel originating in domestic and international markets generates valuable business sales, payroll, employment and tax receipts for both jurisdictions.”

Most of the travel that occurs in Jefferson County is for pleasure, business, shopping, to attend meetings, or for personal, or educational purposes. None of the statistics used in this plan are from commuting or other routine travel.

- Travel and Tourism generated \$4.27 billion in economic activity in West Virginia in 2010. This is the equivalent to approximately \$11.7 million dollars per day.¹ In Jefferson County Travel Spending amounted to \$769.6 million.
- Travel and Tourism was directly responsible for 44,000 jobs in West Virginia jobs with earnings of \$988 million¹ while 7,170 or 16% of this employment is found in Jefferson County.
- Travel and Tourism in West Virginia generates \$582 million in state, local and federal taxes.¹ Jefferson County contributes well over \$211 million to local and state taxes.
- In addition the major tourism attraction contributed to Jefferson County and its municipalities over and above taxes.

Mission Statement

“To increase the economic impact of tourism dollars in Jefferson County and it’s municipalities through increased awareness of tourism opportunity for both consumers and trade and to encourage the development of tourism business in the county.”

Jefferson County Convention and Visitors Bureau

11

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

AGENDA REQUEST FORM

Name: Sandy Slusher McDonald, Deputy County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: June 21, 2012

Date Requested – 2nd Choice: _____

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

Subject: Approval of Resolution for the Community Participation Grant in the amount of \$5,000 for the Harpers Ferry Welcome 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): **motion to approve the Resolution for the Community Participation Grant for the Harpers Ferry Welcome Center in the amount of \$5,000 and to authorize the President of the Commission to affix her signature the appropriate documents**

Attachments:

JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

RESOLUTION

The Jefferson County Commission met on the 21st day of June, 2012 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provisions of the Community Participation Grant Program in the amount of \$5,000. The funds from this project is for materials and installation for new flooring for the Harpers Ferry Welcome Center.

Dated: _____

PATRICIA A. NOLAND
PRESIDENT
JEFFERSON COUNTY COMMISSION

ATTESTED: _____
County Clerk

12LEDA0077

COMMUNITY PARTICIPATION GRANT PROGRAM

Deadline for Return:

WEST VIRGINIA DEVELOPMENT OFFICE

FISCAL YEAR 2012

West Virginia

GRANTEE:

Jefferson County Commission
Harpers Ferry Welcome Center

1900 Kanawha Boulevard East • Charleston, WV 25305-0311
PROJECT NUMBER: 12LEDA0077
AMOUNT: \$5,000
(304) 558-2234 • (800) 982-3386 • WVDO.org

SECTION 1. GRANTEE

Local Governing Agency (Grantee): Jefferson County Commission Project Title: HF Welcome Center
 Street Address: 124 E. Washington Street City: Charles Town Zip: 25414
 Chief Elected Official: Patricia Roland, President Email: Sandy@jeffersoncountywv.org
 Phone: (304) 728-3284 Fax: (304) 725-7914 Form Completed By: Paulette Sprinkle
 Brief Description of Project: materials for flooring & installation

SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)

Are funds requested for a nonprofit organization? Yes No
 Nonprofit Organization: Jefferson County CVB Executive Director: Paulette Sprinkle
 Street Address: 37 Washington Ct, Harpers Ferry, WV City: Harpers Ferry State/Zip: WV 25425
 Phone: (304) 535-2627 Fax: (304) 535-2131 Email: execdir@wv-easterngateway.com
 Website: www.wv-easterngateway.com IRS Cert. (Ex: 501(c) 3, etc.): 501(c) 6 Yr. Cert: _____
 Federal Nonprofit Certification is attached. This application **WILL NOT** be processed without Federal nonprofit status.
 State Regulation Checklist for Nonprofit Organization is attached. This application **WILL NOT** be processed without this Checklist.

SECTION 3. PROJECT OWNER AND LOCATION

The use of grant funds at/for private property or private gain or use is prohibited. Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.
 Owner of project site, property or building: Jefferson County CVB Vicinity/site plan attached? Yes No
 Location and address where grant funds will be used (sufficient to drive to site): 37 Washington Court, Harpers Ferry, WV, 25425 (physical location - corner of Rt. 340 and Washington St)
 Upon completion, what government agency will own, operate, or be responsible for the project? County Commission
 Yes No Project site(s) or building(s) are owned by a government agency. (WV DOT)
 Yes No Project site(s) or building(s) are owned by a nonprofit organization. (If yes, attach copy of property deed).
see copy of lease

SECTION 4. FUNDING SUMMARY

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

	Amount	Source	Status	Documentation
		Grant Program, Bank Loan, Fundraising, Fees, etc.	Pending, Approved, Ongoing, etc.	Letter, Resolution, etc.
a. Grant Funds Requested	\$5,000.00	Community Part. Grant		
b. Local Funds (10% local match required)	\$ 750.00	Jeff. Co. CVB - Bank Acct.		
c. Other Funds	\$ 2500.00	Community Part. Grant		
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$ 8250.00			

SECTION 5. CERTIFICATION OF STATE REGULATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 6. PROJECT INFORMATION:

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

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

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

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

PROJECT DESCRIPTION

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

The Jefferson County CUB (a 501(c)6) is constructing an addition to the Harpers Ferry Welcome Center which is owned by the CUB. It is located on State Highway land, which the CUB has a lease.

Wanting to promote environmental responsibility, we will use bamboo flooring in the new addition. Materials and installation should cost \$250. This particular grant will pay for installation/labor.

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

see attached

Checklist for Nonprofit Organizations

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

1. Local Government Agency: Jefferson County Commission Chief Elected Official: Patricia Adland, President
 Project Title: Harpers Ferry Welcome Center Amount of Grant: \$ 5,000
 Form Completed By: Paulette Sprinkle Phone: (304) 535-2627 Fax: (304) 535-2131
2. Nonprofit Organization: Jefferson County CVB Executive Director: Paulette Sprinkle
 Street Address, City, Zip: 37 Wash. Ct., Harpers Ferry, WV 25425 Phone: (304) 535-2627 Fax: (304) 535-2131
- Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached.
 Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached.

CERTIFICATIONS AND ASSURANCES

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

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

Signature: Paulette Sprinkle
 Executive Director, Nonprofit Organization

Date: 3/1/2012

ORIGINAL SIGNATURE REQUIRED

SECTION 7. ASSURANCES

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

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

SECTION 8. SIGNATURE AND RESOLUTION

This application must contain the following:

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

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

Name: _____ Title: _____

Signature: _____ Date: _____

Mayor or County Commission President

ORIGINAL SIGNATURE REQUIRED-USE BLUE INK

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



Senate of West Virginia
FY 2012 Community Participation Grant Program



THIS IS TO CERTIFY THAT A GRANT REQUEST BY SENATOR UNGER
IN THE AMOUNT OF \$5,000
HAS BEEN SUBMITTED FOR

Jefferson County Commission

Harper's Ferry Welcome Center to create a new environmentally green addition to center for bamboo flooring and other improvements

A handwritten signature in cursive script, reading "Roman W. Prezioso Jr.", positioned above a horizontal line.

Roman W. Prezioso Jr., Chairman

A handwritten signature in cursive script, reading "Jeffrey V. Kessler", positioned above a horizontal line.

Jeffrey V. Kessler, Acting President



THE SENATE OF WEST VIRGINIA
OFFICE OF THE MAJORITY LEADER
CHARLESTON 25305

JOHN R. UNGER II
MAJORITY LEADER

ROOM 227-M, STATE CAPITOL
(304) 357-7933

November 1, 2011

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

Dear ^{Patsy,} President Noland:

As your Senator from the 16th District, I am pleased to inform you that I have successfully obtained a grant on behalf of the Jefferson County Convention & Visitors Bureau, in the amount of \$5,000.00 from the Community Participation Grant Program. These funds will be used to create a new environmentally green addition for bamboo flooring and other improvements for the Harpers Ferry Welcome Center.

Enclosed you will find the original award certificate from the West Virginia Senate to the Jefferson County Commission. You should receive an application from the state agency responsible for processing this type of grant request within the next several weeks. Please review, complete and return the application as soon as possible to avoid any delay in the receipt of your grant.

As the certificate indicates, this grant has been forwarded by the Senate for final consideration. Please be mindful that the final approval of this grant will be contingent upon your eligibility to receive grant funding and final review and approval by the Governor.

I was honored to obtain this grant for the Jefferson County Convention & Visitors Bureau on behalf of the Harpers Ferry Welcome Center and hope that these monies will be used to continue meeting the needs of those in our community. As always, I thank you for your service to our community and look forward to working with you in the future.

Sincerely,

John R. Unger II
Senator John R. Unger II
Majority Leader

RECEIVED

NOV 1 2011

Jefferson County Commission

JRU:tls

cc:

Ms. Paulette Sprinkle- Jefferson County Convention and Visitors Bureau
Mr. Michael Cook, Budget Analyst-West Virginia Senate

Internal Revenue Service

Date: June 30, 2006

VISITORS BUREAU FOR THE PROMOTION
PO BOX 610
CHARLES TOWN WV 25414-0610

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:

Ms. Edwards 31-07427
Customer Service Representative
Toll Free Telephone Number:
877-829-5500
Federal Identification Number:
55-0681043

Dear Sir or Madam:

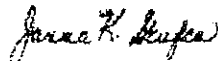
This is in response to your request of June 3, 2006 regarding your organization's tax-exempt status.

In December 1988 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(5) of the Internal Revenue Code.

Because your organization is not an organization described in section 170(c) of the Code, donors may not deduct contributions made to your organization. You should advise your contributors to that effect.

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

Sincerely,



Janna K. Skulca, Director, TE/GE
Customer Account Services



37 Washington Court, Harpers Ferry, WV 25425 • 304.535.2627 • 866.HELLO-WV • fax 304.535.2131 • www.wveasterngateway.com

To whom it may concern,

Please consider this a commitment letter for funds needed to cover our 10% match for Community Grants: Project number- 09LEDA0836N for \$2500 and Project number- 12LEDA0077 for \$5000. You will find attached a bank page for a stand-alone checking account to help cover beginning expenses for this project.

If you have any questions, please feel free to call me at 304-535-2627.

Sincerely,

Paulette Sprinkle, Executive Director
Jefferson County CVB



View Transactions for: PLAT CKG 0002

Current Balance: 7,006.68
Available Balance: 7,006.68

Transactions from 05/27/2012 to 06/11/2012

View Range: [Since Last Statement](#) | [7 Days](#) | **15 Days** | [30 Days](#) | [All](#)

Date: ▾	Ref/Check No:	Description:	Debit:	Credit:	Balance
05/31/2012		INTEREST PAID		0.59	7,006.68
Totals (this page):		Transactions: 1	Debits: 0.00	Credits: 0.59	

[Print Preview](#)



TOURISM IS NUMBER ONE IN WEST VIRGINIA AND JEFFERSON COUNTY

“Visitors traveling to and throughout West Virginia represent an extremely important component of the state's economy as well as Jefferson County’s economy. Travel originating in domestic and international markets generates valuable business sales, payroll, employment and tax receipts for both jurisdictions.”

Most of the travel that occurs in Jefferson County is for pleasure, business, shopping, to attend meetings, or for personal, or educational purposes. None of the statistics used in this plan are from commuting or other routine travel.

- Travel and Tourism generated \$4.27 billion in economic activity in West Virginia in 2010. This is the equivalent to approximately \$11.7 million dollars per day.¹ In Jefferson County Travel Spending amounted to \$769.6 million.
- Travel and Tourism was directly responsible for 44,000 jobs in West Virginia jobs with earnings of \$988 million¹ while 7,170 or 16% of this employment is found in Jefferson County.
- Travel and Tourism in West Virginia generates \$582 million in state, local and federal taxes.¹ Jefferson County contributes well over \$211 million to local and state taxes.
- In addition the major tourism attraction contributed to Jefferson County and its municipalities over and above taxes.

Mission Statement

“To increase the economic impact of tourism dollars in Jefferson County and it’s municipalities through increased awareness of tourism opportunity for both consumers and trade and to encourage the development of tourism business in the county.”

Jefferson County Convention and Visitors Bureau

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

AGENDA REQUEST FORM

Name: Sandy Slusher McDonald, Deputy County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: June 21, 2012

Date Requested – 2nd Choice: _____

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

Subject: Approval of Resolution for the Community Participation Grant in the amount of \$2,000 for the Eastern Panhandle Trailblazers

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **motion to approve the Resolution for the Community Participation Grant for the Eastern Panhandle Trailblazers in the amount of \$2,000 and to authorize the President of the Commission to affix her signature the appropriate documents**

Attachments:

JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

RESOLUTION

The Jefferson County Commission met on the 21st day of June, 2012 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provisions of the Community Participation Grant Program in the amount of \$2,000. The funds from this project is for the purchase of fabricated trail signs(mile markers and trail maps at the trail heads) for the Eastern Panhandle Trailblazers.

Dated: _____

PATRICIA A. NOLAND
PRESIDENT
JEFFERSON COUNTY COMMISSION

ATTESTED: _____
County Clerk

08LEDA0803N

COMMUNITY PARTICIPATION GRANT PROGRAM

FISCAL YEAR 2012

Deadline for Return:
JUNE 30, 2012

GRANTEE: **Jefferson County Commission** PROJECT NUMBER: **08LEDA0803N**
 PROJECT TITLE: **Eastern Panhandle Trailblazers** AMOUNT: **\$2,000**

SECTION 1. GRANTEE

Local Governing Agency (Grantee): Jefferson County Commission Project Title: Eastern Panhandle Trailblazers
 Street Address: 124 E. Washington St. City: Charles Town Zip: 25414
 Chief Elected Official: Patricia Noland, President Email: Sandy@jeffersoncountygov.org
 Phone: (304) 728-3284 Fax: (304) 725-7916 Form Completed By: Bill Yearout
 Brief Description of Project: Trail Signs

SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)

Are funds requested for a nonprofit organization? Yes No
 Nonprofit Organization: Eastern Panhandle Trailblazers Executive Director: Bill Yearout
 Street Address: 413 So. Raleigh City: Martinsburg State/Zip: WV 25401
 Phone: (304) 263 0080 Fax: (304) Email: bill@ainstitute.org
 Website: www.EPTrailblazers.org IRS Cert. 501(c)(3) Yr. Cert: 2010

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

SECTION 3. PROJECT OWNER AND LOCATION

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

Owner of project site, property or building: WV Dep't of Transportation - Division of Highways Vicinity/site plan attached? Yes No
 Location and address where grant funds will be used (sufficient to drive to site): (see attached map)

① Currie Rd trail head, Jefferson County ② Martinsburg trail head, Berkeley County

- Upon completion, what government agency will own, operate, or be responsible for the project? WVDOH - maintenance
 Yes No Project site(s) or building(s) are owned by a government agency.
 Yes No Project site(s) or building(s) are owned by a nonprofit organization. (If yes, attach copy of property deed).

SECTION 4. FUNDING SUMMARY

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

	Amount	Source Grant Program, Bank Loan, Fundraising, Fees, etc.	Status Pending, Approved, Ongoing, etc.	Documentation Letter, Resolution, etc.
a. Grant Funds Requested	\$2,000			
b. Local Funds (10% local match required)	\$ 200	Eastern Panhandle Trail Blazers	✓	✓
c. Other Funds	\$			
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$ 2,200			

SECTION 5. CERTIFICATION OF STATE REGULATIONS

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

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

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

2. **Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**

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

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

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

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

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

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

5. **Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.**

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

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

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

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

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

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

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

Checklist for Nonprofit Organizations

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

1. Local Government Agency: Jefferson County Commission Chief Elected Official: Patrius Adland, President
 Project Title: Eastern Panhandle Trailblazers Amount of Grant: \$ 2,000
 Form Completed By: Bill Yearout Phone: (304) 728-263-0089 Fax: (304) ---
2. Nonprofit Organization: Eastern Panhandle Trailblazers Executive Director: Bill Yearout
 Street Address, City, Zip: 413 South Raleigh Martinsburg WV 26401 Phone: (304) 263 0089 Fax: (304) ---
- Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached.
 Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached.

CERTIFICATIONS AND ASSURANCES

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

3. **Competitive bids are required for purchases exceeding \$2,500 in cost, as follows:**
- | | |
|--|--|
| <ul style="list-style-type: none"> ▪ \$2,500 or less ▪ \$2,500.01 to \$5,000 ▪ \$5,000.01 to \$25,000 ▪ \$25,000 or more | <ul style="list-style-type: none"> ▪ No bids required; however, competition is encouraged ▪ Three verbal bids documented on a verbal bid summary ▪ Three written bids required ▪ Class II Legal Ads required |
|--|--|
4. **Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**
 Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.
5. **State prevailing wages will be paid for all construction associated with this project, regardless of the cost.**
 West Virginia prevailing wages must be paid for all construction projects using state grant funds. All contractors must have a West Virginia contractor's license. These regulations apply to every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work. If federal funds are included, the highest rate (West Virginia or Davis-Bacon) will be paid. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
6. **The following documents will be required for the release of grant funds.**
- Copies of bids, quotes or verbal bid summary
 - Copy of legal ad, which must require prevailing wages for construction
 - Copies of certified payroll records for construction
 - Copies of invoices.
7. **Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.**
 The county or municipality must act as the administrator of grant funds for to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.
8. **State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations.**
 Funds provided to counties and municipalities for grants to nonprofit organizations are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
9. **Professional services shall be obtained through a request for proposals.**
 Architectural or engineering services shall be obtained in accordance with West Virginia Code §5G.
10. **No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.**
11. **The use of grant funds at/for private property or private gain is prohibited.**
 Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Signature: [Signature] Date: 6/12/12

Executive Director, Nonprofit Organization
ORIGINAL SIGNATURE REQUIRED

SECTION 6. PROJECT INFORMATION:

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

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

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

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

PROJECT DESCRIPTION

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

The recently opened Rte 9 highway link between Berkeley County and Jefferson County includes a bike/pedestrian trail its entire length (9 miles). Trail signage (mile makers, trail maps at the trail heads) was not part of the landscaping contract. This grant will pay for two fabricated trail signs: one will be located at the trail head parking lot in Berkeley County and one will be located in Jefferson County. The signs will provide information about the length of the trail, show its overall location, identify features along the trail and identify areas where trail users should be cautious of traffic.

The WV Division of Highways staff are preparing the maps. This grant will pay for fabrication of the trail maps on metal signs. The sign specifications are consistent with the WV Division of Highways specifications for historical signs already along the trail.

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

SECTION 7. ASSURANCES

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

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

SECTION 8. SIGNATURE AND RESOLUTION

This application must contain the following:

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

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

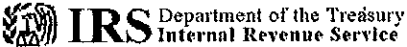
Name: _____ Title: _____

Signature: _____ Date: _____

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

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





P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248559781
Oct. 27, 2011 LTR 4168C E0
27-1401484 000000 00
00012570
BODC: TE

EASTERN PANHANDLE TRAILBLAZERS INC
% WILLIAM YEAROUT
413 S RALEIGH ST
MARTINSBURG WV 25401



015092

Employer Identification Number: 27-1401484
Person to Contact: Ms. Winkler
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Oct. 18, 2011, request for information regarding your tax-exempt status.

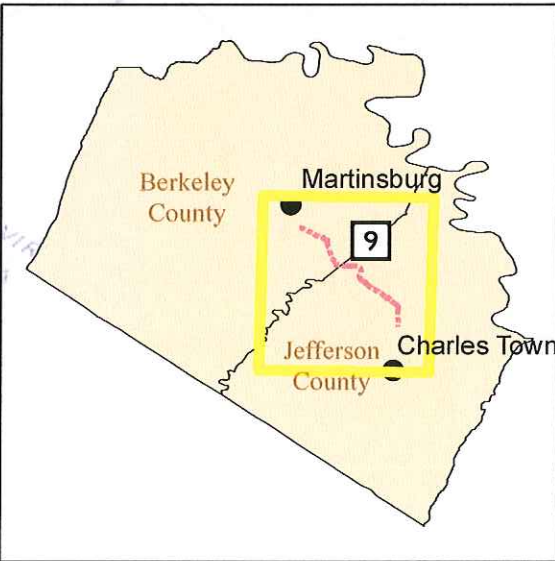
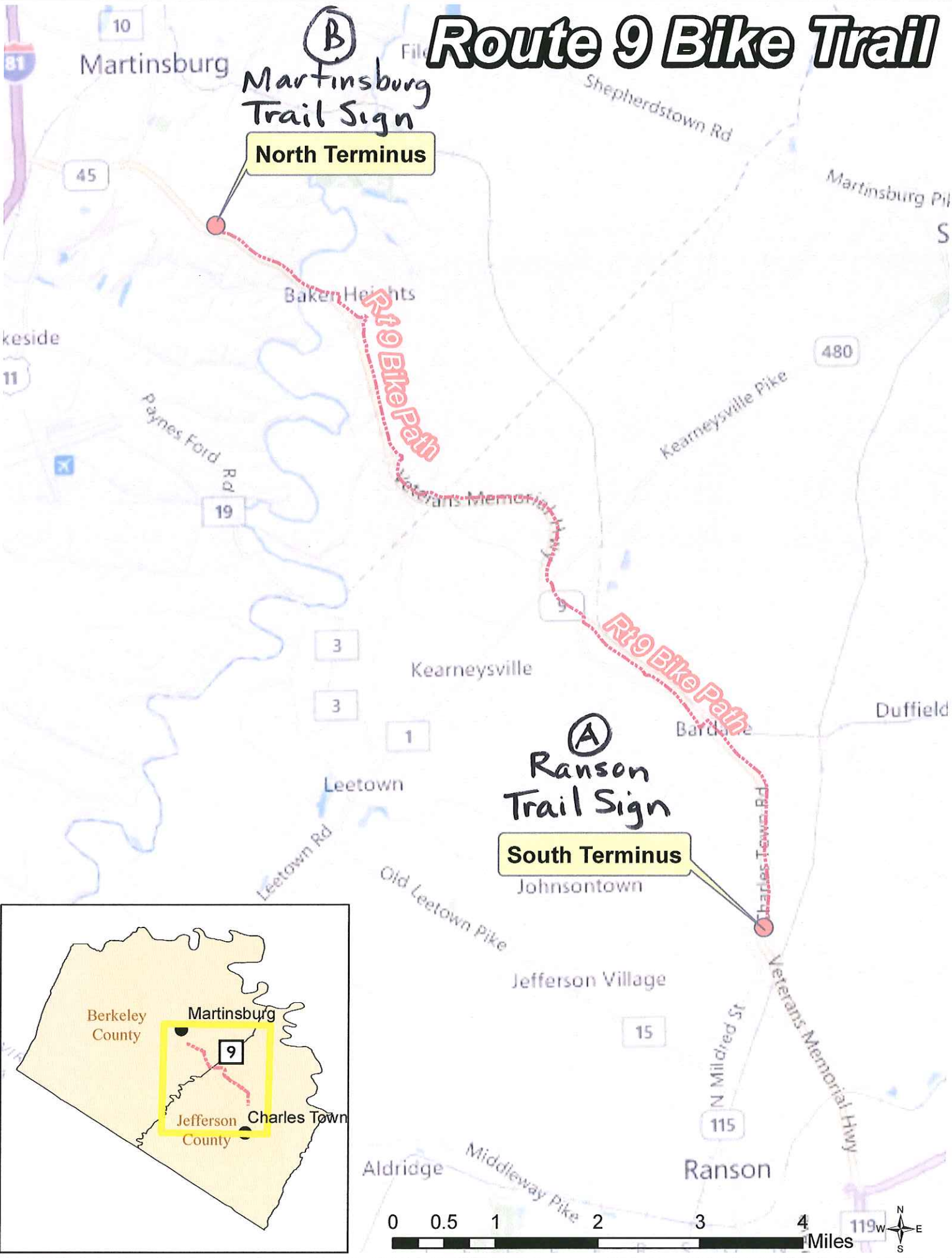
Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in July 2010.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

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

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

Route 9 Bike Trail



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

AGENDA REQUEST FORM

Name: Sandy Slusher McDonald, Deputy County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: June 21, 2012

Date Requested – 2nd Choice: _____

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

Subject: Approval of Resolution for the Community Participation Grant in the amount of \$2,000 for the Jefferson County Commission

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **motion to approve the Resolution for the Community Participation Grant for the Jefferson County Commission in the amount of \$2,000 and to authorize the President of the Commission to affix her signature the appropriate documents**

Attachments:

JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

RESOLUTION

The Jefferson County Commission met on the 21st day of June, 2012 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provisions of the Community Participation Grant Program in the amount of \$2,000. The funds from this project is for replacement of two flag poles in the courtyard of the historic Jefferson County Courthouse for the Jefferson County Commission.

Dated: _____

PATRICIA A. NOLAND
PRESIDENT
JEFFERSON COUNTY COMMISSION

ATTESTED: _____
County Clerk

12LEDA0398

COMMUNITY PARTICIPATION GRANT PROGRAM

FISCAL YEAR 2012

Deadline for Return:
JUNE 30, 2012

GRANTEE: JEFFERSON COUNTY COMMISSION
PROJECT TITLE: CAPITAL IMPROVEMENTS

PROJECT NUMBER: 12LEDA0398
AMOUNT: \$2,000.00

SECTION 1. GRANTEE

Local Governing Agency (Grantee): Jefferson County Commission Project Title: Capital Improvements
Street Address: 124 East Washington Street City: Charles Town Zip: 25414
Chief Elected Official: Patricia Noland, President Email: lkuhn@jeffersoncountywv.org
Phone: (304) 728-3355 Fax: (304) 728-3376 Form Completed By: Laura Kuhn
Brief Description of Project: Replacement of the two flag poles in the courtyard of the Historic Jefferson County Courthouse.

SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)

Are funds requested for a nonprofit organization? Yes No

Nonprofit Organization: _____ Executive Director: _____
Street Address: _____ City: _____ State/Zip: _____
Phone: (304) Fax: (304) Email: _____
Website: www IRS Cert. (Ex: 501(c) 3, etc.): _____ Yr. Cert: _____

Federal Nonprofit Certification is attached. This application **WILL NOT** be processed without Federal nonprofit status.

State Regulation Checklist for Nonprofit Organization is attached. This application **WILL NOT** be processed without this Checklist.

SECTION 3. PROJECT OWNER AND LOCATION

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

Owner of project site, property or building: Jefferson County Commission Vicinity/site plan attached? Yes No

Location and address where grant funds will be used (sufficient to drive to site): Jefferson County Courthouse,
100 East Washington Street, Charles Town, WV 25414

Upon completion, what government agency will own, operate, or be responsible for the project? Jefferson County Commission

Yes No Project site(s) or building(s) are owned by a government agency.

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

SECTION 4. FUNDING SUMMARY

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

	Amount	Source Grant Program, Bank Loan, Fundraising, Fees, etc.	Status Pending, Approved, Ongoing, etc.	Documentation Letter, Resolution, etc.
a. Grant Funds Requested	\$2,000.00	Community Participation Grant Program		
b. Local Funds (10% local match required)	\$	Jefferson County Commission		
c. Other Funds	\$			
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$			

SECTION 5. CERTIFICATION OF STATE REGULATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 6. PROJECT INFORMATION:

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

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

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

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

PROJECT DESCRIPTION

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

The County Commission of Jefferson County is in the process of completing a renovation and repair project of the Jefferson County Courthouse. The Jefferson County Courthouse is a historical building well known for the 1859 treason trial of John Brown. This renovation project will repair the 4 columns in the front of the Courthouse. The stone wall surrounding the courtyard has been repaired and the courtyard has been cleared of the Boxwoods that were causing damage to the Courthouse columns. The courtyard will be landscaped. With the Community Participation Grant Program funds, the County Commission of Jefferson County would like to replace the existing two flagpoles in the Courthouse courtyard. The replacement of these old flagpoles with new poles, will be a positive improvement to the courtyard and will be an enhancement to the work already completed on the historic Courthouse.

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

Checklist for Nonprofit Organizations

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

1. Local Government Agency: _____ Chief Elected Official: _____
 Project Title: _____ Amount of Grant: \$ _____
 Form Completed By: _____ Phone: (304) _____ Fax: (304) _____
2. Nonprofit Organization: _____ Executive Director: _____
 Street Address, City, Zip: _____ Phone: (304) _____ Fax: (304) _____
- Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached.
 Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached.

CERTIFICATIONS AND ASSURANCES

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

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

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

4. **Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**
 Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.
5. **State prevailing wages will be paid for all construction associated with this project, regardless of the cost.**
 West Virginia prevailing wages must be paid for all construction projects using state grant funds. All contractors must have a West Virginia contractor's license. These regulations apply to every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work. If federal funds are included, the highest rate (West Virginia or Davis-Bacon) will be paid. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
6. **The following documents will be required for the release of grant funds.**
- | |
|--|
| Copies of bids, quotes or verbal bid summary |
| Copy of legal ad, which must require prevailing wages for construction |
| Copies of certified payroll records for construction |
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7. **Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.**
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 Architectural or engineering services shall be obtained in accordance with West Virginia Code §5G.
10. **No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.**
11. **The use of grant funds at/for private property or private gain is prohibited.**
 Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Signature: _____ Date: _____

Executive Director, Nonprofit Organization

ORIGINAL SIGNATURE REQUIRED

SECTION 7. ASSURANCES

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

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

SECTION 8. SIGNATURE AND RESOLUTION

This application must contain the following:

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

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

Name: _____ Title: _____

Signature: _____ Date: _____

Mayor or County Commission President

ORIGINAL SIGNATURE REQUIRED-USE BLUE INK

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



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

AGENDA REQUEST FORM

Name: Sandy Slusher McDonald, Deputy County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: June 21, 2012

Date Requested – 2nd Choice: _____

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

Subject: Approval of Resolution for the Community Participation Grant in the amount of \$50,000 for the Alliance for Youth

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **motion to approve the Resolution for the Community Participation Grant for the Alliance for Youth in the amount of \$50,000 and to authorize the President of the Commission to affix her signature the appropriate documents**

Attachments:

JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

RESOLUTION

The Jefferson County Commission met on the 21st day of June, 2012 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provisions of the Community Participation Grant Program in the amount of \$50,000. The funds from this project is for the West Virginia Promise Program - The Alliance for Youth is a statewide program through Volunteer WV, Inc.

Dated: _____

PATRICIA A. NOLAND
PRESIDENT
JEFFERSON COUNTY COMMISSION

ATTESTED: _____
County Clerk

12CPGP

SECTION 1. GRANTEE

Local Governing Agency (Grantee): West Virginia's Promise-The Alliance for Youth Project Title: 5 Promises
 Street Address: 4770 Paynes Ford Road City: Kearneysville Zip: 25430
 Chief Elected Official: Governor Earl Ray Tomblin Email: Phone: 304-558-2000
 Phone: (304)661-1460 Fax: (304)728-0546 Form Completed By: Pamela Dugan

Brief Description of Project: West Virginia's Promise-The Alliance for Youth is a statewide program through Volunteer WV Inc. West Virginia's Promise mobilizes partners across the state to strengthen the capacity of local communities to develop and support young people. Vision: All young people in West Virginia are prepared for success in school, work and life. Mission: Mobilize state and local partners so every young person in West Virginia receives the Five Promises: Caring Adults, Safe Places, A Healthy Start, An Effective Education, and Opportunities to Help Others. Goals: West Virginia's Promise will mobilize communities, raise awareness and support policies that increase the support young people have in communities where they live, work and play.

NOTE: PHOTOGRAPHS WILL BE REQUIRED UPON COMPLETION OF THE PROJECT, PRIOR TO THE RELEASE OF GRANT FUNDS.

SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)

Are funds requested for a nonprofit organization? Yes No
 Nonprofit Organization: Volunteer West Virginia Inc. Executive Director: Stephanie Yu
 Street Address: 710 Central Avenue City: Charleston State/Zip: WV 25302
 Phone: (304)558-0111 Fax: (304)558-0101 Email: Moya.Doneghy@wv.gov
 Website: www.volunteerwv.org IRS Cert. (Ex: 501(c) 3, etc.): 501(c) 3 Yr. Cert: 1997

Federal Nonprofit Certification is attached. This application **WILL NOT** be processed without Federal nonprofit status.

State Regulation Checklist for Nonprofit Organization is attached. This application **WILL NOT** be processed without this Checklist.

SECTION 3. PROJECT OWNER AND LOCATION

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

Owner of project site, property or building: _____ Vicinity/site plan attached? Yes No

Location and address where grant funds will be used (sufficient to drive to site): _____

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

Yes No Project site(s) or building(s) are owned by a government agency.

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

SECTION 4. FUNDING SUMMARY

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

	Amount	Source Grant Program, Bank Loan, Fundraising, Fees, etc.	Status Pending, Approved, Ongoing, etc.	Documentation Letter, Resolution, etc.
a. Grant Funds Requested	\$ 50,000			
b. Local Funds (10% local match required)	\$			
c. Other Funds	\$			
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$ 50,000			

SECTION 5. CERTIFICATION OF STATE REGULATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 6. ELIGIBLE PROJECTS

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

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

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

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

PROJECT DESCRIPTION

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

Salary: West Virginia's Promise-The Alliance for Youth Program Director Pam Dugan weekly/monthly duties:

Since 2006 to present: Salary \$30,000 Year Paid twice month \$1,250.00 plus travel, cell and other expenses related to director duties.

- Maintains/correspondences through; phone, email, text
- Designed and monthly updates web site
- Make media contacts
- Exhibits at conferences, fairs, events
- Organizes regional forums, summits, events
- Seeks, builds and develops existing and new partnerships
- Sits on various committees; Early Childhood Advisory Council
- Travels throughout the state, giving presentations, promoting 5 Promises
- Directs statewide VISTA Project, maintains egrants reports, MOU's/Cost Shares, Concept papers, VADs, Project Plans, maintains and updates Host Site list, develops and provides trainings, certificates, business cards, reflection reports, travel reimbursement paper work, lodging arrangements, approving VISTA/Site travel reimbursement, submitting travel for reimbursement.
- Mailing/emailing information, tools and resources to communities
- Seeks funding
- Researching, writing, submitting, maintaining grants and proposals
- Maintaining Promise Places; gathering yearly reports, combining, distributing, Site visits,
- Maintaining Each One Reach One mentoring program; meetings, funding, goals, recruiting and expanding existing and new partnerships, developing summer camp agenda, certificates of appreciation to sponsors and volunteers,
- Invoices for all expenses related to WV's Promise

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

Vision: All young people in West Virginia are prepared for success in school, work and life.

Mission: Mobilize state and local partners so every young person in West Virginia receives the Five Promises: Caring Adults, Safe Places, A Healthy Start, An Effective Education, and Opportunities to Help Others.

Goals: West Virginia's Promise will mobilize communities, raise awareness and support policies that increase the support young people have in communities where they live, work and play.

www.fivepromises.wv.gov

Brochure attached

Checklist for Nonprofit Organizations

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

1. Local Government Agency: West Virginia's Promise -The Alliance for Youth Chief Elected Official: _____
 Project Title: 5 Promises Amount of Grant: \$50,000
 Form Completed By: Pamela Dugan Phone: (304)661-1460 Fax: (304)728-0546
2. Nonprofit Organization: Volunteer West Virginia Inc. Executive Director: Stephanie Yu
 Street Address, City, Zip: 710 Central Ave Charleston, WV 25302 Phone: (304)558-0111 Fax: (304)558-0101
 Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached.
 Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached.

CERTIFICATIONS AND ASSURANCES

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

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

Signature: _____ Date: 6/11/12
Executive Director, Nonprofit Organization
ORIGINAL SIGNATURE REQUIRED

SECTION 7. ASSURANCES

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

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

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

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

Name: _____ Title: _____

Signature: _____ Date: _____

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

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



WEST VIRGINIA'S PROMISE

THE ALLIANCE FOR YOUTH

What is Our Mission?

Mobilize state and local partners so every young person in West Virginia receives the Five Promises.

What is Our Vision?

All young people in West Virginia are prepared for success in school, work and life.



Caring adults who are actively involved in their lives. Every young person needs and deserves support and guidance from caring adults in their families, schools, and communities.



Safe places in which to learn and grow. All young people need to be physically and emotionally safe everywhere they are. From the actual places of families, schools, neighborhoods and communities to the virtual places of media.



A healthy start toward adulthood. Every young person needs the healthy bodies, healthy minds, and healthful habits and choices that result from regular well-child/youth health care and needed treatment, from good nutrition and exercise, and from role models of physical and psychological health.



An Effective education that builds marketable skills. Every young person needs the intellectual development, motivation, personal, social-emotional, and cultural skills for successful work and lifelong learning in a diverse nation. These result from having quality learning environments, challenging expectations, and consistent formal and informal guidance and mentoring.



Opportunities to help others. Every young person needs the chance to make a difference through having models of caring behavior, awareness of the needs of others, a sense of personal responsibility to contribute to larger society, and opportunities for volunteering, leadership and service.

The Five Promises:

- Caring Adults
- Safe Places
- A Healthy Start
- An Effective Education
- Opportunities to Help Others



Please visit our website:

www.fivepromises.wv.gov

DLN# 17053136082007

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WV COMM NATL COMMNTY SERV

304 340 3629 P.02

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

DEPARTMENT OF THE TREASURY

Date: JUL 23 1997

VOLUNTEER WEST VIRGINIA INC
ONE UNITED WAY SQ
CHARLESTON, WV 25301-1098

PO Box 6475
Charleston WV
25362

Employer Identification Number:
11-1528888

DLN:
17053136082007

Contact Person:
D. A. DOWNING

Contact Telephone Number:
(513) 241-5199

Accounting Period Ending:
December 31

Foundation Status Classification:
509(a)(1)

Advance Ruling Period Begins:
July 3, 1996

Advance Ruling Period Ends:
December 31, 2000

Addendum Applies:
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we

SEP-19-1997 14:44

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304 340 3629

P.03

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VOLUNTEER WEST VIRGINIA INC

will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

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

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of the fifth month after the end of your annual accounting period. We charge a penalty of \$10 a day when a return is filed late, unless there is reasonable

Letter 1045 (DO/CG)

Volunteer West Virginia Inc.

Mission of organization

The purpose of Volunteer West Virginia Inc. is to advance, support and identify volunteer, community service and service-learning efforts among West Virginians of all ages, income levels, abilities, and ethnic origins. It supports the West Virginia Commission for National and Community Service, a state agency, in its objectives and programs to increase community service, volunteerism and leadership in West Virginia, and to use service as a strategy to get things done and address communities' unmet needs.

Number of people served by organization annually

Volunteer West Virginia Inc. directly impacts hundreds of people each year through the annual conference on volunteerism, the Business Volunteer Council and WV Promise. Hundreds of others are impacted indirectly through WV Promise grants, the Business Volunteer Council, and the annual conference.

History of organization

Volunteer West Virginia Inc. supports several community collaborative endeavors. Its small board of directors can act quickly to address unexpected needs or unusual opportunities.

Volunteer West Virginia Inc. has a history of working with Voluntary Organizations Active in Disaster to handle and disburse funding to assist with the unmet needs of flood victims. Those accounts were handled by Volunteer West Virginia Inc. from 2001-2004 at which time the need for them ceased.

In 1997, Volunteer West Virginia Inc. was the fiscal agent for the Governor's Summit on West Virginia's Future, the beginning of West Virginia's response to America's Promise, the national movement headed by Gen. Colin Powell.

Volunteer West Virginia Inc. has sponsored the annual statewide conference on Volunteerism, National Service, and Service-Learning since 1998. More than 400 people attend this conference each year to participate in skill-building workshops, hear inspiring keynote speakers, and network with other people making a difference in their communities.

In 2005 at the request of First Lady, Gayle Manchin, Volunteer West Virginia Inc. agreed to be the fiscal agent for West Virginia's Promise, an initiative that promotes the delivery of the Five Promises of America's Promise throughout the state.

In 2007, Volunteer West Virginia Inc. became both a partner with and the fiscal agent for the Business Volunteer Council, which promotes the value of employee volunteer programs to businesses throughout the state, and promotes the benefits of volunteering to all West Virginians.

Volunteer West Virginia Inc. Board

The Volunteer West Virginia Inc. board currently has nine members. It meets three times each year to review financial statements and oversee any program activity. All Volunteer West Virginia Inc. accounts are reviewed annually by an independent CPA. The accountant produces the Financial Review for board members and completes the 990 for the IRS.

Current Board Members:

Chair: Trish Hatfield, CharacterEthics

Secretary: Paula Flaherty, Marshall University

Volunteer West Virginia, Inc.

PO Box 6475, Charleston, WV 25362

Telephone: (304) 558-0111

Documentation of Match for CPGP grant application

Acting as fiscal agent for West Virginia's Promise, Volunteer West Virginia Inc. received \$55,000 from the Five Promises Foundation in September, 2011. \$5,000 of this money will be used to match the CPGP grant of \$50,000.



15

May 31, 2012

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

Dear Commissioner Noland:

The time has come for the Jefferson County Commission to determine one individual to appoint to the Eastern Panhandle Regional Planning and Development Council - Region 9. Each appointee serves a two year term which will begin on July 1, 2012 continuing until June 30, 2014. This length of service has been changed from a one year to a two year term as approved at the March 26, 2012 Full Council Meeting.

Mr. John Reisenweber, Executive Director of the Jefferson County Economic Development Authority, currently serves as the Jefferson County appointee through June 30, 2012.

Region 9 requests a letter no later than July 1, 2012 confirming the Commission's appointment (or re-appointment of the current member) for the July 1, 2012-June 30, 2014 term. Thank you for appointing valuable and dedicated members to the Council. We look forward to a productive year.

Sincerely,

Carol A. Goolsby
Executive Director

CAG/lyg

cc: Debbie Keyser, Acting County Administrator

RECEIVED

JUN 04 2012

Jefferson County Commission

16

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Sandy Slusher McDonald, Deputy County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: June 21, 2012

Date Requested – 2nd Choice: _____

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

Subject: Approval of Resolution for the Community Participation Grant in the amount of \$5,000 for the Contemporary American Theater Festival (CATF)

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **motion to approve the Resolution for the Community Participation Grant for the Contemporary American Theater Festival (CATF) in the amount of \$5,000 and to authorize the President of the Commission to affix her signature the appropriate documents**

Attachments:

JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

RESOLUTION

The Jefferson County Commission met on the 21st day of June, 2012 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provisions of the Community Participation Grant Program in the amount of \$5,000. The funds from this project will be used to further expand the reach and visibility of the Contemporary American Theater Festival.

Dated: _____

PATRICIA A. NOLAND
PRESIDENT
JEFFERSON COUNTY COMMISSION

ATTESTED: _____
County Clerk

12CPGP



Community Participation Grant Program

Fiscal Year 2012 Application
July 1, 2011 through June 30, 2012

For Office Use
Only

Return to Kelly
Workman,
WVDO

12CPGP

SECTION 1. GRANTEE

Local Governing Agency (Grantee): Jefferson County Commission Project Title Economic Development Through the Arts

Street Address: PO Box 250 City: Charles Town, WV Zip: 25414

Chief Elected Official: Patricia Noland Email: sandy@jeffersoncountywv.org

Phone: (304) 728-3282 Fax: (304) 725-7916 Form Completed By: James McNeel

Brief Description of Project: To generate economic development in the Eastern Panhandle by maximizing theater tourist attendance in conjunction with the annual Contemporary American Theater Festival's 22nd season, held in Shepherdstown.

NOTE: PHOTOGRAPHS WILL BE REQUIRED UPON COMPLETION OF THE PROJECT, PRIOR TO THE RELEASE OF GRANT FUNDS.

SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)

Are funds requested for a nonprofit organization? Yes No

Nonprofit Organization: Contemporary American Theater Festival Executive Director: James McNeel

Street Address: PO Box 429 City: Shepherdstown State/Zip: WV 25443

Phone: (304) 876-5240 Fax: (304) 876-5443 Email: info@catf.org

Website: www.catf.org IRS Cert. (Ex: 501(c) 3, etc.): YES No Yr. Cert: 1992

Federal Nonprofit Certification is attached. This application **WILL NOT** be processed without Federal nonprofit status.

State Regulation Checklist for Nonprofit Organization is attached. This application **WILL NOT** be processed without this Checklist.

SECTION 3. PROJECT OWNER AND LOCATION

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

Owner of project site, property or building: n/a Vicinity/site plan attached? Yes No

Location and address where grant funds will be used (sufficient to drive to site): n/a

Upon completion, what government agency will own, operate, or be responsible for the project? n/a

Yes No Project site(s) or building(s) are owned by a government agency.

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

SECTION 4. FUNDING SUMMARY

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

	Amount	Source	Status	Documentation
		Grant Program, Bank Loan, Fundraising, Fees, etc.	Pending, Approved, Ongoing, etc.	Letter, Resolution, etc. Letter
a. Grant Funds Requested	\$5000.00	Senator Herb Snyder	Approved	Letter
b. Local Funds (10% local match required)	\$500	Individual donations	Approved	Letter from CAIT
c. Other Funds	\$			
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$5,500			

SECTION 5. CERTIFICATION OF STATE REGULATIONS

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

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

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

2. **Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 6. ELIGIBLE PROJECTS

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

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

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

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

PROJECT DESCRIPTION

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

Grants funds will be used to further expand the reach and visibility of the Contemporary American Theater Festival in a targeted manner that encourages and increases economic development. Each summer, over 12,000 seats are sold at the annual festival, 65% of which coming from visitors to Jefferson County from more than 50 miles away. While here, these "theater tourists" spend, on average, at least two nights in local accommodations, shop in local businesses, and eat in local restaurants. The results of which are \$2.1 million in total spending over four weeks. The proposed project will be used on marketing and promotion through out-of-state advertising, including the expansion of the organization's video and new media apparatus. Efforts will be made to reach new audiences and further inform and expand their experience while visiting in a way that ensures longer and return visits. Special focus will be made on the Baltimore/DC metropolitan area as well as nationally. This will take the form of branding, marketing, website development, media expansion, and direct advertising.

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

The Contemporary American Theater Festival is dedicated to producing and developing new American theater. Its core values are: To sustain an artistic process of innovation and daring; to tell diverse stories; and to create a profound and ever-evolving relationship between the audience and the work.



Checklist for Nonprofit Organizations

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

1. Local Government Agency: Jefferson County Commission Chief Elected Official: Senator Herb Snyder
 Project Title: Economic Development Through the Arts Amount of Grant: \$5,000
 Form Completed By: James McNeel Phone: (304) 876-5240 Fax: (304) 876-5443
2. Nonprofit Organization: Contemporary American Theater Festival Executive Director: James McNeel
 Street Address, City, Zip: PO Box 429, Shepherdstown, WV 25443 Phone: (304) 876-5240 Fax: (304) 876-5443
 Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached.
 Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached.

CERTIFICATIONS AND ASSURANCES

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

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

Signature: _____

Executive Director, Nonprofit Organization
ORIGINAL SIGNATURE REQUIRED

Date: _____

6/15/2012

SECTION 7. ASSURANCES

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

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

SECTION 8. SIGNATURE AND RESOLUTION

This application must contain the following:

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

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

Name: _____ Title: _____

Signature: _____ Date: _____

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

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



contemporaryamericantheaterfestival

AT SHEPHERD UNIVERSITY

June 15, 2012

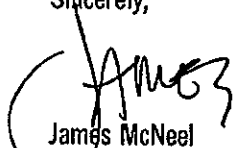
Patricia Noland
Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Re: Community Participation Grant Program

Dear Ms. Noland:

Please accept this letter as documentation that we plan to meet our required 10% match (\$500) by utilizing raised funds from individuals from our annual campaign, which is projected to be approximately \$130,000 for our current fiscal year.

Sincerely,


James McNeel
Managing Director

thinktheater

800-999-CATF CATF.ORG FACEBOOK.COM/CATFatSU PO BOX 429 SHEPHERDSTOWN, WV 25443





Department of the Treasury
Internal Revenue Service

P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248326132
Dec. 23, 2011 LTR 4168C E0
55-0711349 000000 00

00017599
BODC: TE

CONTEMPORARY AMERICAN THEATRE
FESTIVAL INC
PO BOX 429
SHEPHERDSTOWN WV 25443-0429



019837

Employer Identification Number: 55-0711349
Person to Contact: John Kennedy
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Dec. 14, 2011, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in June 1992.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

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

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

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

AGENDA REQUEST FORM

Name: Debbie Keyser, Acting County Commission

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: 6/21/12

Date Requested – 2nd Choice: _____

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

Subject: Hiring of outside Counsel, possible Executive Session §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:

MEMORANDUM

Jefferson County, West Virginia Engineering Department

TO: Jefferson County Commission
Debbie Keyser, Interim County Administrator

FROM: Roger Goodwin, P.E. *RWG*
Chief County Engineer

DATE: July 1, 2012

SUBJECT: **Engineering Department Quarterly Update Report - July 2012**

1. Projects Undertaken/Underway (in alphabetical order):

A. Bonding:

- i) Sheridan Estates Subdivision – we submitted the required paperwork to BB&T Bank requesting payment of the \$972,616.00 bond surety to the County Commission. Rebecca Burns, Bonding Administrator, received the payment on December 15, 2011, and secured the funds in an escrow account at the Bank of Charles Town. The Engineering Department met with interested investors on site in June to review the work remaining to be completed. The Sheridan HOA sent a letter dated June 6th, requesting that staff proceed with finishing the work/repairs in Phase 1. Staff will be working on carrying out the approved options for completing the site improvements in this subdivision.
- ii) Mission Ridge Subdivision – staff has met with the WVDOH on site to review what work remains to be completed at the site entrance as required under the WVDOH Highway Entrance Permit. Staff is also working with the HOA on developing an RFP to obtain a contractor to complete the remaining site improvements.
- iii) Chapel View Subdivision – working on outline of tasks necessary to bid and contract for completion of the site work for this project.
- iv) Windmill Crossing Subdivision – working to get the developer to complete the remaining site improvements, create the HOA, and transfer the common areas. The as-built plans received from W.H. Gordon Associates, Inc. indicate that the recently constructed SWM basin is not constructed according to the approved plans.

The City of Charles Town's consulting engineer also agrees with our finding and we are coordinating with the City of Charles Town, efforts to get the developer to address and correct the unsatisfactory work. We are currently in the process of reviewing a re-submission of the SWM Basin as-built plans/analysis to determine if additional work to correct problems makes it now satisfactory.

- v) Demory Farm Subdivision – working on providing the developer's engineer with a list of site improvements that remain to be completed so the developer can complete the site improvements and get the construction bond totally released.

B. Chesapeake Bay SWM Ordinance:

- i) Working with Region 9 Planning & Development Council on best way to proceed with completing the scope of work necessary to draft a new stormwater management ordinance.

C. Property Safety Ordinance:

- i) Case 11-001 (Ash/Jenkins) – New property owner was given until June 30, 2012 to demolish the dwelling/structure on the property. If the property owner fails to demolish the structure, then the investigation report will be completed and a petition/complaint filed with the County Clerk's office seeking an order from the county commission for the property owner to bring the violation into compliance. This most likely will result in a hearing before the county commission in the near future, which may eventually result in the need for the county to hire a contractor to demolish a dilapidated structure located on Mission Road.

Also processing three other complaints that are at various stages.

D. Impact Fees:

- i) The Impact Fees Program Specialist is working on putting together an office manual that outlines all the processes and information needed administer the impact fees program. The manual will be used as a guide and to cross train other employees in the department.

2. Projects Completed:

A. Westridge Hills Test Wells Project:

- i) Final report received and accepted by the County Commission on December 1, 2011. Final invoicing received from the consultant. The final cost of the project is \$110,823.90; the budget amount was \$125,000.00. Roger Goodwin, Chief County Engineer, gave a summary of the project to the JCPSD board at their December 5, 2011, meeting. The JCPSD board discussion indicated efforts will be made to get the Westridge Hills HOA to donate both the wells and the land to the JCPSD, with the intent to create an arrangement wherein Jefferson Utilities, Inc. can utilize the one well as an additional public water supply source. The report is posted on the County web page under the Engineering Department, "Studies & Reports".

B. Groundwater Budget Study:

- i) Analytical Services, Inc. completed the study and the report is posted on the County web page under the Engineering Department, "Studies & Reports".

C. Human Resources:

- i) Completed training on HR policies and completed Engineering Department employee performance reviews & goals in the month of June.

3. Projects Proposed:

- A. Get the land development standard construction details updated and put into a digital/AutoCAD format, to supplement the requirements of the Subdivision, Zoning, and Stormwater Management ordinances.
- B. Set up the Engineering Department web page with the stream monitoring information/links.

4. Items Requiring Commission Attention:

There are no items requiring immediate attention at this time.

**NOTICE OF PUBLIC HEARING
COUNTY COMMISSION OF JEFFERSON COUNTY
DRAFT AMENDMENT TO THE IMPACT FEE ORDINANCE**

The County Commission of Jefferson County will hold a public hearing concerning the Draft Impact Fee Ordinance on Thursday, June 21, 2012 at 7:00 p.m. in County Commission meeting room located at the Old Charles Town Library Meeting Room on the ground floor of the Library, 200 East Washington Street, Charles Town, WV 25414.

The purpose of this public hearing is to gather public input on the Draft Amendment to the Impact Fee Ordinance that addresses the affordable house component required to be implemented by July 1, 2012.

Review of the documents are available at the following website:
www.jeffersoncountywv.org

Anyone wishing to provide comment may do so at this meeting or by email at info@jeffersoncountywv.org.

The public is invited to attend.

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

AN ORDINANCE PROVIDING FOR THE IMPOSITION OF A PUBLIC SCHOOL IMPACT FEE ON ALL NEW RESIDENTIAL DEVELOPMENT; AND PROVIDING FOR AN EFFECTIVE DATE OF NOVEMBER 24, 2003. AMENDED June _____ 2012 with an Effective Date of July 1st, 2012

WHEREAS, pursuant to the Local Powers Act, W.Va. Code 7-20-1 et seq., counties in West Virginia have been authorized to adopt impact fees to fund capital improvements, including public primary and secondary school facilities, required to accommodate new development projects, subject to compliance with the provisions of the Local Powers Act; and

WHEREAS Jefferson County, West Virginia (the County), has satisfied all of the requirements set forth in W.Va. Code § 7-20-6 as a prerequisite to the imposition of impact fees; and

WHEREAS the Jefferson County Commission (the County Commission) retained Tischler & Associates, Inc. (the Consultants) to analyze and assess growth and development projections for the County to determine the additional demand anticipated to be placed on the County for public schools and Board of Education support buildings, vehicles and equipment; and

WHEREAS the Consultants additionally reviewed the existing demand for public schools and education related support buildings and equipment; the existing public school system available to meet that demand; and the method of financing the existing public school system; and

WHEREAS the County has adopted the methodology used by the consultant for the purpose of conducting updates to the school impact fee; and [amended by an Act of the County Commission, March 16th, 2006]

WHEREAS the County has reviewed the existing level of service standards; and [amended by an Act of the County Commission, March 16th, 2006]

WHEREAS the County has relied upon the actual costs of recent school projects for a determination of the costs of public schools and education related support buildings; and [amended by an Act of the County Commission, March 16th, 2006]

WHEREAS the public school impact fee will be imposed only on new residential development in the County; and

WHEREAS the County has reviewed and relied upon the County Comprehensive Plan which was revised in March of 2004, and the County's six-year Capital Improvements Program; and [Amended

by Act of the County Commission, effective October 20, 2005] [amended by an Act of the County Commission, March 16th, 2006]

WHEREAS the population and new residential development projections for the County indicate: (1) that the population of the County will increase from approximately 44,367 persons in the year 2002 to approximately 71,820 persons in the year 2022; and (2) that housing units will increase from approximately 18,558 in the year 2002 to approximately 27,837 in the year 2022; and

WHEREAS the types of facilities and associated costs that are included in this impact fee cover land acquisition for school buildings and education related support buildings; construction of schools and other buildings; construction of relocatable classrooms; and construction of certain indoor and outdoor equipment; and

WHEREAS the public school impact fee calculation methodology is an incremental expansion methodology, as described in the Impact Fees Report for Jefferson County, West Virginia (prepared by Tischler & Associates, Inc., June 11, 2003, and subsequently updated by the County in January of 2006) with all costs attributable 100% to residential development, and excluding non-residential development; and [amended by an Act of the County Commission, March 16th, 2006]

WHEREAS, in calculating the appropriate impact fee to be imposed on new residential development, the County assumed that the existing level of service standards would be maintained in the future ~~and that the cost of the construction of new public elementary and secondary schools to serve the demand imposed by new growth would be paid for entirely by the public school impact fees; and [amended by an Act of the County Commission, March 16th, 2006] and calculated a general credit for future property tax payments which will be used to retire the principal portion of General Obligation bonds issued in 2004 for school construction and which will be retired in the year 2020; and~~

WHEREAS the County has determined that residents are entitled to a credit of \$237 per single family home 0-1,500 square feet and under, \$337 per single family home 1,501- 2,500 square feet, \$466 per single family home 2,501-3,500 square feet, \$590 per single family home 3,501 square feet or larger, \$367 per townhouse, \$156per multi-family unit, and \$135 per mobile home for future real payments of that portion of real property taxes which pays for principal payments on public school bonds; and [amended by an Act of the County Commission, June 2, 2012]

WHEREAS the replacement cost for Board of Education ~~support buildings~~building contents is \$~~2,226.00465~~ per student, and the replacement cost of Board of Education ~~equipment-outdoor~~equipment is \$~~298.00933~~ per student; and [~~amended June 2, 2012~~]

WHEREAS the net capital cost per student for new schools, including land, ~~and facilities,~~ and equipment is \$~~19,64030,232~~ per student for elementary schools, \$~~19,42439,274~~ per student for middle schools, and \$~~46,47721,946~~ per student for high schools; and [amended by an Act of the County Commission, March 16th, 2006]

~~WHEREAS the County has determined that residents are entitled to a credit of \$214 per single family home, \$162 per townhouse, and \$120 per multi-family unit for future real payments of that portion of real property taxes which pays for principal payments on public school bonds; and [amended by an Act of the County Commission, March 16th, 2006]~~

WHEREAS the County has prepared an Impact Fees Report (~~February 7, 2006~~January 21, 2011) including the public school impact fee assumptions, population and residential development projections, capital improvements and impact fee calculations, which Report has been reviewed by County staff and officials; and [amended by an Act of the County Commission, ~~March 16th, 2006~~June 2, 2012]

WHEREAS the Impact Fees Report has been presented to and reviewed by the County Commission, which has determined: (1) that the public school impact fee is necessary to offset the costs associated with meeting the demand for future public schools and education related support buildings, pursuant to the development projections; (2) that the public school impact fee bears a reasonable relationship to the burden imposed upon the County to provide new public schools and education related support buildings to new residents, and provides a benefit to such new residents reasonably related to the public school impact fee, per dwelling unit, by type; (3) that an essential nexus exists between the projected new residential development and the need for additional public schools and education related support buildings to be funded via the public school impact fee; and (4) that the amount of the public school impact fee is roughly proportional to the pro rata share of the additional public schools and education related support buildings needed to provide adequate public schools to new residential development, while maintaining not less than the existing level of service (LOS) standard currently provided to County residents; and

WHEREAS, pursuant to W.Va. Code § 7-20-7a, a County imposing impact fees must enact an affordable housing component to the County's impact fee ordinance on or before July1, 2012, taking into account the most recent annual single dwelling residential housing index created pursuant to W.Va. Code § 11-1-2b; and

WHEREAS, pursuant to the Impact Fees Report, the average market value of a single family home 1,500 square feet or less, a townhouse, a multi-family unit, and a mobile home is less than the average market value of a single residential dwelling unit as determined by the Impact Fees Report and the Single Dwelling Residential Housing Index prepared by the West Virginia State Tax Commissioner; and

WHEREAS, the Impact Fees Report also concludes that smaller homes, townhomes, multi-family units, and mobile homes generate less students than other types of single family housing and as a result generate less demand for additional infrastructure capacity; and

WHEREAS, the County has determined that implementing of a fee schedule based upon square footage and housing type would result in a reduced or discounted fee for those housing types which fall below the average market value of all residential homes in Jefferson County and as a result comprise the supply of affordable housing in Jefferson County; and

WHEREAS the County Commission has adopted an Impact Fees Procedures Ordinance setting forth the procedures for the imposition and collection of impact fees; and

WHEREAS the County Commission has conducted a public hearing on the proposed public school impact fee; and

WHEREAS the public school impact fee adopted pursuant to this Ordinance shall be effective on November 24, 2003.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the County Commission of Jefferson County, West Virginia, that:

SECTION 1. ADOPTION OF PUBLIC SCHOOL IMPACT FEE.

(1) The applicable development/service area (the Service Area _____) for imposition of a Public School Impact Fee is the entire County, including all incorporated Municipalities.

(2) All new dwelling units in the Service Area shall be subject to the payment of a Public School Impact Fee payable at the time of issuance of a building permit by the County or a Municipality, as applicable, pursuant to this Section and the Impact Fee Procedures Ordinance, as follows:

RESIDENTIAL DEVELOPMENT	IMPACT FEE PER DWELLING UNIT
<u>Single Family Detached</u>	
<u>0-1,500 Square Feet</u>	<u>\$12,168.00</u>
<u>1,501-2,500 Square Feet</u>	<u>\$16,176.00</u>
<u>2,501-3,500 Square Feet</u>	<u>\$18,752.00</u>
<u>3,501 or more Square Feet</u>	<u>\$20,650.00</u>
<u>Duplex/Townhome</u>	<u>\$6,854.00</u>
<u>Multi-Family</u>	<u>\$4,442.00</u>
<u>Mobile Home</u>	<u>\$10,940.00</u>

[Amended by an Act of the County Commission on October 20th, 2005 and with an effective date of December 1st, 2005; Amended by an Act of the County Commission on March 16th, 2006 and with an effective date of April 1st, 2006; Amended June 2, 2012 with an effective date of July 1, 2012]

(3) On April 1, 2004, and on April 1st of each year thereafter in which the Public School Impact Fee is in effect, the amount of the development impact fee, per dwelling unit, shall be adjusted pursuant to the Annual Review process as set forth in Section 6 of the Impact Fee Procedures Ordinance.

(4) Nothing herein shall prevent the County Commission from electing to retain the existing Public School Impact Fee or from electing to waive the adjustment for any given fiscal year, or years.

SECTION 2. LIBERAL CONSTRUCTION.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of further promoting and protecting the public health, safety and welfare.

SECTION 3. SEPARABILITY.

(1) If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase or portion of this Ordinance shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of this Ordinance nor impair or nullify the remainder of this Ordinance which shall continue in full force and effect.

(2) If the application of any provision of this Ordinance to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Commissioners is that such decision shall be limited only to the specific new development expressly involved in the controversy, action or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify this Ordinance as a whole or the application of any provision of this Ordinance to any other new development.

SECTION 4. EFFECTIVE DATE; ELECTION.

(1) This Ordinance shall be effective on November 24, 2003; however, no Public School Impact Fee shall be collected by the County until the sixty-first (61st) day after the date of the adoption of this Ordinance.

(2) In the event that, within forty-five days after the effective date of this Ordinance, fifteen percent (15%) of the qualified voters of the County file with the County Commission a petition, duly signed by them in their own handwriting, the fee or levy protested may not become effective until it is ratified by a majority of the legal votes cast thereon by the qualified voters of the County at any primary, general or special election as the County Commission directs. Voting thereon may not take place until after notice of the subcommission of the fee or levy on the ballot has been given by publication of class II legal advertisement and publication area shall be the County.

The undersigned hereby certifies that this Ordinance was approved and adopted by the Jefferson County Commission on the 24th day of November, 2003. This ordinance was subsequently amended by an Act of the County Commission on October 20th, 2005 and again on March 16th, 2006, and again on June 2, 2012.

SCHOOL IMPACT FEES - DRAFT

Prepared for:

Jefferson County, West Virginia

January 21, 2011

TischlerBise
Fiscal, Economic & Planning Consultants

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EXECUTIVE SUMMARY

TischlerBise is under contract with Jefferson County to update its School Impact Fees. TischlerBise was the author of the County's 2003/2005 impact fees and has worked with the County's on impact fees since 1991. The County desires an update of its School Impact Fees to reflect the following:

1. Recent completion of Washington High School.
2. Determination of the need and calculation of credits for the bond issued to fund Washington High School.
3. Analysis of the feasibility of calculating a progressive school impact fee schedule based on housing unit size versus one fee by type of housing unit.

TischlerBise has included the new high school in the calculation of the current level-of-service (LOS). The general credit methodology has also been updated to reflect the outstanding debt service payments on the 2004 bond issue and associated bond levies.

TWO IMPACT FEE OPTIONS

The County's current School Impact Fees are assessed as a flat fee by type of housing unit. For example, a 1,500 square foot single family house pays the same School Impact Fee as a 3,500 square foot house. An emerging concept among impact fee academics and practitioners is a progressive impact fee schedule which varies by size of housing unit. Smaller housing units often have smaller household sizes and other demographics compared to larger homes. These differences have a direct relationship on the need for additional infrastructure capacity resulting in differences in impact fee amounts.

TischlerBise has designed two School Impact Fee options for the County Commission's consideration:

Option 1 – a flat fee schedule by type of housing unit similar to the County's current impact fee schedule (see Figure 1.A).

Option 2 - a progressive impact fee schedule under which the School Impact Fee for single family units vary by size (see Figure 1.B).

Note: impact fees for residential development are assessed per housing unit and collected when building permits are issued.

OPTION 1

Under this option, all single family housing units would be assessed the same impact fee amount regardless of size.

Figure 1.A: School Impact Fees – Option 1

Housing Type	Elementary	Middle	High	All Grades	Credit	TOTAL
Single Family Detached	\$5,554	\$3,210	\$5,040	\$13,805	(\$354)	\$13,451
Duplex/Townhome	\$3,326	\$1,571	\$2,324	\$7,220	(\$367)	\$6,854
Multi-family	\$2,419	\$785	\$1,394	\$4,598	(\$156)	\$4,442
Mobile Home	\$4,535	\$2,356	\$4,183	\$11,074	(\$135)	\$10,940

Pros:

- From an administrative perspective, this option is straightforward as new housing units are classified by type.
- The data, methodology, and calculations are the most clear-cut.
- Reduces opportunities to “game” the system as units are determined by type.

Cons:

- There is no variation in the fee amount to account for the different impacts of different sizes of single family units.
- No vertical equity which distributes burdens proportionately across homebuyers with different abilities to pay.

OPTION TWO

Under this option, single family detached housing units would be assessed based on the size of unit.

Figure 1.B: School Impact Fees – Option 2

Housing Type	Elementary	Middle	High	All Grades	Credit	TOTAL
Single Family Detached						
0-1,500 Square Feet	\$5,102	\$2,875	\$4,427	\$12,405	(\$237)	\$12,168
1,501-2,500 Square Feet	\$6,762	\$3,728	\$6,022	\$16,513	(\$337)	\$16,176
2,501-3,500 Square Feet	\$7,856	\$4,290	\$7,073	\$19,219	(\$466)	\$18,752
3,501 or more Square Feet	\$8,673	\$4,709	\$7,858	\$21,240	(\$590)	\$20,650
Duplex/Townhome	\$3,326	\$1,571	\$2,324	\$7,220	(\$367)	\$6,854
Multi-family	\$2,419	\$785	\$1,394	\$4,598	(\$156)	\$4,442
Mobile Home	\$4,535	\$2,356	\$4,183	\$11,074	(\$135)	\$10,940

Pros:

- A progressive fee structure as smaller units pay less and larger units pay more.
- More precise assessment of infrastructure demand using local data.
- Enhanced vertical equity which distributes burdens proportionately across homebuyers with different abilities to pay.

Cons:

- From an administrative perspective, this option is more complex as the number of square feet must be determined and verified.
- The data, methodology, and calculations are more complex.

- Increases opportunities to “game” the system by manipulating the definition and number of square feet.

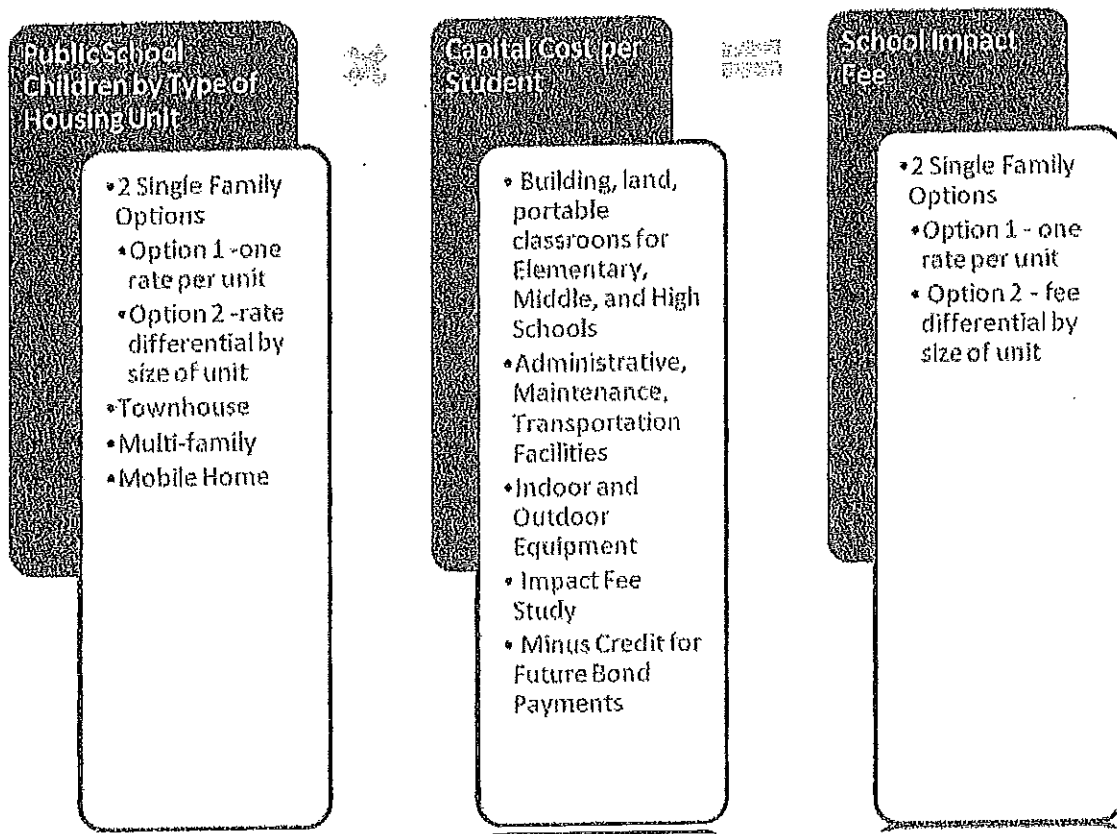
METHODOLOGY

The incremental expansion methodology is used for the calculation of the impact fee for Schools. This method documents the current levels-of-service (LOS) for each type of school facility being provided to existing development. This methodology will allow the County to provide new development the same LOS being provided to existing development. The impact fee is calculated using data from the current school year (2010-2011).

Figure 2 illustrates the formula used to derive the School Impact Fee. The impact fee includes costs for buildings, land, and portable classrooms, for elementary, middle, and high schools. In addition, costs for administrative, maintenance, and transportation buildings, indoor and outdoor equipment, and the impact fee study are also included.

To avoid potential double payment for school facilities, a credit for future bond payments on existing debt is subtracted from the capital cost per student and is reflected in the impact fees.

Figure 2 – School Impact Fee Methodology Chart



PUBLIC SCHOOL PUPIL GENERATION RATES

One of the fundamental requirements of impact fees is the concept of proportionate share. Proportionate share is the principle that impact fee amounts must correspond with the demand and cost for additional infrastructure capacity. This relationship is the critical difference which distinguishes impact fees from taxes. The County's current School Impact Fee is assessed as a flat fee by type of housing unit. Since the County's residential impact fee schedule differentiates the demand by different types of housing units (single family vs. townhouse vs. multi-family), this approach is defensible as it demonstrates the proportionate differences in demand created by these different types of residential development.

Smaller homes typically have smaller household sizes and fewer students compared to larger homes. These differences have a direct relationship on the need for additional infrastructure capacity resulting in differences in impact fee amounts. A flat impact fee schedule can have the adverse effect of smaller homes pay disproportionately larger share of costs, while larger homes disproportionately smaller shares. The result is that flat fees tend to have a regressive effect as those with lower incomes bear a larger percentage of these costs.

Progressive impact fees are designed to more accurately reflect the proportionate demand of different sizes of housing units. Under a progressive impact fee schedule, smaller houses which do not generate as much demand for additional infrastructure capacity pay a lower impact fee as larger houses which generate more demand for additional infrastructure capacity. This approach can reduce any potential regressive effects of impact fees.

STUDENT AND HOUSING DATA

A key variable in calculating School Impact Fees is the number of students generated by different types and sizes of housing unit. Data from the Schools, Assessor's Office, and GIS/Addressing were merged to form a database which contains information on number of students by grade by address, type of residential development, and square footage per unit. The creation of the database resulted in viable data for 21,613 housing units and 7,534 students. The summary of this data is shown in Figure 3.

Figure 3: Students by Grade Level by Type of Housing Unit

Type of Housing Unit	Size Thresholds (sq ft)	Number of Units*	Average Size of Unit (sf)*	Elem. School Students**	Middle School Students**	High School Students**	Total Students
Single Family	0-1,000	1,688	816	192	77	94	363
	1,001-2,000	8,582	1,469	1,292	607	788	2,687
	2,001-3,000	5,020	2,419	1,048	456	628	2,132
	3,001-4,000	1,900	3,409	535	241	299	1,075
	4,001+	903	4,730	257	98	153	508
	All Single Family	18,093	2,039	3,324	1,479	1,962	6,765
Townhouse		368	N/A	39	13	17	69
Multi-family		1,492	N/A	121	36	46	203
Mobile Home		1,660	N/A	245	105	147	497
TOTAL		21,613		3,729	1,633	2,172	7,534

* Jefferson County Assessor's Office

** Jefferson County Schools.

For each grade level, TischlerBise calculated two sets of student generation rates for single family housing units: one for all single family units regardless of size (used for Option 1) and a second by size of single family unit (used for Option 2). TischlerBise also included logarithmic trend lines and r squared values for student generation rates by size of housing unit to measure the strength of the relationship between size of housing unit and number of students. As shown in the figures below, there is a strong correlation between size of housing unit and number of students generated in Jefferson County.

Note that the analysis of students by size of housing unit is only for single family housing units. Single family housing units are the predominant type of housing unit in the County and come in a variety of sizes and forms. Townhouse, multi-family units, and mobile homes typically do not have the variety of characteristics as single family housing units. The data for townhouse, multi-family units, and mobile is used to calculate student generation rates for these types of housing units. As illustrated in the next section of the report, these types of housing units have lower student generation rates than single family housing units, thus their School Impact Fees will be lower.

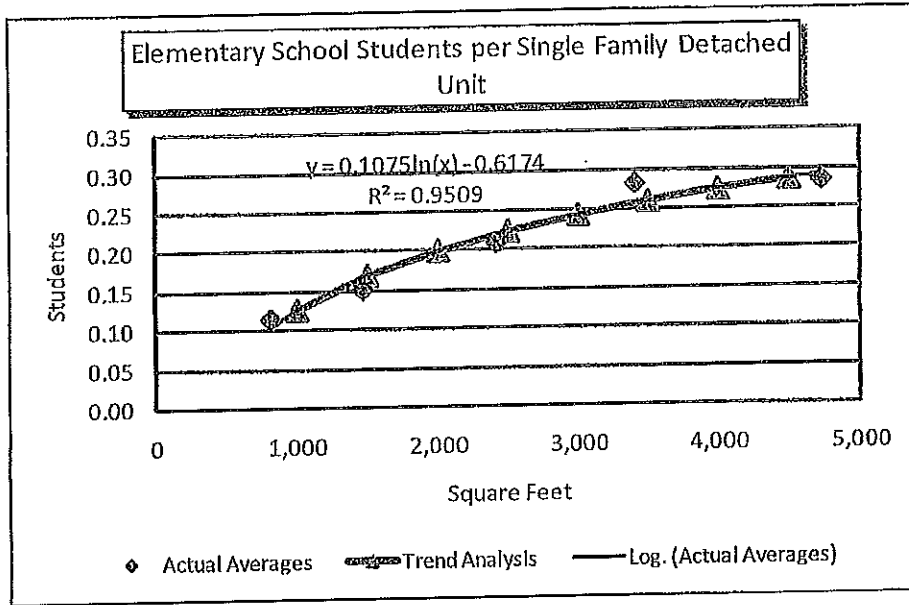
ELEMENTARY STUDENT GENERATION RATES

Data from Figure 3 is used to calculate elementary student generation rates for single family housing units. Generation rates by size of unit are calculated using 1,000 square foot intervals. A maximum threshold of 4,000 square feet is used given the small number of units of this size or larger in the County. Student generation rates by size of housing unit are shown at the top of Figure 4. The elementary student generation rate for all single family units is shown in the middle of Figure 4. The table at the bottom of Figure 4 illustrates the relationship of the number of elementary school students by size of single family housing unit including the formula for the logarithmic trend line and r^2 value. The r^2 value measures how well the trend line approximates actual data. The closer the r^2 value is to 1, the better the predictive value of the trend analysis. The r^2 value from Figure 4 is 0.9509.

Figure 4: Elementary School Student Generation Rates Trend Analysis by Size of Single Family Unit

Actual Averages		
Size Range	Square Feet*	Pupls/Unit**
0-1,000	816	0.11
1,001-2,000	1,469	0.15
2,001-3,000	2,419	0.21
3,001-4,000	3,409	0.28
4,001+	4,730	0.28

All Single Family Units 0.18



* Source: Jefferson County Assessor's Office.

** Source: Jefferson County Schools.

Data from Figure 3 is used to calculate elementary student generation rates for townhouse, multi-family, and mobile homes.

Figure 5: Elementary School Student Generation Rates for Townhouse, Multi-family, and Mobile Homes

Type of Housing Unit	Elem. School Rate
Townhouse	0.11
Multi-family	0.08
Mobile Home	0.15

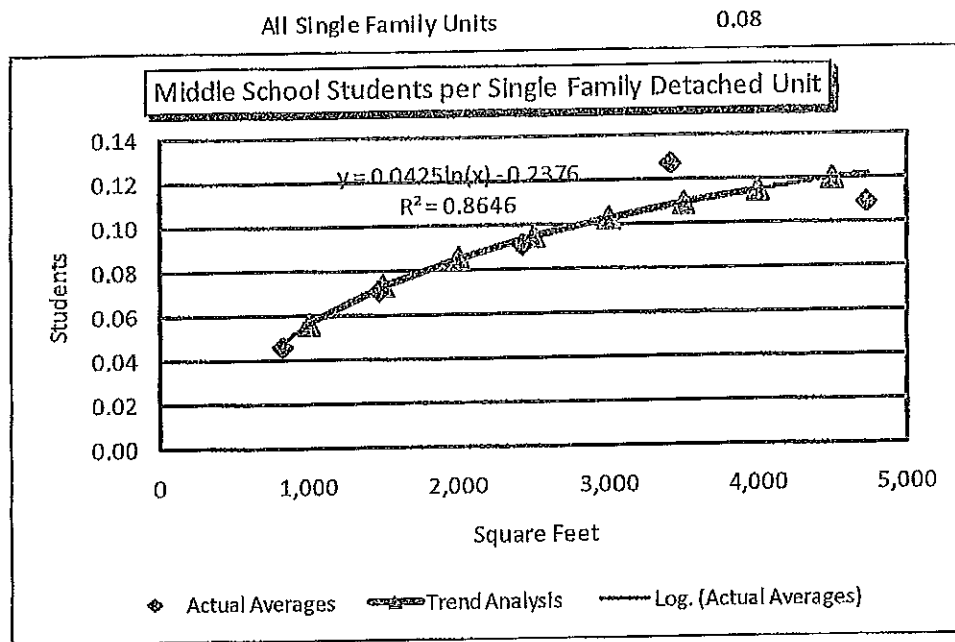
MIDDLE SCHOOL STUDENT GENERATION RATES

Data from Figure 3 is used to calculate middle school student generation rates for single family housing units. Student generation rates by size of housing unit are shown at the top of Figure 6. The middle school student generation rate for all single family units is shown in the middle of Figure 6. The table at the bottom of Figure 6 illustrates the relationship of the number of middle school students by size of

single family housing unit including the formula for the logarithmic trend line and r^2 value. The r^2 value from Figure 6 is 0.8646.

Figure 6: Middle School Student Generation Rates Trend Analysis by Size of Single Family Unit

Actual Averages		
Size Range	Square Feet*	Pupils/Unit**
0-1,000	816	0.05
1,001-2,000	1,469	0.07
2,001-3,000	2,419	0.09
3,001-4,000	3,409	0.13
4,001+	4,730	0.11



* Source: Jefferson County Assessor's Office.

** Source: Jefferson County Schools.

Data from Figure 3 is used to calculate middle school student generation rates for townhouse, multi-family, and mobile homes.

Figure 7: Middle School Student Generation Rates for Townhouse, Multi-family, and Mobile Homes

Type of Housing Unit	Middle School Rate
Townhouse	0.04
Multi-family	0.02
Mobile Home	0.06

HIGH SCHOOL STUDENT GENERATION RATES

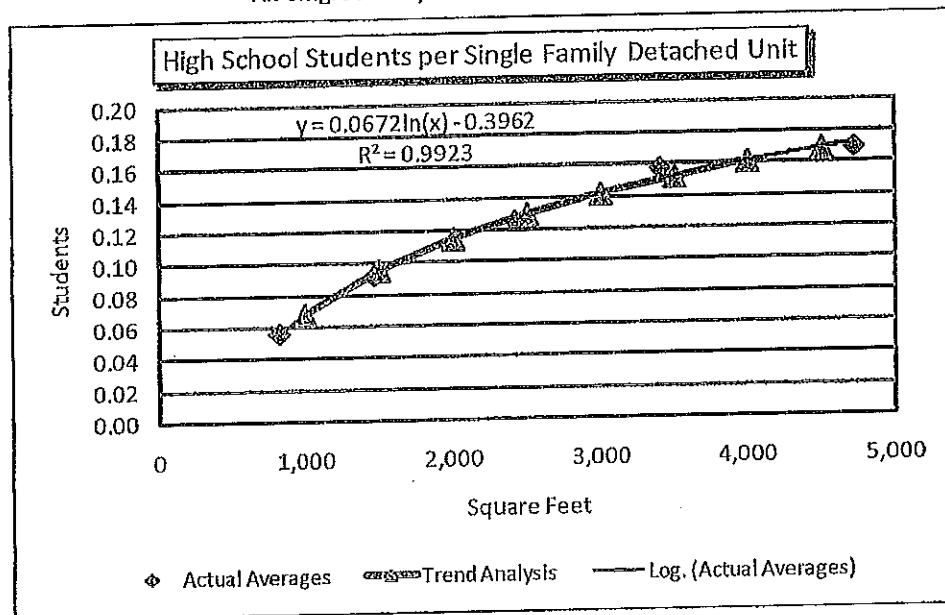
Data from Figure 3 is used to calculate high school student generation rates for single family housing units. Student generation rates by size of housing unit are shown at the top of Figure 8. The high school student generation rate for all single family units is shown in the middle of Figure 8. The table at the bottom of Figure 8 illustrates the relationship of the number of high school students by size of single family housing unit including the formula for the logarithmic trend line and r^2 value. The r^2 value from Figure 6 is 0.9923.

Figure 8: High School Student Generation Rates Trend Analysis by Size of Single Family Unit

Actual Averages		
Size Range	Square Feet*	Pupils/Unit**
0-1,000	816	0.06
1,001-2,000	1,469	0.09
2,001-3,000	2,419	0.13
3,001-4,000	3,409	0.16
4,001+	4,730	0.17

All Single Family Units

0.11



* Source: Jefferson County Assessor's Office.

** Source: Jefferson County Schools.

Data from Figure 3 is used to calculate high school student generation rates for townhouse, multi-family, and mobile homes.

Figure 9: High School Student Generation Rates for Townhouse, Multi-family, and Mobile Homes

<i>Type of Housing Unit</i>	<i>High School Rate</i>
Townhouse	0.05
Multi-family	0.03
Mobile Home	0.09

TWO OPTIONS FOR SINGLE FAMILY UNITS

TischlerBise has prepared two options for student generation rates for single family units. Option 1 includes a single student generation rate for single family units in addition to rates for townhouse, multi-family, and mobile homes. This option is similar to the structure of the County's current School Impact Fees.

Figure 10.A: Option 1 – Single Rate per Single Family Housing Unit

<i>Type of Housing Unit</i>	<i>Elem. School Rate</i>	<i>Middle School Rate</i>	<i>High School Rate</i>	<i>Total Rate</i>
Single Family	0.18	0.08	0.11	0.37
Townhouse ¹	0.11	0.04	0.05	0.19
Multi-family ²	0.08	0.02	0.03	0.14
Mobile Home	0.15	0.06	0.09	0.30

1. Includes single family attached and duplexes.
2. Includes 3 units or more.

Option 2 includes progressive student generation rates by size of single family housing units. Note the rates for townhouse, multi-family, and mobile homes are the same under both options. Based on analysis of the age of single family units and distribution of units among size categories, TischlerBise recommends the following size thresholds:

- 0 – 1,500 square feet
- 1,501 – 2,500 square feet
- 2,501 – 3,500 square feet
- 3,501 + square feet

Using the trend line formulas for each grade level from the above figures, student generation rates are calculated for these size categories. These rates are shown in the figure below.

Figure 10.B: Option 2 – Progressive Rate by Size of Single Family Housing Unit

<i>Type of Housing Unit</i>	<i>Size Thresholds (sq ft)</i>	<i>Elem. School Rate</i>	<i>Middle School Rate</i>	<i>High School Rate</i>	<i>Total Rate</i>
Single Family	0 -1,500	0.17	0.07	0.10	0.34
	1,501 - 2,500	0.22	0.09	0.13	0.45
	2,501-3,500	0.26	0.11	0.15	0.52
	3,501 +	0.29	0.12	0.17	0.58
Townhouse ¹		0.11	0.04	0.05	0.19
Multi-family ²		0.08	0.02	0.03	0.14
Mobile Home		0.15	0.06	0.09	0.30

1. Includes single family attached and duplexes.
2. Includes 3 units or more.

CAPITAL COSTS PER STUDENT

The School Impact Fee includes components for buildings, land, and portable classrooms for elementary, middle, and high schools. The fee also includes components for central facilities, indoor and outdoor equipment, and impact fee study consultant costs. This section of the report details the current LOS and cost factors which are used in the impact fee calculations.

ELEMENTARY SCHOOL

The current inventory of elementary schools in Jefferson County is shown in the figure below. The elementary schools encompass 490,843 square feet and an enrollment of 4,495 students which yields a building LOS of 109.2 square feet per student (490,843 square feet/4,495 students = 109.2 square feet per student). There are 12,000 square feet of portable classrooms at the elementary schools, or 2.7 square feet per student (12,000 square feet/4,495 students = 2.7 square feet per student). These schools occupy 179.07 acres which results in an LOS of 0.04 acres per student (179.07 acres/4,495 students = 0.04 acres per student).

Figure 11: Elementary School LOS Standards

<i>Elementary Schools</i>	Building Square Footage	Portable Square Footage	Acreage	SY10-11 Enrollment	Building SF Per Student	Portable SF Per Student	Acres Per Student
Blue Ridge	49,155	4,480	41.25	433			
C W Shipley	42,674	1,440	15.00	385			
Driswood	58,800	0	15.00	504			
North Jefferson	44,891	1,440	12.00	273			
Page Jackson	58,699	800	12.38	474			
Ranson	35,401	3,840	4.46	388			
Shepherdstown	40,179	0	7.98	482			
South Jefferson	44,573	0	15.00	528			
T A Lowery	65,594	0	52.00	582			
Wright Denny	50,877	0	4.00	446			
Totals	490,843	12,000	179.07	4,495	109.2	2.7	0.04

The costs for buildings, portable classrooms, and land for elementary schools are shown in the figure below. These costs will be multiplied by the above LOS standards to determine the elementary school cost component of the impact fee. The cost per square foot for an elementary school is from the School Building Authority of West Virginia (SBA) and does not include land, furniture, fixtures, or equipment. Jefferson County Schools, in consultation with Williamson Shriver, Inc., provided cost factors for portable classrooms and land.

Figure 12: Elementary School Capital Costs

Construction Cost per Square Foot*	\$230
Land Cost per Acre**	\$41,000
Portable Classroom Cost per Square Foot**	\$60

* School Building Authority of West Virginia. Does not include land, furniture, fixtures, or equipment.
 ** Jefferson County Schools staff in consultation with Williamson Shriver, Inc.

MIDDLE SCHOOLS

Figure 13 lists the current inventory middle schools in Jefferson County. The schools total 273,576 square feet and an enrollment of 1,827 students which yields a building LOS of 146.1 square feet per student (273,576 square feet/1,827 students = 146.1 square feet per student). There are 10,240 square feet of portable classrooms at the middle schools, or 5.5 square feet per student (10,240 square feet/1,827 students = 5.5 square feet per student). These schools occupy 61.63 acres which results in an LOS of 0.03 acres per student (61.63 acres/1,827 students = 0.03 acres per student).

Figure 13: Middle School LOS Standards

<i>Middle Schools</i>	Building Square Footage	Portable Square Footage	Acreage	SY10-11 Enrollment	Building SF Per Student	Portable SF Per Student	Acres Per Student
Charles Town	82,231	0	13.53	592			
Harpers Ferry	48,970	7,360	10.00	395			
Shepherdstown	53,375	2,880	8.80	308			
Wildwood	89,000	0	29.30	577			
Totals	273,576	10,240	61.63	1,872	146.1	5.5	0.03

The costs for buildings, portable classrooms, and land for elementary schools are shown in the figure below. These costs will be multiplied by the above LOS standards to determine the middle school cost component of the impact fee. The cost-per square foot for a middle school is from the School Building Authority of West Virginia (SBA) and does not include land, furniture, fixtures, or equipment. Jefferson County Schools, in consultation with Williamson Shriver, Inc., provided cost factors for portable classrooms and land.

Figure 14: Middle School Capital Costs

Construction Cost per Square Foot*	\$237
Land Cost per Acre**	\$30,000
Portable Classroom Cost per Square Foot**	\$60

* School Building Authority of West Virginia. Does not include land, furniture, fixtures, or equipment.
 ** Jefferson County Schools staff in consultation with Williamson Shriver, Inc.

HIGH SCHOOLS

The current inventory of high schools in Jefferson County is shown in the figure below. The high schools encompass 424,116 square feet and an enrollment of 2,477 students which yields a building LOS of 171.2 square feet per student (424,116 square feet/2,477 students = 171.2 square feet per student). There are 2,880 square feet of portable classrooms at the high schools, or 1.2 square feet per student (2,880 square feet/2,477 students = 1.2 square feet per student). These schools occupy 122.00 acres which results in an LOS of 0.05 acres per student (122.00 acres/2,477 students = 0.05 acres per student).

Figure 15: High School LOS Standards

<i>High Schools</i>	Building Square Footage	Portable Square Footage	Acreage	SY10-11 Enrollment	Building SF Per Student	Portable SF Per Student	Acres Per Student
Jefferson	211,000	2,880	64.00	1,367			
Washington	209,000	0	57.00	1,110			
Alternative Learning Center	4,116	0	1.00	0			
Totals	424,116	2,880	122.00	2,477	171.2	1.2	0.05

The costs for buildings, portable classrooms, and land for high schools are shown in the figure below. These costs will be multiplied by the above LOS standards to determine the high school cost component of the impact fee. The cost per square foot for a high school is from the School Building Authority of West Virginia (SBA) and does not include land, furniture, fixtures, or equipment. Jefferson County Schools, in consultation with Williamson Shriver, Inc., provided cost factors for portable classrooms and land.

Figure 16: High School Capital Costs

Construction Cost per Square Foot*	\$243
Land Cost per Acre**	\$30,000
Portable Classroom Cost per Square Foot**	\$60

* School Building Authority of West Virginia. Does not include land, furniture, fixtures, or equipment.

** Jefferson County Schools staff in consultation with Williamson Shriver, Inc.

ADMINISTRATION, MAINTENANCE, TRANSPORTATION FACILITIES

Figure 17 lists the inventory of existing facilities for administration, maintenance, and transportation. Jefferson County has 17,870 square feet of office facilities and a total enrollment of 8,844 students which yields a building LOS of 2.02 square feet per student (17,870 square feet/8,844 students = 2.02 per student).

Figure 17: Administration, Maintenance, Transportation Office LOS Standards

	Building Square Footage	SY10-11 Enrollment	Building SF Per Student
Board of Education Building	16,620		
Maintenance/Transportation Depts - Office	1,250		
Total	17,870	8,844	2.02

Figure 18 lists the inventory of existing shop facilities for maintenance, and transportation. Jefferson County has 10,300 square feet of shop facilities and a total enrollment of 8,844 students which yields a building LOS of 1.16 square feet per student (10,300 square feet/8,844 students = 1.16 per student).

Figure 18: Maintenance, Transportation Shop LOS Standards

	Building Square Footage	SY10-11 Enrollment	Building SF Per Student
Maintenance/Transportation Depts - Shop	10,300	8,844	1.16

The costs for these facilities are shown in Figure 19. These costs will be multiplied by the above LOS standards to determine the administration, maintenance, and transportation facilities component of the impact fee. The cost per square foot for office space is \$226 per square foot while the cost per square foot for shop space is \$217 per square foot. Jefferson County Schools, in consultation with Williamson Shriver, Inc., provided cost factors for portable classrooms and land.

Figure 19: Administration, Maintenance, Transportation Facility Capital Costs

Office Construction Cost per Square Foot*	\$226
Shop Construction Cost per Square Foot*	\$217

* Jefferson County Schools staff in consultation with Williamson Shriver, Inc.

INDOOR AND OUTDOOR EQUIPMENT

Based on the School's insurance records, Jefferson County Public Schools currently have \$19,684,102 of building contents and \$2,634,500 of outdoor equipment for the total enrollment of 8,844 students. This results in a capital cost of \$2,226 per student for indoor equipment and \$298 per student for outdoor equipment.

Figure 20: Indoor and Outdoor Equipment Capital Costs

<i>Equipment</i>	Insurance* Value	SY10-11 Enrollment	Cost per Student
Building Contents	\$19,684,102	8,844	\$2,226
Outdoor Equipment	\$2,634,500	8,844	\$298

* Jefferson County Schools Insurance records.

IMPACT FEE CONSULTANT STUDY COST

The cost of preparing the School Impact Fee is also included in the fee calculations. The County's current School Impact Fee also includes this component. This cost (\$26,200) is allocated to the projected increase in students over the next five years. On average, the County updates its impact fee methodologies and components every five years. This results in a consultant fee cost per demand unit of \$90.23 per student ($\$26,200 / 290 \text{ students} = \$90.23 \text{ per student}$).

GENERAL CREDITS

Credits must be evaluated to avoid potential double payment situations arising from the payment of a one-time impact fee plus payment of other taxes that may also fund growth-related capital improvements. The School Impact Fee methodology includes general credits for future property tax payments which will be used to retire the principal portion of General Obligation bonds issued in 2004 for school construction. These bonds will be retired in 2020.

The Jefferson County Assessor's Office provided the average market values and assessment rates shown in Figure 21. Due to the difficulty of projecting future market values and assessment and tax rates, TischlerBise recommends against including an inflation factor. For property tax purposes, West Virginia has several classes of property, each with a different levy. In the calculation of impact fee credits, single family, townhouses, and mobile homes are treated as Class II property. Multi-family units are assumed to be rental and thus Class III property. The FY2010-11 tax rates for retiring the principal portion of the 2004 bond issue are shown below.

Figure 21: General Credits Factors

Type of Housing Unit	Average Market Value*
Single Family Detached	
0-1,500 Square Feet	\$144,568.33
1,501-2,500 Square Feet	\$205,686.70
2,501-3,500 Square Feet	\$284,899.68
3,501 or more Square Feet	\$360,547.71
Single Family Detached (all units)	\$216,197.54
Duplex/Townhome	\$224,049.21
Multi-family	\$46,294.13
Mobile Home	\$82,155.20
Bond Levy	
Assessment Rate*	60%
Levy rate for bond purposes**	
Class II	0.000334
Class III	0.000688
Class IV	0.000688

* Jefferson County Assessor's Office.
 ** Jefferson County Schools.

The future stream of property tax revenues is projected over the remaining years of the 2004 bond and then discounted at a rate of 3.85% which is the weighted annual interest rate of the remaining bond payments. Figures 22.A and 22.B detail the calculation of the credits under the two pupil generation rate options.

Figure 22.A: General Credits under Option 1

<i>School Year</i>	<i>All Single Family</i>	<i>Duplex/Townhouse</i>	<i>Multi-family</i>	<i>Mobile Home</i>
2010-2011	\$43.33	\$44.90	\$19.11	\$16.46
2011-2012	\$43.33	\$44.90	\$19.11	\$16.46
2012-2013	\$43.33	\$44.90	\$19.11	\$16.46
2013-2014	\$43.33	\$44.90	\$19.11	\$16.46
2014-2015	\$43.33	\$44.90	\$19.11	\$16.46
2015-2016	\$43.33	\$44.90	\$19.11	\$16.46
2016-2017	\$43.33	\$44.90	\$19.11	\$16.46
2017-2018	\$43.33	\$44.90	\$19.11	\$16.46
2018-2019	\$43.33	\$44.90	\$19.11	\$16.46
2019-2020	\$43.33	\$44.90	\$19.11	\$16.46
Total	\$433.26	\$448.99	\$191.10	\$164.64
Discount Rate*	3.85%	3.85%	3.85%	3.85%
Net Present Value	\$353.98	\$366.84	\$156.13	\$134.51

* TischlerBise analysis of weighted average annual interest rates on remaining debt service.

Figure 22.B: General Credits under Option 2

<i>School Year</i>	<i>Single Family</i>				<i>Duplex/Townhouse</i>	<i>Multi-family</i>	<i>Mobile Home</i>
	<i>0-1,500 sf</i>	<i>1,501-2,500 sf</i>	<i>2,501-3,500 sf</i>	<i>3,501 + sf</i>			
2010-2011	\$28.97	\$41.22	\$57.09	\$72.25	\$44.90	\$19.11	\$16.46
2011-2012	\$28.97	\$41.22	\$57.09	\$72.25	\$44.90	\$19.11	\$16.46
2012-2013	\$28.97	\$41.22	\$57.09	\$72.25	\$44.90	\$19.11	\$16.46
2013-2014	\$28.97	\$41.22	\$57.09	\$72.25	\$44.90	\$19.11	\$16.46
2014-2015	\$28.97	\$41.22	\$57.09	\$72.25	\$44.90	\$19.11	\$16.46
2015-2016	\$28.97	\$41.22	\$57.09	\$72.25	\$44.90	\$19.11	\$16.46
2016-2017	\$28.97	\$41.22	\$57.09	\$72.25	\$44.90	\$19.11	\$16.46
2017-2018	\$28.97	\$41.22	\$57.09	\$72.25	\$44.90	\$19.11	\$16.46
2018-2019	\$28.97	\$41.22	\$57.09	\$72.25	\$44.90	\$19.11	\$16.46
2019-2020	\$28.97	\$41.22	\$57.09	\$72.25	\$44.90	\$19.11	\$16.46
Total	\$289.71	\$412.20	\$570.94	\$722.54	\$448.99	\$191.10	\$164.64
Discount Rate*	3.85%	3.85%	3.85%	3.85%	3.85%	3.85%	3.85%
Net Present Value	\$236.70	\$336.77	\$466.47	\$590.33	\$366.84	\$156.13	\$134.51

* TischlerBise analysis of weighted average annual interest rates on remaining debt service.

IMPACT FEES

Figures 23.A and 23.B summarize the variables for Option 1 and 2 that are used to calculate the School Impact Fee.

Figure 23.A: Option 1 School Impact Fee Variables

Students per Housing Unit

Type	Elementary	Middle	High
Single Family Detached	0.18	0.08	0.11
Duplex/Townhome	0.11	0.04	0.05
Multi-family	0.08	0.02	0.03
Mobile Home	0.15	0.06	0.09

Level of Service Standards

Component	Elementary	Middle	High
School square footage per student	109.2	146.1	171.2
Capital Cost per Square Foot	\$230.00	\$237.00	\$243.00
Cost per Student	\$25,115.44	\$34,635.42	\$41,606.86
Acreage per Student	0.04	0.03	0.05
Capital Cost per Acre	\$41,000.00	\$30,000.00	\$30,000.00
Cost per Student	\$1,633.34	\$987.66	\$1,477.59
Portable room square footage per student	2.7	5.5	1.2
Capital cost per square foot	\$60.00	\$60.00	\$60.00
Cost per Student	\$160.18	\$328.21	\$69.76
Admin Office Cost square footage per student	2.0	2.0	2.0
Capital cost per square foot	\$226.00	\$226.00	\$226.00
Cost per Student	\$456.65	\$456.65	\$456.65
Admin Shop Cost square footage per student	1.2	1.2	1.2
Capital cost per square foot	\$217.00	\$217.00	\$217.00
Cost per Student	\$252.73	\$252.73	\$252.73
Indoor Equipment cost per student	\$2,225.70	\$2,225.70	\$2,225.70
Outdoor Equipment cost per student	\$297.89	\$297.89	\$297.89
Cost per Student	\$2,523.59	\$2,523.59	\$2,523.59
Consultant Fee Cost per Student	\$90.23	\$90.23	\$90.23
Total Capital Cost per Student	\$30,232.15	\$39,274.48	\$46,477.41

Figure 23.B: Option 2 School Impact Fee Variables

Students per Housing Unit

Type	Elementary	Middle	High
Single Family Detached			
0-1,500 Square Feet	0.17	0.07	0.10
1,501-2,500 Square Feet	0.22	0.09	0.13
2,501-3,500 Square Feet	0.26	0.11	0.15
3,501 or more Square Feet	0.29	0.12	0.17
Duplex/Townhome	0.11	0.04	0.05
Multi-family	0.08	0.02	0.03
Mobile Home	0.15	0.06	0.09

Level of Service Standards

Component	Elementary	Middle	High
School square footage per student	109.2	146.1	171.2
Capital Cost per Square Foot	\$230.00	\$237.00	\$243.00
Cost per Student	\$25,115.44	\$34,635.42	\$41,606.86
Acreage per Student	0.04	0.03	0.05
Capital Cost per Acre	\$41,000.00	\$30,000.00	\$30,000.00
Cost per Student	\$1,633.34	\$987.66	\$1,477.59
Portable room square footage per student	2.7	5.5	1.2
Capital cost per square foot	\$60.00	\$60.00	\$60.00
Cost per Student	\$160.18	\$328.21	\$69.76
Admin Office Cost square footage per student	2.0	2.0	2.0
Capital cost per square foot	\$226.00	\$226.00	\$226.00
Cost per Student	\$456.65	\$456.65	\$456.65
Admin Shop Cost square footage per student	1.2	1.2	1.2
Capital cost per square foot	\$217.00	\$217.00	\$217.00
Cost per Student	\$252.73	\$252.73	\$252.73
Indoor Equipment cost per student	\$2,225.70	\$2,225.70	\$2,225.70
Outdoor Equipment cost per student	\$297.89	\$297.89	\$297.89
Cost per Student	\$2,523.59	\$2,523.59	\$2,523.59
Consultant Fee Cost per Student	\$90.23	\$90.23	\$90.23
Total Capital Cost per Student	\$30,232.15	\$39,274.48	\$46,477.41

The number of students per housing unit for each grade level is multiplied by the corresponding cost per student for that grade level. This is repeated for all three grade levels. The three cost factors are then added together. The general credit is then deducted from this amount, resulting in the School Impact Fee. This calculation is performed for each type of housing unit.

Figure 24 illustrates this calculation using single family detached under Option 1 as an example.

Figure 24: Example Impact Fee Calculation

	<i>Students per Housing Unit</i>	<i>Total Capital Cost per Student</i>	=	
Elementary	0.18 x	\$30,232.15	=	\$5,554
Middle	0.08 x	\$39,274.48	=	\$3,210
High	0.11 x	\$46,477.41	=	\$5,040
Subtotal				\$13,805
Minus General Credit				(\$354)
IMPACT FEE				\$13,451

Figures 25.A and 25.B list the School Impact Fee amounts for Options 1 and 2.

Figure 25.A: Option 1 School Impact Fees

<i>Housing Type</i>	<i>Elementary</i>	<i>Middle</i>	<i>High</i>	<i>All Grades</i>	<i>Credit</i>	<i>TOTAL</i>
Single Family Detached	\$5,554	\$3,210	\$5,040	\$13,805	(\$354)	\$13,451
Duplex/Townhome	\$3,326	\$1,571	\$2,324	\$7,220	(\$367)	\$6,854
Multi-family	\$2,419	\$785	\$1,394	\$4,598	(\$156)	\$4,442
Mobile Home	\$4,535	\$2,356	\$4,183	\$11,074	(\$135)	\$10,940

Figure 25.B: Option 2 School Impact Fees

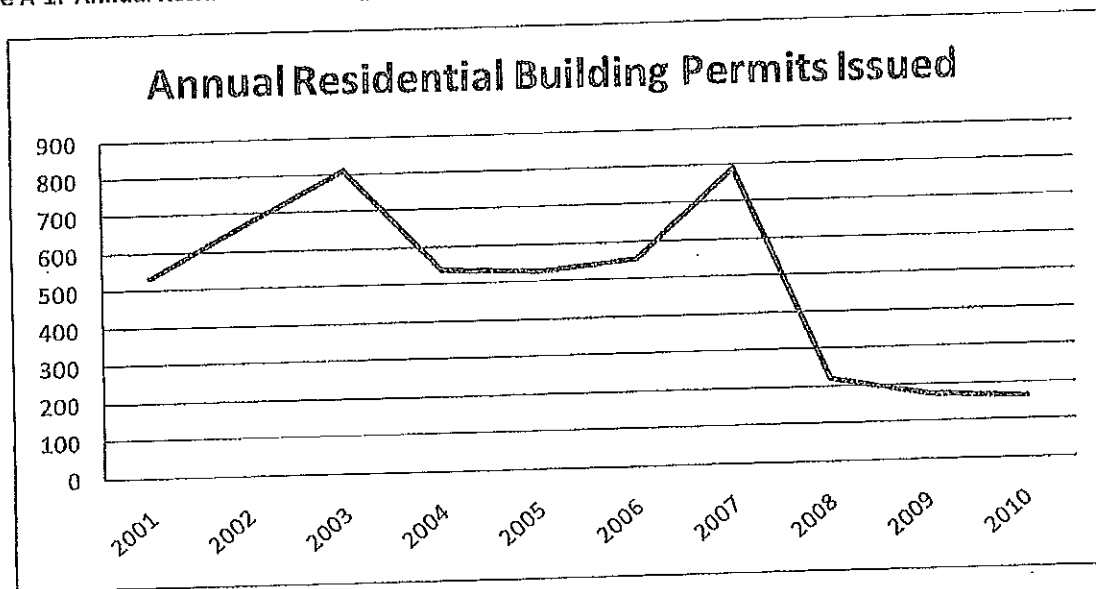
<i>Housing Type</i>	<i>Elementary</i>	<i>Middle</i>	<i>High</i>	<i>All Grades</i>	<i>Credit</i>	<i>TOTAL</i>
Single Family Detached						
0-1,500 Square Feet	\$5,102	\$2,875	\$4,427	\$12,405	(\$237)	\$12,168
1,501-2,500 Square Feet	\$6,762	\$3,728	\$6,022	\$16,513	(\$337)	\$16,176
2,501-3,500 Square Feet	\$7,856	\$4,290	\$7,073	\$19,219	(\$466)	\$18,752
3,501 or more Square Feet	\$8,673	\$4,709	\$7,858	\$21,240	(\$590)	\$20,650
Duplex/Townhome	\$3,326	\$1,571	\$2,324	\$7,220	(\$367)	\$6,854
Multi-family	\$2,419	\$785	\$1,394	\$4,598	(\$156)	\$4,442
Mobile Home	\$4,535	\$2,356	\$4,183	\$11,074	(\$135)	\$10,940

APPENDIX A – DEVELOPMENT PROJECTIONS

TischlerBise has prepared development projections for the purpose of having an understanding of the possible future pace of capacity need, capital expenditures, and impact fee revenues.

Based on data from the U.S. Census Bureau's *Manufacturing, Mining, and Construction Statistics*, Jefferson County has issued 4,988 residential building permits over the last ten years. However, the pace at which these permits have been issued has fluctuated dramatically from year to year. This is especially the case during the economic recession of the last several years. Figure A-1 illustrates these recent trends.

Figure A-1: Annual Residential Building Permits Issued 2001-2010



Given the depths of the recent economic recession and uncertain recovery period, TischlerBise recommends using a conservative growth projection. The County has averaged 186 residential building permits the last three years, of which 75% were for single family housing units with the remaining 25% being for multi-family units. TischlerBise recommends using these figures for short-term residential development projections.

Figure A-2: Residential Development Projection Assumptions

Average Annual Permits, Last 3 Years*	186
Single Family *	75.0%
Multi-family*	25.0%
Single Family	139
Multi-family	46
TOTAL	186

* U.S. Census Bureau, *Manufacturing, Mining, and Construction Statistics*.

Applying the student generation rates to these assumption, results in an additional 58 students per year from new residential development. Figure A-3 projects an additional 928 housing units and 290 students over the next five years.

Figure A-3: Residential Development and Student Projections 2011-2016

		2011	2012	2013	2014	2015	TOTAL
Projected Housing Units		186	186	186	186	186	928
	<u>Distribution</u>						
Single Family	75%	139	139	139	139	139	696
Multi-family	25%	46	46	46	46	46	232
<i>Elementary School Students</i>	<u>Pupil Gen. Rate</u>						
Single Family	0.18	26	26	26	26	26	128
Multi-family	0.08	4	4	4	4	4	19
Subtotal		29	29	29	29	29	146
<i>Middle School Students</i>	<u>Pupil Gen. Rate</u>						
Single Family	0.08	11	11	11	11	11	57
Multi-family	0.02	1	1	1	1	1	5
Subtotal		12	12	12	12	12	62
<i>High School Students</i>	<u>Pupil Gen. Rate</u>						
Single Family	0.11	15	15	15	15	15	75
Multi-family	0.03	1	1	1	1	1	7
Subtotal		16	16	16	16	16	82
TOTAL STUDENTS		58	58	58	58	58	290

APPENDIX B - CASH FLOW ANALYSIS

Based on the development projections, LOS, and cost factors, the County could collect a total of \$10.4 million of School Impact Fee over the next five years. Over the same time period, new development will require \$10.7 million of capital expenditures in order to maintain the current LOS being provided to existing development. The small annual and cumulative deficits shown at the bottom of Figure B-1 are the result of the general credit for future debt service payments.

Figure B-1: Projected Five Year Cash Flow Analysis for School Impact Fees

		2011	2012	2013	2014	2015	TOTAL
<i>Projected Housing Units</i>							
Single Family		139	139	139	139	139	696
Multi-family		46	46	46	46	46	232
<i>Impact Fee Revenues</i>							
	<u>Impact Fee</u>						
Single Family	\$13,451	\$1,872,087	\$1,872,087	\$1,872,087	\$1,872,087	\$1,872,087	\$9,360,433
Multi-family	\$4,442	\$206,093	\$206,093	\$206,093	\$206,093	\$206,093	\$1,030,467
TOTAL		\$2,078,180	\$2,078,180	\$2,078,180	\$2,078,180	\$2,078,180	\$10,390,900
<i>Projected Students</i>							
Elementary		29	29	29	29	29	146
Middle		12	12	12	12	12	62
High		16	16	16	16	16	82
<i>Projected Capital Expenditures</i>							
	<u>Cost per Student</u>						
Elementary	\$30,232.15	\$885,247	\$885,247	\$885,247	\$885,247	\$885,247	\$4,426,236
Middle	\$39,274.48	\$483,280	\$483,280	\$483,280	\$483,280	\$483,280	\$2,416,402
High	\$46,477.41	\$766,164	\$766,164	\$766,164	\$766,164	\$766,164	\$3,830,821
TOTAL		\$2,134,692	\$2,134,692	\$2,134,692	\$2,134,692	\$2,134,692	\$10,673,459
Annual Surplus/(Deficit)		(\$56,512)	(\$56,512)	(\$56,512)	(\$56,512)	(\$56,512)	
Cumulative Surplus/(Deficit)		(\$56,512)	(\$113,024)	(\$169,535)	(\$226,047)	(\$282,559)	

Note: because the School Impact Fees are calculated using the incremental expansion methodology based on the current inventory of facilities and enrollment, there will be no effect on the amount of the impact fees should these projections change. To the extent these projections change, the amount of impact fee revenues collected and resulting capital needs will change in a corresponding manner. For example, if development occurs at a more rapid pace than projected, additional impact fee revenues will be collected but additional capital expenditures will be needed to meet the demand of new development.

West's Annotated Code of West Virginia
Chapter 7. County Commissions and Officers
Article 20. Fees and Expenditures for County Development

W. Va. Code, § 7-20-7a

§ 7-20-7a. Impact fees for affordable housing

Currentness

(a) The Legislature finds that:

(1) There is a lack of affordable housing in counties that impose impact fees because the cost of the fees along with the economic conditions in those counties has resulted in low and moderate income persons, persons on fixed incomes, the elderly and persons with special needs, not being able to obtain safe, decent and affordable housing;

(2) A lack of affordable housing affects the ability of a community to develop and maintain strong and stable economies, and impairs the health, stability and self-esteem of individuals and families; and

(3) Financing affordable housing particularly in high growth counties is becoming increasingly difficult.

For these reasons, it is in the public interest to encourage counties that have imposed impact fees and those considering the imposition of impact fees to fairly assess and discount impact fees so as not to limit safe, decent and affordable housing.

(b) On or before July 1, 2012, a county imposing impact fees shall enact an affordable housing component with a discount impact fees schedule, based upon the new homes value compared to the most recent annual single dwelling residential housing index created in section two-b, article one, chapter eleven of this code, to the county's impact fees ordinance. The impact fees schedule shall be updated annually to reflect the changes to the single dwelling residential housing index.

(c) The affordable housing component shall:

(1) Take into account all the different types of housing, including single family detached, single family attached, duplex, town house, apartment, condominium and manufactured home; and

(2) Include a discount for mobile homes, as defined in section one, article one, chapter seventeen-a of this code, based upon the value set out in the National Automobile Dealers Association book.

(d) The county commission shall annually approve, by a majority vote, any increase or decrease in the impact fees schedule.

Credits

Acts 2011, c. 33, eff. June 10, 2011.

Current with laws of the 2012 Regular Session and the 2012 First Extraordinary Session effective through March 16, 2012

End of Document

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IMPACT FEES

AFFORDABLE HOUSING COMPONENT

STATUTORY REQUIREMENTS

- 1) The affordable housing component must include a discounted impact fees schedule, based upon the new home's value compared to the most recent annual single dwelling residential housing index created by the State Tax Commissioner.

STATUTORY REQUIREMENTS

- 3) Include a discount for mobile homes as defined in W.Va. Code § 17A-1-1 based upon the values set out in the National Automobile Dealers Associations Handbook.

STATUTORY PROBLEMS

Obstacle 1

The first obstacle is the requirement that we implement a discounted fee schedule based upon the new home's value as compared to the average selling prices of homes within the county.

STATUTORY PROBLEMS

Obstacle 1

Additionally, the Commission would have to hire more staff to track the actual selling price to determine if the structure was eligible for an affordable housing discount.

STATUTORY PROBLEMS

Obstacle 2

It is unlikely that any mobile home constructed prior to 1974 would be moving into the county as a new dwelling and be required to pay an impact fee. As such, this requirement is useless as means of providing affordable housing.

STATUTORY PROBLEMS

Obstacle 3

- Other sections of the Local Powers Act recognize that the Commission is responsible for accounting for any discount provided. W. Va. Code § 7-20-7.
- When the Legislature added the affordable housing section, it did not address any funding deficits caused by the required discounted schedule, creating a conflict between the two sections.

SOLUTIONS

Obstacle 1 and Statutory Requirement 1

To address the requirement of the housing index, language was added to the local ordinance to indicate that smaller homes, townhomes, apartments, and manufactured homes are more affordable and cost less than the average selling price of a home in Jefferson County according to the Tischler Bise Study and the Index prepared by the Tax Commissioner.

AVERAGE SELLING PRICE BY HOUSING TYPE

Type of Housing Unit	Average Market Value*
Single Family Detached	
0-1,500 Square Feet	\$144,568.33
1,501-2,500 Square Feet	\$205,686.70
2,501-3,500 Square Feet	\$284,899.68
3,501 or more Square Feet	\$360,547.71
Single Family Detached (all units)	\$216,197.54
Duplex/Townhome	\$224,049.21
Multi-family	\$46,294.13
Mobile Home	\$82,155.20

SOLUTIONS

Tiered Approach

- The most recent Tischler Bise study indicates that larger housing and single family detached homes contribute more students and as such, have more of an impact on the school system
- This finding reflects a change from prior studies
- This finding also allows the Commission to implement a progressive fee schedule based upon square footage, resulting in a lower fee for smaller homes

SOLUTIONS

Obstacle 1 and Statutory Requirement 2

Adopting the tiered approach also satisfies the second statutory requirement that the fee schedule take into account different types of housing.

SOLUTIONS

Obstacle 3

Using a tiered approach would also avoid any deficit in funding for which the Commission would be required to account because the fees for smaller homes are based upon the impact the home has on the local school system.

SOLUTIONS

Alternate Tiered Approach

	CURRENT TOTAL		PROPOSED OPTIONS	: School Impact fees
	Total	Schools	TischlerBise	1/28/11 option
S-F	\$ 13,070.00	\$ 11,358.00		
0-1500 sf			\$ 12,168.00	\$ 7,680.00
1501-2500			\$ 16,176.00	\$ 10,013.00
2501-3500			\$ 18,752.00	\$ 11,868.00
3500+			\$ 20,650.00	\$ 13,274.00
TH/Duplex	\$ 9,868.00	\$ 8,560.00	\$ 6,854.00	\$ 4,106.00
Multi-F	\$ 7,594.00	\$ 6,306.00	\$ 4,442.00	\$ 2,528.00
Mobile		NA	\$ 10,940.00	\$ 6,753.00

SOLUTIONS

Alternate Tiered Approach

- If the County adopts the alternate approach, it would maintain the level of service that was in existence at the time the fees were implemented, resulting in a funding deficit if the County wishes to maintain the current level of service.
- The Commission would not be required to account for this deficit because all fee payers would be treated equally.

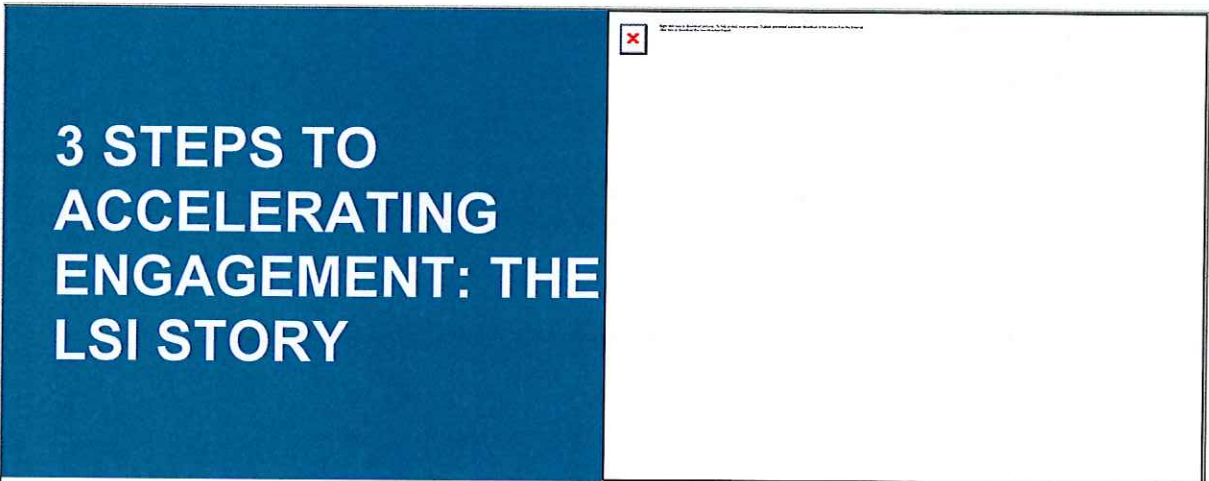
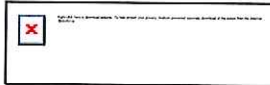
SOLUTIONS

Other Possible Approaches

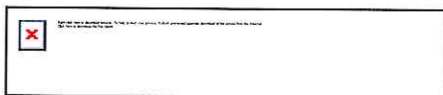
- The Commission could implement a waiver system or discounted impact fee schedule, using the affordable housing committee as a resource.
- However, if the Commission adopts a discounted fee schedule for some and not all fee payers, the deficit must be accounted for so that the level of service is maintained.

Debbie Keyser

From: Globoforce Webinars [webinars@globoforce.com]
Sent: Tuesday, June 12, 2012 10:03 AM
To: dkeyser@jeffersoncountywv.org
Subject: [WEBINAR] 3 Steps to Accelerating Engagement: The LSI Success Story



Learn how LSI increased engagement and began to transform their culture



Storage. Networking. Accelerated. That's LSI Corporation's three-step tagline, and it's not only at the core of their semiconductor and software product offering, but also the foundation of their business philosophy. When their own acceleration was being slowed by a sluggish corporate culture, LSI assembled a team to tackle the problem head on, and used those three principles to drive success:

- **Storage:** Doing a corporate inventory, they found the internal resources to support change.
- **Networking:** They gathered data, built a team, defined their solution, and reached out to the right partner to realize it.

DATE:
June 21, 2012

TIME:
3:00 - 4:00pm ET

SPEAKERS:

Katie Scott,
Director, Global Compensation, LSI

Derek Irvine,
Vice President, Client Strategy, Globoforce



JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

RESIDENT
atsy Noland

June 6, 2012

ICE PRESIDENT
ale Manuel

COMMISSIONER
rances Morgan

Susan Wall
Superintendent of Schools

COMMISSIONER
alt Pellish

110 Mordington Avenue
Charles Town, WV 25414

COMMISSIONER
yn Widmyer

Dear Ms. Wall,

On behalf of the Jefferson County Commission, we extend an invitation to join us for a Public Hearing concerning the draft amendment to the Impact Fee Ordinance that addresses the affordable housing component required to be implemented by July 1, 2012. The Public Hearing will take place on June 21, 2012 at 7:00 p.m. in the County Commission Meeting room located at 200 E. Washington St, Charles Town, WV 25414 (Samuel St. entrance).

As you are aware your input is vital in the decision making process. Therefore, we encourage you to participate in this Public Hearing with the residents of our County.

Please share this invite with your board members as well. If you have any additional questions or comments, please let us know.

Respectfully Submitted,

Patricia Noland
Jefferson County Commission, President

Cc: Pete Dougherty, President
Amy Brown, General Counsel
Stephanie Grove, Assistant Prosecuting Attorney

Acting County Administrator
Debbie Keyser

Deputy County Administrator
Sandy Shusher McDonald

Jefferson County Schools
110 Mordington Avenue
Charles Town, West Virginia 25414
(304) 725-9741
(304) 725-6487 Fax

Superintendent
Susan K. Wall

Board Members:
Peter Dougherty, President
Gary Kable, Vice President
Mariland Lee
Alan Sturm
Scott Sudduth

June 14, 2012

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

Dear President Noland:

The students of Jefferson County Schools have been the fortunate beneficiaries of school impact fees since the program's inception almost a decade ago. The Jefferson County Board of Education has been and remains committed to providing safe school buildings in which the students of Jefferson County can learn. The learning environment plays an essential role in a quality education.

School impact fees have provided an opportunity for construction and renovation of school buildings in Jefferson County that is unparalleled in the State of West Virginia. This funding source has allowed the Board of Education to undertake nearly \$100,000,000.00 worth of construction and renovation projects in the past 8 years. School impact fees helped fund the following projects: Washington High School and the renovation/addition to Jefferson High School (\$8,297,550.00), Driswood Elementary School (\$3,486,810.00), South Jefferson Elementary School addition (\$1,700,000.00) and Blue Ridge Primary School (\$1,000,000.00). Harpers Ferry Middle School will undergo extensive renovation and an addition of 16 classrooms. School impact fees are being used to fund \$3 million of a currently estimated \$14 million project that is needed to meet the increased enrollment.

School impact fees have been instrumental in leveraging tens of millions of funding from the West Virginia School Building Authority. The Board of Education and County Commission have collaborated over the years on many projects but none will have a more lasting impact than the education of the future citizens of Jefferson County in a safe facility where children can learn. Without school impact fees, the extensive renovation of existing facilities and the building of new schools just simply would not be possible without local taxpayers paying additional taxes or us not having the safest and best facilities in our State.

JEFFERSON COUNTY SCHOOLS
110 MORDINGTON AVENUE
CHARLES TOWN, WV 25414

Phone: (304) 728-9225
Fax: (304) 725-6487

FAX TRANSMISSION

To: Jefferson County Commission Date: 6-14-12
Patsy Noland, President Time: _____
304-725-7916

From: Peter Dougherty
President Board of Education
Jefferson County Schools

Number of Pages (including cover sheet): 3

If you did not receive this number of pages, please call the phone number listed above immediately.

REMARKS:

Letter regarding Impact Fees



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Regional Office**

Joy Oakes
Senior Director
202.454.3386 (Desk)
202.329.6815 (Cell)

Nick Lund
Civil War Associate
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777 6th Street, NW
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Washington, DC 20001

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Heather Lukacs
Program Manager
304.469.4433 (Desk)
304.860.7228 (Cell)

137 1/2 E. Main St
Oak Hill, WV 25901

June 14, 2012

Ms. Patsy Noland, President
Jefferson County Commission
124 E. Washington St.
Charles Town, WV

Dear President Noland and members of the Commission:

Re: Zoning Map Amendment for property designated as Tax District: Harpers Ferry,
Map 9-2, Parcel 58 (Capriotti property)

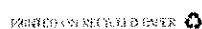
I am writing on behalf of the National Parks Conservation Association, the only national nonprofit dedicated to advocacy for America's national parks. On behalf of NPCA's more than 2,729 members in West Virginia, and our more than 600,000 members and supporters nationwide, I want to thank you for the opportunity to comment on this matter.

In its staff report on the Capriotti rezoning plan dated April 24, 2012, the Jefferson County Planning Commission states that it "does not find the plan to be consistent with the 2004 Comprehensive Plan and also finds there have been changes ... of an economic, physical or social nature that do not support the request." The Planning Commission lists several reasons for its conclusion, including the resultant increase in turning traffic along at an already-dangerous intersection; the incompatibility of potential industrial development on the natural, historic and cultural resources of the immediate area; and, the need to finalize the Route 340 Corridor Study before *ad hoc* rezonings be permitted.

The National Parks Conservation Association fully agrees with the assessment of the Jefferson County Planning Commission. Rezoning this property before finalizing the Route 340 Corridor Study would undermine the hard work undertaken by the Planning Commission and the citizens of Jefferson County in crafting a plan to ensure both prosperity and protection along Route 340. The Route 340 Corridor Plan was developed to ensure that Harpers Ferry is not only a beautiful place to live and work, but remains a true destination, one that brought more than 268,000 visitors to the park in 2010, and puts more than \$9 million annually into the local economy.

The Capriotti property lies in the middle of School House Ridge, the area from which Gen. Stonewall Jackson oversaw the springing of a trap that captured more than 12,000 Union soldiers, the largest such capture in American military history. Visitors to School House Ridge, as well as everyone passing through Harpers Ferry along Route

777 6th Street NW • Suite 700 • Washington, D.C. 20001



202.223.NPCA (6722) • Fax 202.454.3333 • npca@npca.org • www.npca.org



340, pass by the property proposed for rezoning.

The National Parks Conservation Association opposes the rezoning of this property because of the harm development of the Capriotti property would have on the experience of visiting the Harpers Ferry National Historical Park and on the historic character that decades of community effort have so successfully cultivated. As shown in the comprehensive Route 340 Corridor Study, commercial and industrial development can be located in many places in Jefferson County. Allowing such uses on the Capriotti property could result in incompatibility with the Comprehensive Plan and the Route 340 Corridor Study for this stretch.

September 2012 is the 150th anniversary of the siege and defense of Harpers Ferry, a key element of the Confederate's Maryland Campaign, the outcome of which led to President Abraham Lincoln issuing the Emancipation Proclamation. We ask you, in this anniversary year, to make your legacy one that protects the history and meaning of Harpers Ferry for the next 150 years.

Sincerely,

A handwritten signature in black ink that reads "Nicholas J. Lund".

Nicholas J. Lund
Civil War Associate

Cc: Representative Shelley Moore Capito, West Virginia 2nd
Mayor Joe Anderson, Harpers Ferry
Mayor Robert J. Hardy, Bolivar
Superintendent Rebecca Harriett, Harpers Ferry NHP
Director Jennifer Brockman, Jefferson County Planning and Zoning Dept.

Jefferson County Schools
110 Mordington Avenue
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June 14, 2012

Jefferson County Commission
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We are aware that the West Virginia State Legislature passed legislation requiring an affordable housing component to be included in the local impact fee schedule. Our Board has always supported the enactment and collection of a fair and reasonable school impact fee. The Board of Education acknowledges that the County Commission must comply with the Legislative mandate to provide an affordable housing component in its current school impact fee schedule. Further, we support the Commission in the development and implementation of an amendment to the Impact Fee Ordinance relating to affordable housing.

Sincerely,



Peter H. Dougherty
President
Jefferson County Board of Education

EASTERN PANHANDLE CONSERVATION DISTRICT

2012 Spring Newsletter

Volume 13, Issue 2



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Vice Chairman

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Inside this issue:

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5K BENEFITS ENVIRONMENTAL EDUCATION



5K participants at the start of EPCD's Earth Day 5K.

Even though it was a chilly 50°F, the Eastern Panhandle Conservation District (EPCD) held its first annual Earth Day 5K and 1 Mile Fun Walk at Cacapon State Park in Berkeley Springs, WV on April 22, Earth Day. The event was coordinated by Suzy Lucas, WVCA Conservation Specialist, and Kate Yohn, EPCD Education Outreach Specialist; with assistance provided by Renee Fincham, Cacapon State Park Naturalist. The purpose of the 5K and 1 Mile Fun Walk was to provide a fun atmosphere with environmentally friendly activities which encouraged people to get active on Earth Day. All of the proceeds raised from the event will benefit high school students in the area interested in the WV Envirothon Contest.

There were 42 dedicated runners who came to Cacapon State Park and ran the first annual EPCD Earth Day 5K. The race began at 10am, with the starting line located at the park entrance. Mile one took runners on the main road of the park, past the Nature Center, and up a slight incline towards the Middle Fork Cabin Area loop. In the second mile, runners circled the cabin area and headed back downhill. The third and final mile, offered a slight break as most of it was downhill and gave way to a view of the finish line. The entire course showed off Cacapon State Park and all of the beautiful scenery it has to offer.



Runners as they start the first hill.

After the 5K, participants had the opportunity to participate in one of two Earth Day Activities. Ben

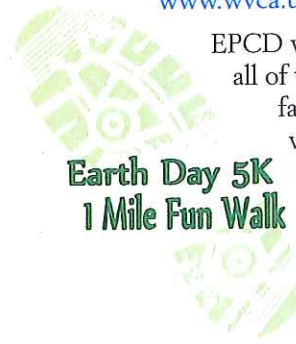


Runners at the beginning of the course.

Alexandro of the Cacapon Institute offered "Stream Dr.", an activity in which participants explored stream anatomy and health. Lou Scavnicky, Opequon Creek Project Team, and Clark Dixon, Master Gardener, presented "For the Birds". In this activity, participants created a bird feeder out of recycled water materials.

The 5K commenced with an Awards Ceremony where 1st through 3rd place winners were recognized in each category. For complete race results, please visit:

www.wvca.us/districts/?page=epcd



EPCD would like to thank all of the runners, walkers, family members, and volunteers who came

out to Cacapon State Park to support the Earth Day 5K. It was a successful event and we look forward to next year!

Cover Crop Program Ends July 27, 2012.

SIGN UP NOW!

for details, please visit:

<http://www.wvca.us/districts/?page=epcd>

or contact us at:

304-263-4376 ext. 3

EARTH DAY HOMEOWNER OUTREACH



*Conservation Specialist, Suzy Lucas
Wal-Mart Moorefield, WV*

This Earth Day, WV Conservation Specialists in the Potomac Valley and Eastern Panhandle Conservation Districts made it their mission to engage their district citizens by educating them on local water quality issues. Conservation Specialists from both areas tabled in front of Wal-Mart entrances on Thursday, April 19 in Spring Mills, WV and on Saturday, April 21 in Moorefield, WV. As they greeted coming and going Wal-Mart customers, they offered educational materials addressing soil testing, proper lawn care and gardening practices, septic maintenance, and other water quality issues. Between both days, approximately 150 citizens were reached through these efforts. The ultimate goal of these outreach campaigns is to reduce sediment and nutrient loads entering the Chesapeake Bay by providing homeowners, who may have lawns, gardens, and/or septic systems, with the educational tools that they need in order to prevent sediment and nutrient runoff.

“The ultimate goal of these outreach campaigns is to reduce sediment and nutrient loads entering the Chesapeake Bay..”

EPCD HOSTS WATERSHED GROUP GATHERING

The Eastern Panhandle Conservation District hosted a Watershed Group Gathering at the Robert C. Byrd Health Sciences Center in Martinsburg, WV on Thursday, March 22. It was a half day event that featured presentations by WV DEP on the Phase II WIP, WVDA on Water Quality Monitoring, WVCA/EPCD on District and Agency involvement in watershed projects, and watershed group representatives from Sleepy Creek Watershed Association, Warm Springs Watershed Association, South Branch Watershed Partnership, South Branch Watershed Consortium, Opequon Creek Project Team, and Blue Ridge Watershed Coalition. Watershed groups had the opportunity to share their current activities with each other and with agency representatives and highlight their completed and ongoing projects. Other speakers included Brent Walls, Potomac Riverkeeper and Amy Owen, Eastern West Virginia Community Foundation.



Presenter Suzy Lucas, WVCA, talks about EPCD and WVCA involvement in local watersheds.

To find out more about your local watershed contact the district office.

COVER CROPS HELP BUILD FARM PROFITABILITY

An Agriculture and Cover Crop Workshop was held on March 7, 2012 at the WVU Kearneysville Tree Fruit Research and Education Center. The program had speakers from Cover Crop Solutions and EPCD, as well as many cooperating agencies; WVCA, WVDA, WVU Extension, NRCS and FSA. A total of 60 people were in attendance.

The topics covered were cover crops ability to Reduce Input, Improve Soil Fertility, Increase Yields, Reduce Compaction, Increase Water Retention, Control Weeds and Nematodes. The morning session was completed with fellowship while enjoying a wonderful lunch sponsored by the Eastern Panhandle Conservation District.

Steve Groff of Cover Crop Solutions spoke on the benefits cover crops have on soil biology as well as the financial benefits. Cover crops allow absorption of excess surface water, preventing runoff and decreasing compaction in the soil. Cover crops can also reduce the need for application of fertilizers and pesticides; therefore decreasing input costs. Planting multiple cover crops may allow a significant increase in organic matter, which leads to improved soil fertility due to organic matters ability to retain moisture in a drought situation. Overall, cover crops help build farm profitability through a combination of increased yields and reduced needs for inputs.

Along with the informative cover crop presentation; Tom Basden with WVU-Extension reviewed the procedures for calibrating a manure spreader. Calibrating your spreader is the best way for you to improve the utilization of the nutrients in manure.

Only by knowing the application rate of your spreader can you correctly apply manure as recommended by your soil test. EPCD would like to thank Lyle C. Tabb & Sons, Inc. for providing the tractor and manure spreader for the demonstration as well as donating mulch for the calibration demonstration.

The day came to an end with a visit to a local farmer's field which was planted in tillage radishes. Steve Groff discussed the importance of pre and post management of tillage radishes. Attendees saw firsthand how tillage radishes aerate the soil by breaking up compaction and recognized the advantages tillage radishes can have on a crop field when used as a cover crop.



Steve Groff, Cover Crop Solutions Keynote Speaker for Cover Crop Workshop.



Tom Basden, WVU Extensive Service.

We would like to thank the Eastern Panhandle Conservation District and the Chesapeake Bay Program for Sponsoring a wonderful workshop.



Steve Groff at local tillage radish field.

LOCAL HOMEOWNERS LEARN ABOUT CONSERVATION

The Eastern Panhandle Conservation District hosted a backyard conservation workshop on February 28, 2012. Organized by Kate Hendershot Yohn, Education Outreach Specialist for the Eastern Panhandle Conservation District, the Backyard Conservation workshop was for local homeowners interested in “at home conservation practices”.

The Backyard Conservation Workshop was held at the Martinsburg Public Library and there were 42 homeowners in attendance. The event began at 5pm with guest speakers Lou Scavnicky and Gary Sylvester of the Opequon Creek Project Team. Lou and Gary spoke about rain barrels, their benefits, and how to properly install them. The next item on the agenda was composting presented by Ray Winiarski who is a Master Gardener in Berkeley County. This presentation gave homeowners insight on recycling yard waste into rich soil. The third presentation of the evening was given by Kirby Lewis of Berkeley County Solid Waste Authority. Kirby spoke

about Berkeley County’s recycling program and upcoming goals. The evening ended with a presentation by Kate Hendershot Yohn Education Outreach Specialist with EPCD. She spoke of the opportunities homeowners have to install small conservation practices at home as well as innovative ways to use recycled products to create container and wall gardens.

It is a goal of the Eastern Panhandle Conservation District to provide educational workshops to homeowners, so look for additional workshops in the future.



“It is a goal of the Eastern Panhandle Conservation District to provide educational workshops to homeowners...”

DISTRICT’S TREE SALE A SUCCESS

The Eastern Panhandle Conservation District coordinates a tree seedling sale each spring. Local home and landowners have the opportunity to purchase native tree seedlings of various varieties at reasonable prices. Some of the varieties available include Colorado Blue Spruce, Norway Spruce, Balsam Fir, Douglas Fir, White Pine, Silky Dogwood, River Birch, Redbud, Sugar Maple, Pin Oak, Red Oak, Blueberries, Grapes, Apple, Plum, Nectarine and Peach Trees.

This year, the district’s forestry committee decided to offer larger trees in hopes of increasing the survival rate of the seedlings once planted. With this change, we had a total of 624 orders, which translates

into 11,892 trees (conifers, hardwoods, and fruit), 642 potted blueberries and grapes, and 73 pounds of native wildflower mix.

A special thank you goes to the Opequon Creek Project Team and the district supervisors, who volunteered to help package all of the tree orders. Without the help of volunteers and the organizational methods of Barbie Elliott, Watershed Field Specialist with the West Virginia Conservation Agency (WVCA), and Sherry Duncan, Administrative Officer with WVCA; the Annual Tree Sale would not be nearly as successful. To all of those who purchased trees this year, we hope you enjoy them and we thank you for your conservation efforts.



WV ENVIROTHON CONTEST HELD IN FLATWOODS

The 16th annual West Virginia Envirothon Contest was held April 19-20, 2012 in Flatwoods, WV. Over 200 high school students along with their coaches traveled to Flatwoods to compete in this year's competition. After a day and a half of competition and many months of preparation, Ravenswood FFA was declared the winner for 2012 and has the opportunity to travel to Selinsgrove, PA to compete in the Canon Envirothon Contest. The Ravenswood team was advised by Tara Tatalovich and each member received a \$1,000 scholarship sponsored by Weyerhaeuser.

The Eastern Panhandle Conservation District sponsored five teams; Jefferson FFA, Jefferson Agriscience, Paw Paw Red Foxes, Paw Paw Hellbenders, and Berkeley Springs High School. Both Jefferson teams were advised by Jeremy Greene, Agriculture Education Teacher at Jefferson High School. Carol Coryea, Science Teacher at Paw Paw High School was the advisor for both Paw Paw Red Foxes and the Hellbenders. The Berkeley Springs High School team was advised by Leigh Jenkins, Science Teacher at Berkeley Springs High School.

All of the teams from the Eastern Panhandle did a great job representing the district and we are proud of your effort and dedication to environmental education.



Jefferson High School students identifying macro-invertebrates.



Berkeley Springs High School students work on a portion of the written test.

“EPCD is proud of the hard work and dedication put forth by students from Jefferson and Morgan Counties.”

AREA STUDENTS RECEIVE CONSERVATION SCHOLARSHIP

The West Virginia Association of Conservation Districts awards eight \$500 college scholarships to graduating high school seniors who plan on majoring in an agriculture related field. This year 3 of those scholarships went to students from the Eastern Panhandle Conservation District.

The Eastern Panhandle Conservation District is proud to announce that Arrie M. Arvin, Alicia R. Pownall, and Nicole E. Wennerberg will all receive a \$500 scholarship to be

used to further their education. Ms. Arvin resides in Falling Waters, WV and will graduate from Hedgesville High School. Ms. Pownall resides in Martinsburg, WV and will graduate from Martinsburg High School. Ms. Wennerberg resides in Inwood, WV and will graduate from Musselman High School.

Congratulations to the recipients and best of luck in college!

AGRICULTURE ENHANCEMENT PROGRAM

Producers are eligible for up to 50 acres on the planting of cover crops.

Cover Crops-cost share rates are:

\$50/ac. by October 5th

\$40/ac. by October 15th

\$30/ac. by October 25th

**SIGN UP DEADLINE IS
JULY 27, 2012**



EASTERN PANHANDLE CONSERVATION DISTRICT

151 Aikens Center, Suite 1
Martinsburg, WV 25404
Phone: 304-263-4376
Fax: 304-263-4986
E-mail: epcd@wvca.us

*Serving Berkeley, Jefferson,
and Morgan counties*

Non-Profit Org.
U. S. Postage
Paid
Martinsburg, WV
Permit #03

WE ARE NOW ON THE WEB!

WWW.WVCA.US/DISTRICTS/?PAGE=EPCD



To receive electronic copy ONLY please email:
EPCD@WVCA.US



*****AUTO**3-DIGIT 254

JEFFERSON CO. COMMISSION
PO BOX 250
CHARLES TOWN WV 25414-0250

2012 LARGEST PINE/EVERGREEN TREE CONTEST

Del. John Overington is working with the Eastern Panhandle Conservation District (EPCD) and the West Virginia Division of Forestry to find the largest pine/evergreen tree in the Eastern Panhandle, but he needs your help. In exchange, if the tree you nominate is the largest in the Eastern Panhandle, Overington will donate \$500 to you or the charity of your choice. The deadline to enter is July 31, 2012, and the winner will be recognized at the EPCD Fall Banquet in October.

Trees will be measured using the criteria of the West Virginia Big Tree Program. Points will be determined based on the tree's circumference at 4.5 feet above ground, total height and crown spread, and the tree with the most points wins. Trees will be verified by the Division of Forestry. In addition to the \$500 prize, the winner will receive a copy of the poem "Trees" by Joyce Kilmer.

For more information about the contest, contact the Eastern Panhandle Conservation District at (304) 263-4376 or email epcd@wvca.us. When calling in an entry, please be prepared to give the diameter breast height measurement of the tree, which is the measurement of the tree trunk circumference at 4.5 feet up from the ground. If the tree entry is not on your personal property, you must make clear your intentions with the property owner where the tree is located.



Jefferson County Commission
Post Office Box 250
Charles Town, WV 25414

June 10, 2012

Commissioners,

The Jefferson County Historic Landmarks Commission would like to thank you for the recent maintenance that has been done to the Jefferson County courthouse. We realize that the various projects have been expensive. Still, the structural work is absolutely necessary for the long-term welfare of the building and the safety of those who use it. The cosmetic work is also important, as the courthouse is the symbol of the people of our great county.

Maintenance that was deferred by previous commissions has come due on your watch, and the inevitable repairs have become more costly with time. That is why it is so important to give the required funding for maintenance to allow the building to be cared for before deterioration begins. Such an investment in the courthouse will be money well spent, reducing future costs and providing a safe and beautiful building for all to use.

Thank you again for your commitment to the historic Jefferson County courthouse.

Sincerely,

A handwritten signature in black ink, appearing to read 'Martin Burke'.

Martin Burke, chair

RECEIVED

JUN 14 2012

Jefferson County Commission

Public Service Commission
Of West Virginia

201 Brooks Street, P. O. Box 812
Charleston, West Virginia 25323



Phone: (304) 340-0300
FAX: (304) 340-0325

June 8, 2012

Jefferson County Commission
110 East Washington Street
Charles Town, WV 25414

SUBJECT: Disbursement of Wireless E-911 Subscriber Fees

Dear County Commissioner:

A check in the amount of \$167,996.53 representing a disbursement of Wireless E-911 subscriber fees **will be mailed directly from the West Virginia State Auditor's Office.** This amount is your County's share of the fees remitted to the Public Service Commission for the months of March, April, and May 2012. The next disbursement will be in three months.

I can be reached at our toll-free number, 1-800-344-511, Extension 364, or direct at 304-340-0364, should you have any questions about the disbursement calculation or about the fees in general.

Sincerely,

A handwritten signature in cursive script that reads "Herb Brooks".

Herb Brooks
Budget and Finance Manager

RECEIVED

HB:kp

JUN 12 2012

Jefferson County Commission

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

Week Ending Date	Week Ending June 9, 2012
To be Deposited on:	June 15, 2012
Amount Played	76,117,753.45
Amount Won	68,513,724.08
Amount Promo	239,448.00
MWAP Contribution	<u>5,223.14</u>
Adjusted Gross Terminal Revenue	<u>7,359,358.23</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	294,374.33
Net Terminal Revenue	<u>7,064,983.90</u>
Surcharge @ 10%	706,498.39
State Share Excess @ 58%	409,769.07
Track Share of Capital Reinvestment @ 42%	296,729.32
<i>Track Share of Capital Reinvestment @ 42% - 96%</i>	\$ 284,860.15
<i>Track Share of Capital Reinvestment @ 42% - 4%</i>	\$ 11,869.17
Adjusted Net Terminal Revenue	<u>6,358,485.51</u>
Racetrack @ 46.50% / 42%	2,670,563.91
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,606,979.04
Race Track Purses @ 7% / 14% / 8%	508,678.84
Workers' Compensation Debt Reduction @ 7% / 0%	0.00
Employee Pension Fund @ 1% / .5%	31,792.43
Greyhound Development @ .75%	47,688.64
Thoroughbred Development @ .75%	47,688.64
Racing Commission @ 1%	63,584.86
County/Municipality @ 2%	127,169.72
3% Funds:	
Tourism Promotion Fund @ 1.375%	87,429.18
Development Office Promotion Fund @ .375%	23,844.32
Research Challenge Fund @ .5%	31,792.43
Capitol Renovation and Improvement Fund @ .6875%	43,714.59
2004 Capitol Complex Parking Garage Fund @ .0625%	3,974.06
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	0.00
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>63,584.86</u>
	<u>6,358,485.51</u>

WEST VIRGINIA LOTTERY

First Benchmark

Charles Town

County / City Split

Fiscal Year 2012

Charles Town
 1999 Net Terminal Revenue \$ 45,603,174
 Benchmark Goal @ 2% \$ 912,063.48

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 8.19%	CHARLES TOWN 41.20%	HARPERS FERRY 2.24%	RANSON 34.78%	SHEPHERDS TOWN 13.59%
2 days ending: 7/1/2011 - 7/2/2011	\$ 69,824.12	\$ 69,824.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week Ending:								
07/09/11	\$ 171,717.28	\$ 171,717.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/16/11	\$ 143,019.52	\$ 143,019.52	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/23/11	\$ 146,508.00	\$ 146,508.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/30/11	\$ 144,510.28	\$ 144,510.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/06/11	\$ 151,495.28	\$ 151,495.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/13/11	\$ 149,711.80	\$ 117,350.38	\$ 32,361.42	\$ 2,650.40	\$ 13,332.90	\$ 724.90	\$ 11,255.30	\$ 4,397.92
08/20/11	\$ 143,228.24	\$ 71,614.12	\$ 71,614.12	\$ 5,865.20	\$ 29,505.01	\$ 1,604.16	\$ 24,907.39	\$ 9,732.36
08/27/11	\$ 126,864.28	\$ 63,432.14	\$ 63,432.14	\$ 5,195.09	\$ 26,134.04	\$ 1,420.88	\$ 22,061.70	\$ 8,620.43
09/03/11	\$ 161,675.52	\$ 80,837.76	\$ 80,837.76	\$ 6,620.61	\$ 33,305.16	\$ 1,810.77	\$ 28,115.37	\$ 10,985.85
09/10/11	\$ 169,691.60	\$ 84,845.80	\$ 84,845.80	\$ 6,948.87	\$ 34,956.47	\$ 1,900.55	\$ 29,509.37	\$ 11,530.54
09/17/11	\$ 133,497.24	\$ 66,748.62	\$ 66,748.62	\$ 5,466.71	\$ 27,500.43	\$ 1,495.17	\$ 23,215.17	\$ 9,071.14
09/24/11	\$ 137,859.60	\$ 68,929.80	\$ 68,929.80	\$ 5,645.35	\$ 28,399.08	\$ 1,544.03	\$ 23,973.78	\$ 9,367.56
10/01/11	\$ 137,743.28	\$ 68,871.64	\$ 68,871.64	\$ 5,640.59	\$ 28,375.12	\$ 1,542.72	\$ 23,953.55	\$ 9,359.66
10/08/11	\$ 141,733.80	\$ 70,866.90	\$ 70,866.90	\$ 5,804.00	\$ 29,197.16	\$ 1,587.42	\$ 24,647.51	\$ 9,630.81
10/15/11	\$ 150,525.32	\$ 75,262.66	\$ 75,262.66	\$ 6,164.01	\$ 31,008.22	\$ 1,685.88	\$ 26,176.35	\$ 10,228.20
10/22/11	\$ 137,515.44	\$ 68,757.72	\$ 68,757.72	\$ 5,631.26	\$ 28,328.18	\$ 1,540.17	\$ 23,913.94	\$ 9,344.17
10/29/11	\$ 121,015.96	\$ 60,507.98	\$ 60,507.98	\$ 4,955.60	\$ 24,929.29	\$ 1,355.38	\$ 21,044.68	\$ 8,223.03
11/05/11	\$ 141,347.76	\$ 70,673.88	\$ 70,673.88	\$ 5,788.19	\$ 29,117.64	\$ 1,583.09	\$ 24,580.38	\$ 9,604.58
11/12/11	\$ 135,254.20	\$ 67,627.10	\$ 67,627.10	\$ 5,538.66	\$ 27,862.36	\$ 1,514.85	\$ 23,520.71	\$ 9,190.52
11/19/11	\$ 121,381.20	\$ 60,690.60	\$ 60,690.60	\$ 4,970.56	\$ 25,004.53	\$ 1,359.47	\$ 21,108.19	\$ 8,247.85
11/26/11	\$ 148,281.08	\$ 74,140.54	\$ 74,140.54	\$ 6,072.11	\$ 30,545.90	\$ 1,660.75	\$ 25,786.08	\$ 10,075.70
12/03/11	\$ 118,859.88	\$ 59,429.94	\$ 59,429.94	\$ 4,867.31	\$ 24,485.14	\$ 1,331.23	\$ 20,669.73	\$ 8,076.53
12/10/11	\$ 102,790.88	\$ 51,395.44	\$ 51,395.44	\$ 4,209.29	\$ 21,174.92	\$ 1,151.26	\$ 17,875.33	\$ 6,984.64
12/17/11	\$ 111,962.64	\$ 55,981.32	\$ 55,981.32	\$ 4,584.87	\$ 23,064.31	\$ 1,253.98	\$ 19,470.30	\$ 7,607.86
12/24/11	\$ 108,497.24	\$ 54,248.62	\$ 54,248.62	\$ 4,442.96	\$ 22,350.43	\$ 1,215.17	\$ 18,867.67	\$ 7,372.39
12/31/11	\$ 189,322.00	\$ 94,661.00	\$ 94,661.00	\$ 7,752.74	\$ 39,000.32	\$ 2,120.41	\$ 32,923.10	\$ 12,864.43
01/07/12	\$ 149,726.80	\$ 74,863.40	\$ 74,863.40	\$ 6,131.31	\$ 30,843.72	\$ 1,676.94	\$ 26,037.49	\$ 10,173.94
01/14/12	\$ 117,803.84	\$ 58,901.92	\$ 58,901.92	\$ 4,824.07	\$ 24,267.59	\$ 1,319.40	\$ 20,486.09	\$ 8,004.77
01/21/12	\$ 123,639.84	\$ 61,819.92	\$ 61,819.92	\$ 5,063.05	\$ 25,469.80	\$ 1,384.77	\$ 21,500.97	\$ 8,401.33
01/28/12	\$ 125,797.56	\$ 62,898.78	\$ 62,898.78	\$ 5,151.41	\$ 25,914.30	\$ 1,408.93	\$ 21,876.20	\$ 8,547.94
02/04/12	\$ 144,309.32	\$ 72,154.66	\$ 72,154.66	\$ 5,909.47	\$ 29,727.72	\$ 1,616.26	\$ 25,095.39	\$ 9,805.82
02/11/12	\$ 132,858.08	\$ 66,429.04	\$ 66,429.04	\$ 5,440.54	\$ 27,368.76	\$ 1,488.01	\$ 23,104.02	\$ 9,027.71
02/18/12	\$ 154,911.76	\$ 77,455.88	\$ 77,455.88	\$ 6,343.64	\$ 31,911.82	\$ 1,735.01	\$ 26,939.16	\$ 10,526.25
02/25/12	\$ 155,223.56	\$ 77,611.78	\$ 77,611.78	\$ 6,356.40	\$ 31,976.05	\$ 1,738.51	\$ 26,993.38	\$ 10,547.44
03/03/12	\$ 151,927.72	\$ 75,963.86	\$ 75,963.86	\$ 6,221.44	\$ 31,297.10	\$ 1,701.60	\$ 26,420.23	\$ 10,323.49
03/10/12	\$ 153,617.24	\$ 76,808.62	\$ 76,808.62	\$ 6,290.63	\$ 31,645.15	\$ 1,720.51	\$ 26,714.04	\$ 10,438.29
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
04/21/12	\$ 136,110.16	\$ 68,055.08	\$ 68,055.08	\$ 5,573.71	\$ 28,038.69	\$ 1,524.43	\$ 23,669.56	\$ 9,248.69
04/28/12	\$ 145,761.32	\$ 72,880.66	\$ 72,880.66	\$ 5,968.93	\$ 30,026.83	\$ 1,632.53	\$ 25,347.89	\$ 9,904.48
05/05/12	\$ 143,164.60	\$ 71,582.30	\$ 71,582.30	\$ 5,862.59	\$ 29,491.91	\$ 1,603.44	\$ 24,896.32	\$ 9,728.04
05/12/12	\$ 126,715.84	\$ 63,357.92	\$ 63,357.92	\$ 5,189.01	\$ 26,103.46	\$ 1,419.22	\$ 22,035.89	\$ 8,610.34
05/19/12	\$ 157,968.72	\$ 78,984.36	\$ 78,984.36	\$ 6,468.82	\$ 32,541.56	\$ 1,769.25	\$ 27,470.76	\$ 10,733.97
05/26/12	\$ 134,792.48	\$ 67,396.24	\$ 67,396.24	\$ 5,519.75	\$ 27,767.25	\$ 1,508.68	\$ 23,440.41	\$ 9,159.15
06/02/12	\$ 153,918.88	\$ 76,959.44	\$ 76,959.44	\$ 6,302.98	\$ 31,707.29	\$ 1,723.89	\$ 26,766.49	\$ 10,458.79
06/09/12	\$ 127,169.72	\$ 63,584.86	\$ 63,584.86	\$ 5,207.60	\$ 26,196.96	\$ 1,424.30	\$ 22,114.82	\$ 8,641.18
Subtotal	\$ 6,990,620.52	\$ 3,951,341.98	\$ 3,039,278.54	\$ 248,916.90	\$ 1,252,182.72	\$ 68,079.86	\$ 1,057,061.10	\$ 413,037.96

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	74,244.22
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	4/21/2012	68,055.08
5/2/2009	73,957.05	5/1/2010	68,799.06	4/30/2011	66,807.50	4/28/2012	72,880.66
5/9/2009	76,697.22	5/8/2010	67,403.54	5/7/2011	66,379.74	5/5/2012	71,582.30
5/16/2009	71,925.70	5/15/2010	70,186.32	5/14/2011	66,699.76	5/12/2012	63,357.92
5/23/2009	81,395.43	5/22/2010	64,695.71	5/21/2011	63,210.44	5/19/2012	78,984.36
5/30/2009	82,161.55	5/29/2010	67,157.40	5/28/2011	64,724.06	5/26/2012	67,396.24
6/6/2009	74,895.74	6/5/2010	77,371.80	6/4/2011	74,952.34	6/2/2012	76,959.44
6/13/2009	67,327.23	6/12/2010	66,106.29	6/11/2011	62,203.12	6/9/2012	63,584.86
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		

TOTALS **4403564.04**

4041141.56

4016541.01

3951341.98

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
Total 2010-2011	1297391.7

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
April, 2012	127,862.26
Total 2011-2012	1335760.33