

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, SEPTEMBER 20, 2012
9:30 A.M.
County Commission Meeting Room
located at the Old Charles Town Library
200 E. Washington Street, Charles Town, WV

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

APPROVAL OF PURCHASE ORDERS

APPROVAL OF ACCOUNTS PAYABLE

PUBLIC COMMENT

PRESENTATIONS:

1. 9:40 a.m. Lynn Fields, Probate Office
- Approval to set hearing date for Monday, October 1st, 2012 for the Printz Estate and for closing of unfinished Quarterly Estates - Discussion/Action
2. 9:45 a.m. Angie Banks, Assessor
- Exonerations - Discussion/Action
3. 10:00 a.m. Roger Goodwin, Chief County Engineer
- Chesapeake Bay Initiative and the Chesapeake Bay Regulatory & Accountability Grant - Discussion/Action
4. 10:15 a.m. Dr. Joy Buck and Trina Bartlett, WVU Health Sciences Center
- Update on the MAPP (Mobilizing for Action through Planning and Partnerships) presentation that was made to the Commission in Spring 2011
- Discussion
5. 10:45 a.m. **Break**
6. 11:00 a.m. Eleanor Finn, League of Women Voters of Jefferson County
- Summary of League observations of the County Commission - Discussion
7. 11:15 a.m. Stephanie Grove, Assistant Prosecuting Attorney
- Impact Fee Affordable Housing Ordinance - Discussion/Action

8. 11:45 a.m. Jennifer Brockman, Director of Planning and Zoning
 - Discussion of Placement of Signage of Certain County-Owned Properties - Discussion/Action
 - Work Shop to discuss the process for selecting Steering Committee members for the 2014 Comprehensive Plan process - Discussion/Action

9. 12:15 p.m. Barbara Miller, Director of Homeland Security & Emergency Management
 - Memorandum of Understanding between Jefferson County Schools and JCHSEM for continued use of schools during disasters for shelters, points of distribution, command centers, etc. - Discussion/Action
 - Information received from Raymond Palmer, FEMA regarding various types of assistance post - June 29th storm - Discussion
 - Information about Family Disaster Preparedness Night on September 26th Discussion
 - Report on the Regional Full Scale Disaster Exercise held on September 8th throughout WV Homeland Security Region 3 (Mineral, Hampshire, Morgan, Grant, Hardy, Berkeley and Jefferson Counties) - Discussion

UNFINISHED BUSINESS:

10. Approval of FY2013 County Commission Community Grants - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

- Approval of State Budget Revision #1 - Coal Severance - Discussion/Action
- Approval of State Budget Revision #2 - Coal Severance - Discussion/Action
- Discussion on Grant Funds received for the WV Eastern Panhandle Transportation Authority - Discussion/Action
- Approval of State Budget Revision #7 - Discussion/Action
- Retiree Health Care, Possible Executive Session 6-9A-4 - Discussion/Action

COUNTY COMMISSION REPORTS

11. ADJOURN

CORRESPONDENCE:

Invitation to Meet and Converse with Jefferson County Commission at Skipper's Downtown Dips & Deli on September 27, 2012 between 5:00 p.m. - 7:00 p.m.

Invitation to Morgan's Grove Park on Wednesday, September 26, 2012 at 12:00 p.m. in honor of contributions to the community.

Fall Newsletter received from the West Virginia Courthouse Facilities Improvement Authority.

August 2012 Impact Fee Status Report received.

Invitation to the Eastern Panhandle Conservation District Annual Awards and Recognition Banquet on Wednesday, September 26, 2012 at 6:30 p.m. at the Berkeley County Youth Fair Fairgrounds.

Email received from Carol Hartzell concerning Apple Valley Waste.

Minutes from the August 6, 2012 regular Board meeting of the Jefferson County Public Service District received.

Weekly Settlement for Hollywood Casinos at Charles Town Races and Slot received for weeks ending September 8, 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, September 13, 2012

A meeting of the Jefferson County Commission was held on Thursday, September 13, 2012 in the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Patricia Noland, Lyn Widmyer, Dale Manuel, Frances Morgan and Walt Pellish. Also present were Debbie Keyser, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the September 13, 2012 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Morgan led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the Minutes of the September 6, 2012 regular meeting as amended.
 Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to approve the Minutes of the September 6, 2012 Public Hearing as amended.
 Motion seconded by Ms. Morgan and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve the Purchase Orders in the amount of \$18,991.47, being P. O. Nos. 50857, 49852, 50099, 50095, 50103, 49979, 50105, 49718, 50097, 50098, 50101, 50102, 52069, 50033, 50035, 50036 and 52077.
 Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve the accounts payable in the amount of \$273,589.46 for September 13, 2012. Motion seconded by Mr. Manuel and unanimously approved.

CHKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
068136	424	AT&T/IL		\$ -	\$ 0.50	\$ 0.50
068137	700	AUTOZONE		\$ -	\$ 241.75	\$ 241.75
068138	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 2,444.16	\$ 2,444.16
068139	425	B-K OFFICE SUPPLY INC	50086	\$ 608.98	\$ -	\$ 608.98
068140	424	BOLAND SERVICES	50077	\$ 225.00	\$ -	\$ 225.00
068140	424	BOLAND SERVICES	52829	\$ 270.00	\$ -	\$ 270.00
068140	425	BOLAND SERVICES	51117	\$ 991.01	\$ -	\$ 991.01
068141	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
068142	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31

068143	439	JENNIFER M. BROCKMAN		\$ -	\$ 15.00	\$ 15.00
068144	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
068145	425	CITY OF CHARLES TOWN	50089	\$ 300.00	\$ -	\$ 300.00
068146	424	CHARLES TOWN UTILITY BRD		\$ -	\$ 67.20	\$ 67.20
068146	425	CHARLES TOWN UTILITY BRD		\$ -	\$ 799.18	\$ 799.18
068147	405	MARCIA L. CHANDLER, RPR	50032	\$ 423.00	\$ -	\$ 423.00
068148	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
068149	425	DODSON'S SEPTIC	50087	\$ 260.00	\$ -	\$ 260.00
068150	424	DAYCON	50092	\$ 1,605.65	\$ -	\$ 1,605.65
068150	425	DAYCON	50079	\$ 564.67	\$ -	\$ 564.67
068151	717	DEAN'S LAWNMOWER SHOP	50106	\$ 6.60	\$ -	\$ 6.60
068152	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 24.80	\$ 24.80
068153	227	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
068154	413	ESS ELECTION SYSTEMS &	49972	\$ 150.00	\$ -	\$ 150.00
068155	424	J.C.EHRLICH		\$ -	\$ 34.00	\$ 34.00
068155	425	J.C.EHRLICH		\$ -	\$ 600.71	\$ 600.71
068156	405	HR DIRECT	50037	\$ 33.50	\$ -	\$ 33.50
068157	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 1,635.00	\$ 1,635.00
068158	425	JEFF CO PUBLIC SER DEPT		\$ -	\$ 152.53	\$ 152.53
068159	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 2,444.16	\$ 2,444.16
068160	402	JEFFERSON PUBLISH CO INC	49970	\$ 264.28	\$ -	\$ 264.28
068161	712	JEFFERSON MEMORIAL HOSPT	50994	\$ 90.00	\$ -	\$ 90.00
068162	425	JEFFERSON UTILITIES INC		\$ -	\$ 499.76	\$ 499.76
068163	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 40.00	\$ 40.00
068163	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 4,175.48	\$ 4,175.48
068164	717	JASPER ENGINE&TRANSMISSN	50084	\$ 1,899.00	\$ -	\$ 1,899.00
068165	712	LANGUAGE LINE SERVICES		\$ -	\$ 54.12	\$ 54.12
068166	712	VERIZON BUSINESS		\$ -	\$ 1,131.64	\$ 1,131.64
068167	425	V.E. MAUCK PLUMBING SPPL	50081	\$ 674.58	\$ -	\$ 674.58
068168	717	MILLER'S CHRYSLER JEEP	50100	\$ 47.45	\$ -	\$ 47.45
068169	424	JEFF MARTIN SPECIALTY	50090	\$ 892.58	\$ -	\$ 892.58
068170	227	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
068171	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 774.00	\$ 774.00
068172	ALLOC	JEFF CO PARKS &		\$ -	\$ 25,663.63	\$ 25,663.63
068173	404	PIFER OFFICE SUPPLY, INC	52078	\$ 17.00	\$ -	\$ 17.00

068174	405	PAMELA PATTERSON	50034	\$ 42.35	\$ -	\$ 42.35
068175	425	POTOMAC EDISON/OH		\$ -	\$ 3,212.31	\$ 3,212.31
068176	428	PROFOUND LOGIC SOFTWARE		\$ -	\$ 658.90	\$ 658.90
068177	425	ROY'S GLASS SERVICE	49930	\$ 5,222.00	\$ -	\$ 5,222.00
068178	700	MARK RENNER		\$ -	\$ 32.51	\$ 32.51
068179	403	LAURA STORM		\$ -	\$ 189.82	\$ 189.82
068180	425	RCS SECURITY		\$ -	\$ 240.00	\$ 240.00
068181	403	RECORD MANAGEMENT SOLUTN	49887	\$ 30.00	\$ -	\$ 30.00
068182	425	RCS SECURITY		\$ -	\$ 456.00	\$ 456.00
068183	404	SHERIFF OF JEFFERSON CO	52079	\$ 58.87	\$ -	\$ 58.87
068184	401	SOFTWARE SYSTEMS, INC		\$ -	\$ 544.00	\$ 544.00
068184	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 332.00	\$ 332.00
068184	403	SOFTWARE SYSTEMS, INC		\$ -	\$ 599.00	\$ 599.00
068184	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 753.00	\$ 753.00
068184	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 70.00	\$ 70.00
068185	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 23.78	\$ 23.78
068185	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 85.26	\$ 85.26
068185	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 35,155.89	\$ 35,155.89
068185	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 9,803.00	\$ 9,803.00
068186	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 40,277.94	\$ 40,277.94
068186	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 118.84	\$ 118.84
068187	401	STAPLES CREDIT PLAN		\$ -	\$ 397.63	\$ 397.63
068187	406	STAPLES CREDIT PLAN		\$ -	\$ 406.11	\$ 406.11
068187	412	STAPLES CREDIT PLAN		\$ -	\$ 174.45	\$ 174.45
068187	700	STAPLES CREDIT PLAN		\$ -	\$ 817.81	\$ 817.81
068187	712	STAPLES CREDIT PLAN		\$ -	\$ 364.41	\$ 364.41
068188	711	SOFTWARE COMPUTER GROUP	53192	\$ 150.00	\$ -	\$ 150.00
068189	425	SHENANDOAH VALLEY WATER		\$ -	\$ 691.50	\$ 691.50
068190	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 14,442.19	\$ 14,442.19
068191	GRANT	TRENARY SERVICE CO		\$ -	\$ 8,801.60	\$ 8,801.60
068192	425	U S PAVING LLC	50078	\$ 2,500.00	\$ -	\$ 2,500.00
068193	402	UNITED BANKCARD CENTER		\$ -	\$ 27.78	\$ 27.78
068193	402	UNITED BANKCARD CENTER		\$ -	\$ 179.44	\$ 179.44

068193	402	UNITED BANKCARD CENTER	\$ -	\$ 160.20	\$ 160.20
068193	402	UNITED BANKCARD CENTER	\$ -	\$ 34.95	\$ 34.95
068193	403	UNITED BANKCARD CENTER	\$ -	\$ 448.89	\$ 448.89
068193	403	UNITED BANKCARD CENTER	\$ -	\$ 466.10	\$ 466.10
068193	405	UNITED BANKCARD CENTER	\$ -	\$ 674.00	\$ 674.00
068193	405	UNITED BANKCARD CENTER	\$ -	\$ 295.00	\$ 295.00
068193	412	UNITED BANKCARD CENTER	\$ -	\$ 444.70	\$ 444.70
068193	415	UNITED BANKCARD CENTER	\$ -	\$ 77.04	\$ 77.04
068193	424	UNITED BANKCARD CENTER	\$ -	\$ 24,123.97	\$ 24,123.97
068193	424	UNITED BANKCARD CENTER	\$ -	\$ 39.94	\$ 39.94
068193	424	UNITED BANKCARD CENTER	\$ -	\$ 23.77	\$ 23.77
068193	424	UNITED BANKCARD CENTER	\$ -	\$ 97.77	\$ 97.77
068193	425	UNITED BANKCARD CENTER	\$ -	\$ 186.41	\$ 186.41
068193	425	UNITED BANKCARD CENTER	\$ -	\$ 68.62	\$ 68.62
068193	428	UNITED BANKCARD CENTER	\$ -	\$ 545.00	\$ 545.00
068193	428	UNITED BANKCARD CENTER	\$ -	\$ 163.92	\$ 163.92
068193	433	UNITED BANKCARD CENTER	\$ -	\$ 24.85	\$ 24.85
068193	439	UNITED BANKCARD CENTER	\$ -	\$ 16.00	\$ 16.00
068193	440	UNITED BANKCARD CENTER	\$ -	\$ 93.49	\$ 93.49
068193	700	UNITED BANKCARD CENTER	\$ -	\$ 767.40	\$ 767.40
068193	700	UNITED BANKCARD CENTER	\$ -	\$ 313.99	\$ 313.99
068193	700	UNITED BANKCARD CENTER	\$ -	\$ 54.45	\$ 54.45
068193	700	UNITED BANKCARD CENTER	\$ -	\$ 165.56	\$ 165.56
068193	700	UNITED BANKCARD CENTER	\$ -	\$ 319.96	\$ 319.96
068193	711	UNITED BANKCARD CENTER	\$ -	\$ 443.88	\$ 443.88
068193	711	UNITED BANKCARD CENTER	\$ -	\$ 103.00	\$ 103.00
068193	711	UNITED BANKCARD CENTER	\$ -	\$ 497.44	\$ 497.44
068193	712	UNITED BANKCARD CENTER	\$ -	\$ 3,525.09	\$ 3,525.09
068193	712	UNITED BANKCARD CENTER	\$ -	\$ 158.77	\$ 158.77
068193	712	UNITED BANKCARD CENTER	\$ -	\$ 25.00	\$ 25.00
068193	712	UNITED BANKCARD CENTER	\$ -	\$ 27.50	\$ 27.50
068194	ALLOC	JEFFERSON CO CONVENTION	\$ -	\$ 30,551.94	\$ 30,551.94

068195	PAYROLL	WVCORP		\$ -	\$ 28,546.25	\$ 28,546.25
068196	402	XEROX CORPORATION	49705	\$ 1,433.39	\$ -	\$ 1,433.39
068196	439	XEROX CORPORATION	49952	\$ 635.69	\$ -	\$ 635.69
TOTAL						\$ 273,589.46
TOTAL				\$ 19,395.60	\$ 254,193.86	\$ 273,589.46

PUBLIC COMMENT:

Matt Knott expressed safety concerns regarding the proposed installation of a traffic light at the intersection of US Rt. 340 and Bakerton Road.

David Tabb also expressed safety concerns regarding the proposed installation of the traffic light.

Tom Taylor expressed his safety concerns regarding the proposed traffic light.

PRESENTATIONS:

- Dennis Frye, Historian and Author**, presented to the Commission his recent books entitled September Suspense: Lincoln's Union in Peril and Harpers Ferry Under Fire.
- Jenni Vincent of Region 9's request for approval of Proclamation for Eastern Panhandle Clean Air Connection and release of funding allocation to the Jefferson County Convention and Visitors Bureau.**

Ms. Vincent explained that the Eastern Panhandle Clean Air Connection is a publicly-funded joint venture between Jefferson and Berkeley counties and provided background information on the organization.

Motion by Mr. Manuel to approve a Proclamation for the Eastern Panhandle Clean Air Connection declaring September 17 – 23, 2012 as National Pollution Prevention Week. Motion seconded by Mr. Pellish and unanimously approved.

- Annette Gavin, Chair of Convention and Visitors Bureau Board's request for release of funding allocation.**

Ms. Gavin spoke briefly about what the CVB has accomplished so far and what its goals are for the future. She was excited the CVB had contracted with David Zucker to be the new CEO and was confident he would move projects forward.

Motion by Mr. Pellish to approve the release of previously approved funds in the amount of \$150,000 to the Jefferson County Convention and Visitors Bureau on condition that the monies are tracked by the CVB. Motion seconded by Ms. Morgan and unanimously approved.

- Jennifer Myers, Director of Parks and Recreation, request to approve a Resolution authorizing Jefferson County Parks and Recreation to apply to the State of West Virginia for funding in the amount of \$80,000. The funding would be taken out of the Land and Water Conservation Fund. The monies would be used for the development and construction of a Picnic Pavilion at Sam Michael's Park and expansion of the Sam**

Michael's Park playground to include ADA equipment.

Motion by Ms. Widmyer to approve a Resolution authorizing Jefferson County Parks and Recreation to apply on the County Commission's behalf and submit an application to the State of West Virginia requesting funding in the amount of \$80,000 out of the Land and Water Conservation Fund to be used for the development and construction of a Picnic Pavilion located at Sam Michael's Park and expansion of the Sam Michael's Park playground to include ADA equipment. Motion seconded by Mr. Manuel and unanimously approved.

5. David Tabb commented on two items:

- **Agenda Policy Changes** – Mr. Tabb expressed his opinion that no changes should be made to the Agenda Policy until a public hearing is held and the public has had the opportunity to comment. He stated that no background information has been released to the public regarding the proposed changes.
- **Proposed purchase by the Commission of the Briel/Liberty Building** – Mr. Tabb stated the Briel Building is actually listed as the Liberty Building on the lease with the County Commission and for that reason he had difficulty locating the lease. He also commented that the lease was marked “not for public view.” Mr. Tabb additionally advised he has not seen an appraisal for the property. He requested no further action be taken to lease or purchase the Briel/Liberty Building until all issues can be resolved.

The Commission took a 10-minute break at 10:58 a.m.

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

6. Interview and Appointment to the Jefferson County Farmland Protection Board for a four-year term ending September 7, 2016.

Elizabeth Wheeler, Executive Director, and Elizabeth McDonald, President of the JC Farmland Protection Board were present for the nomination and appointment.

There was only one applicant for the above-referenced position, Jeffrey Quinn, a farmer in Jefferson County.

Motion by Ms. Morgan to appoint Jeffrey Quinn to the Jefferson County Farmland Protection Bureau position for a four-year term ending September 7, 2016. Motion seconded by Mr. Manuel and unanimously approved.

The farmer-at-large position will be readvertised.

7. Jennifer Brockman, Director of Planning and Zoning requested a discussion of placement of signage of certain county-owned properties.

This item was held due to Ms. Brockman's absence with notice.

Nikki Painter, Deputy Clerk of Elections, requested approval of the list of potential poll workers.

Motion by Mr. Manuel to approve the list of poll workers as presented by Ms. Painter. Motion seconded by Mr. Pellish and unanimously approved.

8. Bob Orndorff, Stephanie Harrington, Manager Electric Transmission Project Communications and

Wayne Briggs, Project Manager from Dominion Power utilized a Power Point presentation to describe Dominion's current project in the Mt. Storm – Doubs area of Jefferson County.

They explained there are approximately ninety-nine (99) miles of existing transmission lines in the Mt. Storm – Doubs area that are old and Dominion is in the process of rebuilding them. The process was described step-by-step. Ms. Harrington and Mr. Briggs stated that Dominion officials have spoken to all affected property owners and taking every precaution to be safe and to provide homeowners with specifics about the project.

Ms. Morgan left the meeting at 12:00 p.m.

UNFINISHED BUSINESS

9. Debbie Keyser, County Administrator, requested approval of the revised Agenda Policy.

Motion by Mr. Pellish to approve the revised Agenda Policy as presented. Motion seconded by Mr. Manuel and unanimously approved.

10. Approval of FY2013 County Commission Community Grants.

This item was held over until next week's Agenda to allow the Commissioners to better prepare for discussion and possible action.

11. Request by HEPMPO for a recommendation from the County Commission with regard to the installation of a traffic signal at the intersection of US Rt. 340 and Bakerton Road. - Discussion/Action.

Motion by Mr. Manuel to endorse the installation of a traffic signal at US Rt. 340 and Bakerton Road as an interim solution. Motion seconded by Mr. Pellish and unanimously approved (4 – 0).

FINANCIAL DIRECTOR'S REPORTS

- **Request approval of State Budget Revision #6.**

Motion by Mr. Manuel to approve State Budget Revision #6 as presented. Motion seconded by Mr. Pellish and unanimously approved.

- **Budget analysis for month ending July 31, 2012.**

Mr. Shroyer provided an analysis of the budget for the month ending July 31, 2012 and answered Commissioners' questions. Discussed funding of the Capital Outlay Fund.

COUNTY ADMINISTRATOR'S REPORTS

- Ms. Keyser inquired if the Commission preferred Option 1) a one-year renewal of the maintenance contract for the AS400, or Option 2) the Commissioners wish to replace the AS400 at a cost of \$108,254, plus maintenance. Motion by Mr. Pellish to approve Option 2. Motion seconded by Mr. Manuel and carried 3 – 1.

Mr. Pellish left the meeting at 12:25 p.m.

- Attended the Homeland Security and Emergency Management Full Scale Regional Exercise hosted by Barbara Miller, Director.
- Attended a 1.5 hour meeting with a Committee designated to resolve the distribution of fire company funds.
- Advised that the Wear Your Favorite Football Jersey and Chili Cook off Day has been changed to October 10, 2012.
- Stated that wellness points are being tallied to determine the first quarter winner. Ms. Keyser is modifying/improving the point system. The first quarter winner will be announced shortly.
- Officials from Loudoun Co. are visiting here on September 20, 2012. Ms Keyser will be visiting Loudoun Co. on September 27, 2012.
- Regarding eCivis software which was approved last week, contract signing has been completed and Sandy McDonald, Deputy County Administrator, will be attending training this coming week.
- Sally Gran and Ms. Keyser met with representatives for ING, the State Treasurer's Deferred Compensation Plan. Ms. Keyser requested approval to have representatives from ING make a presentation to county employees during the day, and an evening session at 6:00 or 7:00 p.m. to allow employees to attend with their spouses.

By unanimous consent the Commissioners agreed to authorize Ms. Keyser to invite ING representatives here to speak to county employees.

- Attended a Courthouse Committee meeting.
- Reminded the Commission that September 27, 2012 is "Meet Your Commissioners Day."
- Requested approval of the proposed contract with RCS for maintenance of security hardware.

Motion by Mr. Manuel to approve and authorize the contract with RCS for maintenance of existing security hardware to be executed. Motion seconded by Ms. Noland and carried 2 – 1.

COUNTY COMMISSIONERS' REPORTS

Commissioner Widmyer:

- Attended a public hearing regarding proposed zoning changes.
- Attended the 10th Anniversary celebration of the Farmland Protection Board.
- Attended a Jefferson County Public Service Commission meeting.
- Will be attending a Water Advisory Committee meeting (WAC) on September 17, 2012.
- Attended a public hearing regarding US Rt. 340 South.

Commissioner Manuel:

- Attended a public hearing regarding proposed zoning changes.
- Attended the Elks Run Watershed Group Organizational meeting.
- Will be attending the senior picnic for the Council on Aging at the Ranson Civic Center on September 14, 2012.

Commissioner Noland:

- Attended a public hearing regarding proposed zoning changes.
- Attended a Region 9 meeting.
- Will be attending a CCAWV legislative summit this weekend on Sunday, September 16, 2012 and Monday,

September 17, 2012 in Charles Town, WV.

There being no further business, motion by Mr. Manuel to adjourn the meeting. Motion seconded by Ms. Noland and unanimously approved. The meeting was adjourned until Thursday, September 20, 2012.

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, Charles Town on Thursday, September 13, 2012, beginning at 7:00 p.m.

**JOINT PLANNING COMMISSION/ COUNTY COMMISSION WORK SESSION
TO DISCUSS PROPOSED TIMELINE AND WORK PLAN FOR
FY2014 COMPREHENSIVE PLAN**

Ms. Noland opened the Work Session at 7:00 p.m.

Present for the County Commission:	Patricia Noland, President Dale Manuel, Vice President Lyn Widmyer, Commissioner Frances Morgan, Commissioner Walt Pellish, Commissioner
County Administrator:	Debbie Keyser
Bailiff:	Gerald Koogle
Present for the Planning & Zoning Dept.	Jennifer Brockman (via telephone) Steve Barney Seth Rivard
Present for the Planning Commission:	Paul Taylor Daniel Hayes Kelly Beatty Steve Stolipher

Ms. Brockman, via conference call, presented a power point presentation developed by the Planning and Zoning Department and Planning Commission for discussion with the Commissioners.

Discussion, questions and answers followed Ms. Brockman's presentation. It was tentatively decided that the discussion, with emphasis on choosing a Steering Committee, would be continued at the next Commission meeting on Thursday, September 20, 2012 beginning at 1:30 p.m.

There being no further business, the meeting was adjourned at 8:30 p.m.

PATRICIA A. NOLAND, PRESIDENT

PURCHASE ORDERS TO BE APPROVED
September 20, 2012

DEPARTMENT	PURCHASE ORDER NUMBER	AMOUNT	VENDOR	DESCRIPTION
ADDRESSING	50858	\$ 2,365.50	D&S Construction	Mount signs, rain caps, rivets/post
ANIMAL CONTROL	49640	\$ 351.00	TEVA	Vet Services
	51160	\$ 1,122.84	Revival Animal Health	Vaccines
	51161	\$ 810.00	Valley Pet Cemetary	Carcass disposal
	51162	\$ 179.71	Hillside Vet Hospital	Medication/Vaccine
CENTRAL GARAGE	50109	\$ 7,000.00	Fisher	Brake Lathe
CIRCUIT CLERK	49890	\$ 450.00	Vital Signs Plus	Envelopes
COUNTY CLERK	49971	\$ 12,238.00	CSSI	Indexing/imaging/probate Annual Maintenance
COMMISSION	50063	\$ 101,650.40	WV Regional Jail	August 2012 Billing
COURTHOUSE	50107	\$ 5,498.00	American Truck Service	Meyer model, Super V plow, Shoes, lights, V70 pump install

COMMUNICATIONS	48184	\$ 100.00	NAEMD	Recertification (Dudash)
OTHER BUILDINGS	50104	\$ 900.00	Alliance Electric	Labor to install exhaust fan
	50108	\$ 918.71	Daycon	Cleaning supplies
	50137	\$ 585.41	BK OFFICE SUPPLY	Color copy paper
	50138	\$ 125.49	CDW Government	service calls
PLANNING & ZONING	49958	\$ 665.78	BK Office Supply	Binders, staples/name plate
PROSECUTING ATTORNEY	50038	\$ 600.00	WV State Bar	6 Registrations
SHERIFF	49642	\$ 130.00	Law Enforcement System	Printing
	49643	\$ 318.01	Lexis Nexis	Crim. & Traffic Law CD
	49644	\$ 309.28	Bruce's 24 Wrecker	Towing camper/motorcycle
	49645	\$ 549.00	Town Gun Shop/Town Police	Vest (Leber)
	49647	\$ 600.00	International Polygraphy Services	Polyographs
	49648	\$ 900.00	Midwest Radar & Equip	Radar calibration
	49649	\$ 1,600.00	WV Sheriff's Assoc	Dues
	49650	\$ 7,664.00	WV Signal Light	Auto Supplies
	49681	\$ 1,680.00	John E. Reid Assoc	Training/Education
	49652	\$ 100.00	3 Pigs Training Solutions	Training
	49653	\$ 305.96	WV Uniforms	Uniforms
	49654	\$ 2,836.65	Galls	Uniforms/accessories

SHERIFF TAX	52080	\$ 809.19	Specialty Business	Envelopes (5,000)
VARIOUS	49639	\$ 350.68	Software Systems	Ethernet switch, connectors
WV Extension	50028	\$ 199.65	WPS	Property Tax
GRAND TOTAL		\$ 153,913.26	Printed at 11:11 a.m. on 9/17/12	

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

AGENDA REQUEST FORM

Name: Lynn Fields

Department or Entity: Probate Office

Estimation of amount of time needed for appointment: ~~30-60 minutes~~ 5 min

Date Requested – 1st Choice: September 20th, 2012

Date Requested – 2nd Choice: _____

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

Subject: **Approval to set hearing date for either ~~September 26th, 2012~~ OR October 1st, 2012**

Please provide the County Commission with a description of your request or presentation, including any background information: **Closing of estates and hearing for the Printz estates**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To set a date for the hearing for the Printz estates and to close estates since last quarterly meeting.**

Attachments:

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Lynn Fields

Department or Entity: Probate Office

Estimation of amount of time needed for appointment: 30 minutes – 60 minutes

Date Requested – 1st Choice: September 26th, 2012 (Wednesday)

Date Requested – 2nd Choice: October 1st, 2012 (Monday)

If a specific date is needed, please provide reason for specific date: **The probate office requests a day other than the normal Thursday commission meeting day because the hearing on the Printz estates may be lengthy.**

Subject: **(1) Approval of estates since last quarterly meeting that need to be closed because of tax implications/distribution requirements.**

(2) Hearing on the Amended Petition to Remove Executor and Appoint Curator AND the Response to Amended Petition to Remove Executor and Appoint Curator on the estates of Charles F. Printz, Sr., and Bethel H. Printz, deceased

Please provide the County Commission with a description of your request or presentation, including any background information: **(1) There are a few estates that we have been asked to place before the commission for closure that did not meet the deadline for the last quarterly meeting and need to be closed before the next quarterly meeting for tax/distribution deadlines.**

(2) Hearing on the petition to remove executor/appoint curator AND the response to the petitions on the Printz estates.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **(1) It is our recommendation that the commission approve the estates before them for closure. The estates have met the deadlines and requirements from our office for closure and disbursement. (2) The probate office defers to the county commission and its attorneys on the matter concerning the Printz estates.**

Attachments: **Amended Petition to Remove Executor and Appoint Curator AND (2 binders) Response to Amended Petition to Remove Executor and Appoint Curator on the Printz estates**

DINSMORE & SHOHL LLP
Huntington Square
900 Lee Street ^ Suite 600 ^ Charleston, WV 25301
www.dinsmore.com

P.O. Box 11887 ^ Charleston, WV 25339-1887

John F. Hussell, IV
(304) 357-9966 (direct) ^ (304) 357-0919 (fax)
john.hussell@dinsmore.com

August 10, 2012

Jennifer S. Maghan, Clerk
Jefferson County Courthouse
100 E. Washington Street
Charles Town, WV 25414

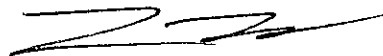
Re: In Re: The Estate of Charles Francis Printz, Deceased
SS# 236-03-1575
MaryBeth Printz/Estate of Charles Francis Printz
Our File No. 73117-1

Dear Ms. Maghan:

Enclosed for filing in the Office of the Clerk of the County Commission of Jefferson County, West Virginia is an original **Amended Petition to Remove Executor and Appoint Curator** (Petition) in the above-referenced matter. I have also enclosed an original **Certificate of Service** reflecting service of the foregoing on counsel for Charles F. Printz, Jr., as well as an extra copy of the Petition to be file-stamped and returned to me in the enclosed self-addressed, postage pre-paid envelope.

Should you have any questions regarding the enclosed Petition or Certificate of Service, please feel free to call me. Thank you.

Yours very truly,



John F. Hussell, IV

JFH/dmm
Enclosures

cc: David A. DeJarnett, Esquire

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: THE ESTATE OF CHARLES FRANCIS PRINTZ, DECEASED
SS# 236-03-1575

AMENDED PETITION TO REMOVE EXECUTOR AND APPOINT CURATOR

Pursuant to W. Va. Code § 44-1-5 (2010), Petitioner, MaryBeth Printz, by counsel, John F. Hussell, IV, Staci N. Criswell, Katherine M. Mullins, and the law firm of Dinsmore & Shohl, LLP, requests that the County Commission of Jefferson County, West Virginia remove Charles F. Printz, Jr. as Executor of the Estate of Charles Francis Printz (the Estate) and appoint a Curator of the Estate. In support of this Petition, Petitioner states as follows:

1. Petitioner, MaryBeth Printz, is the surviving daughter of Charles Francis Printz (the Decedent) and is an heir-at-law of Charles Francis Printz.
2. The Respondent, Charles F. Printz, Jr., is the surviving son of the Decedent and a resident of Martinsburg, Berkeley County, West Virginia.
3. Petitioner is informed and believes, and on such information and belief alleges, that on October 1, 2008, the Decedent executed an instrument purporting to be the Last Will and Testament of Charles Francis Printz appointing the Respondent, Charles F. Printz, Jr., as Executor of the Estate. A copy of the instrument dated October 1, 2008, is attached hereto as Exhibit A.
4. The Decedent died testate on September 30, 2011, a resident of Shepherdstown, Jefferson County, West Virginia.
5. Petitioner is informed and believes, and on such information and belief alleges, that on October 13, 2011, the instrument dated October 1, 2008, was admitted to

probate by the County Commission of Jefferson County, West Virginia and the Respondent, Charles F. Printz, Jr., qualified as Executor of the Estate.

6. Petitioner is informed and believes, and on such information and belief alleges, that the instrument admitted to probate is not the Last Will and Testament of Charles Francis Printz for the reason that at the time the Decedent executed the instrument, he was under the undue influence of the Respondent, Charles F. Printz, Jr.

7. On or about May 24, 2012, Petitioner filed a Complaint in the Office of the Clerk of the Circuit Court of Jefferson County, West Virginia, contesting the validity of the instrument dated October 1, 2008, as provided by W. Va. Code §§ 41-5-11 and 41-5-12 (2010).

8. In light of the pending will contest, should the Respondent, Charles F. Printz, Jr., be permitted to continue to serve as Executor, he will have a conflict of interest as a fiduciary and a beneficiary under the instrument dated October 1, 2008.

9. Due to this conflict, the Respondent, Charles F. Printz, Jr., should be removed as Executor and a curator appointed as provided by W. Va. Code § 44-1-5 (2010).

10. Moreover, Petitioner is informed and believes, and upon such information and belief alleges, that the Respondent, Charles F. Printz, Jr., has breached his fiduciary duty to the Estate and its beneficiaries by engaging in self-dealing as Executor for his own benefit and to the detriment of the Estate and its beneficiaries.

11. Petitioner is informed and believes, and upon such information and belief alleges, that the Respondent, Charles F. Printz, Jr., has improperly handled the assets of the Estate, has allowed the assets of the Estate to diminish, and has acted in a manner that is contradictory to the terms of the instrument dated October 1, 2008, purporting to be the Last Will and Testament of Charles F. Printz. Petitioner submits that the foregoing actions have been to the detriment of the Estate and its beneficiaries.

12. Specifically, the Respondent, Charles F. Printz, Jr., refused to allow Petitioner an opportunity to go through her personal items at the residence owned by the Decedent, as well as the items of personal property owned by her parents, including photographs, correspondence, clothing, and furniture, which would have had to occur during the summer due to Petitioner's job as a teacher in Alaska.

13. In February, 2012, the Respondent, Charles F. Printz, Jr., indicated that proceeds from a life insurance policy had been received and that he would distribute Petitioner's share to her within the next month or so. However, to date, over five (5) months later, the Respondent, Charles F. Printz, Jr., has failed to distribute said proceeds to Petitioner.

14. Respondent, Charles F. Printz, Jr., set an arbitrary deadline of May 18, 2012, for Petitioner to notify him as to whether she would be making her own arrangements for storage and moving of her personal items at the residence owned by the Decedent; otherwise, he said would hire movers to pack Petitioner's personal items on May 21, 2012, and transport them to a storage facility. On May 18, 2012, counsel for Petitioner informed counsel for Respondent that she would make her own arrangements for removal of her personal items from the residence. On May 21, 2012, counsel for Respondent informed counsel for Petitioner that the items had been packed and moved to a storage facility. Those items were withheld from Petitioner until she paid One Thousand Four Hundred Forty-Nine Dollars and Seventy-Five Cents (\$1,449.75) for the cost of packing and storing the items. This expense was unnecessary and should be borne by the Estate.

15. Respondent, Charles F. Printz, Jr., made statements accusing Petitioner of removing items from the residence owned by the Decedent during visits prior to the death of the Decedent, even demanding an accounting of items removed.

16. Petitioner is informed and believes, and upon such information and belief alleges, that the Decedent did not intend or contemplate that there would be such an unfriendly and acrimonious relationship between the Petitioner and Respondent, Charles F. Printz, Jr., in the administration of the Estate.

17. The unfriendly and acrimonious relationship between the Petitioner and Respondent, Charles F. Printz, Jr., has been detrimental to the administration of the Estate and its beneficiaries.

18. Respondent, Charles F. Printz, Jr., should be removed as Executor of the Estate and his appointment as Executor be revoked due to his continued violation of his fiduciary duties to the Estate and its beneficiaries and for his self-dealing and self-interest in handling the administration of the Estate.

19. Petitioner is informed and believes, and upon such information and belief alleges, that the Respondent, Charles F. Printz, Jr., will continue to mismanage and/or convert the assets of the Estate to his own personal benefit, and his past acts, omissions, and self-dealing necessitate the immediate suspension of the power and authority of the Respondent, Charles F. Printz, Jr., as Executor, pending formal Hearing on this Petition for the protection of the Estate and of the interests of the Petitioner.

WHEREFORE, Petitioner respectfully requests that the County Commission of Jefferson County, West Virginia enter an Order:

1. Removing Charles F. Printz, Jr. as Executor of the Estate of Charles Francis Printz;
2. Appointing a Curator of the Estate of Charles Francis Printz in accordance with the provisions of W. Va. Code § 44-1-5 (2010) pending resolution of the civil action to be filed in the Circuit Court of Jefferson County, West Virginia;

3. Permanently enjoining Charles F. Printz, Jr., in his capacity as Executor of the Estate, from making any partial or complete distributions of any assets of the Estate in accordance with the terms of the instrument dated October 1, 2008;

4. Directing Charles F. Printz, Jr., in his capacity as Executor of the Estate, to deposit with the Clerk of the County Commission an amount of money equal to that withdrawn or removed from the Estate, which sum will be held in the custody of the Clerk pending further Order of the County Commission in these proceedings;

5. Impressing a trust on such funds in the Estate, on funds removed from the Estate, and on funds deposited with the Clerk of the County Commission, in favor of the Estate;

6. Granting Petitioner her reasonable costs, including attorneys' fees, expended in this matter; and

7. Granting Petitioner such other and further relief as the County Commission may deem proper.

MARYBETH PRINTZ

By: 
Of Counsel

John F. Hussell, IV - WV Bar No. 6610
Staci N. Criswell - WV Bar No. 8797
Katherine M. Mullins - WV Bar No. 11425
Dinsmore & Shohl, LLP
P.O. Box 11887
Charleston, WV 25339-1887
Phone: (304) 357-0900
Fax: (304) 357-0919
Counsel for Petitioner

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

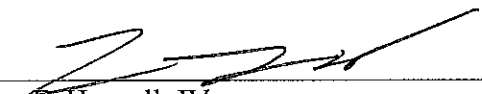
IN RE: THE ESTATE OF CHARLES FRANCIS PRINTZ, DECEASED
SS# 227-05-5194

CERTIFICATE OF SERVICE

The undersigned, of counsel for Petitioner, MaryBeth Printz, does hereby certify that the foregoing **Amended Petition to Remove Executor and Appoint Curator** has been served upon the following by this day mailing to him, by first class mail, postage prepaid, a true copy thereof:

David A. DeJarnett, Esquire
Bowles Rice McDavid Graff & Love LLP
P.O. Drawer 1419
Martinsburg, WV 25402
Counsel for Respondent

This 10th day of August, 2012.



John F. Hussell, IV

DINSMORE & SHOHL LLP
Huntington Square
900 Lee Street ^ Suite 600 ^ Charleston, WV 25301
www.dinsmore.com

P.O. Box 11887 ^ Charleston, WV 25339-1887

John F. Hussell, IV
(304) 357-9966 (direct) ^ (304) 357-0919 (fax)
john.hussell@dinsmore.com

August 10, 2012

Jennifer S. Maghan, Clerk
Jefferson County Courthouse
100 E. Washington Street
Charles Town, WV 25414

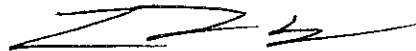
Re: In Re: The Estate of Bethel H. Printz, Deceased
SS# 227-05-5194
MaryBeth Printz/Estate of Bethel H. Printz
Our File No. 73117-1

Dear Ms. Maghan:

Enclosed for filing in the Office of the Clerk of the County Commission of Jefferson County, West Virginia is an original **Amended Petition to Remove Executor and Appoint Curator** (Petition) in the above-referenced matter. I have also enclosed an original **Certificate of Service** reflecting service of the foregoing on counsel for Charles F. Printz, Jr., as well as an extra copy of the Petition to be file-stamped and returned to me in the enclosed self-addressed, postage pre-paid envelope.

Should you have any questions regarding the enclosed Petition or Certificate of Service, please feel free to call me. Thank you.

Yours very truly,



John F. Hussell, IV

JFH/dmm
Enclosures

cc: David A. DeJarnett, Esquire

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: THE ESTATE OF BETHEL H. PRINTZ, DECEASED

SS# 227-05-5194

AMENDED PETITION TO REMOVE EXECUTOR AND APPOINT CURATOR

Pursuant to W. Va. Code § 44-1-5 (2010), Petitioner, MaryBeth Printz, by counsel, John F. Hussell, IV, Staci N. Criswell, Katherine M. Mullins, and the law firm of Dinsmore & Shohl, LLP, requests that the County Commission of Jefferson County, West Virginia remove Charles F. Printz, Jr. as Executor of the Estate of Bethel H. Printz (the Estate) and appoint a Curator of the Estate. In support of this Petition, Petitioner states as follows:

1. Petitioner, MaryBeth Printz, is the surviving daughter of Bethel H. Printz (the Decedent) and is an heir-at-law of Bethel H. Printz.
2. The Respondent, Charles F. Printz, Jr., is the surviving son of the Decedent and a resident of Martinsburg, Berkeley County, West Virginia.
3. Petitioner is informed and believes, and on such information and belief alleges, that on January 21, 2008, the Decedent executed an instrument purporting to be the Last Will and Testament of Bethel H. Printz appointing the Respondent, Charles F. Printz, Jr., as Executor of the Estate. A copy of the instrument dated January 21, 2008, is attached hereto as Exhibit A.
4. The Decedent died testate on October 20, 2011, a resident of Shepherdstown, Jefferson County, West Virginia.
5. Petitioner is informed and believes, and on such information and belief alleges, that on November 1, 2011, the instrument dated January 21, 2008, was admitted to

probate by the County Commission of Jefferson County, West Virginia, and the Respondent, Charles F. Printz, Jr., qualified as Executor of the Estate.

6. Petitioner is informed and believes, and on such information and belief alleges, that the instrument admitted to probate is not the Last Will and Testament of Bethel H. Printz for the reason that at the time the Decedent executed the instrument, she was under the undue influence of the Respondent, Charles F. Printz, Jr.

7. On or about May 24, 2012, Petitioner filed a Complaint in the Office of the Clerk of the Circuit Court of Jefferson County, West Virginia, contesting the validity of the instrument dated January 21, 2008, as provided by W. Va. Code §§ 41-5-11 and 41-5-12 (2010).

8. In light of the pending will contest, should the Respondent, Charles F. Printz, Jr., be permitted to continue to serve as Executor, he will have a conflict of interest as a fiduciary and a beneficiary under the instrument dated January 21, 2008.

9. Due to this conflict, the Respondent, Charles F. Printz, Jr., should be removed as Executor and a curator appointed as provided by W. Va. Code § 44-1-5 (2010).

10. Petitioner is informed and believes, and upon such information and belief alleges, that the Respondent, Charles F. Printz, Jr., has breached his fiduciary duty to the Estate and its beneficiaries by engaging in self-dealing as Executor for his own benefit and to the detriment of the Estate and its beneficiaries.

11. Petitioner is informed and believes, and upon such information and belief alleges, that the Respondent, Charles F. Printz, Jr., has improperly handled the assets of the Estate, has allowed the assets of the Estate to diminish, and has acted in a manner that is contradictory to the terms of the instrument dated January 21, 2008, purporting to be the Last Will and Testament of Bethel H. Printz. Petitioner submits that the foregoing actions have been to the detriment of the Estate and its beneficiaries.

12. Specifically, the Respondent, Charles F. Printz, Jr., refused to allow Petitioner an opportunity to go through her personal items at the residence owned by the Decedent, as well as the items of personal property owned by her parents, including photographs, correspondence, clothing, and furniture, which would have had to occur during the summer due to Petitioner's job as a teacher in Alaska.

13. The instrument dated January 21, 2008, purporting to be the Last Will and Testament of Bethel H. Printz, provides that the furniture and household furnishings were to be divided equally between Petitioner and Respondent, Charles F. Printz, Jr., in a manner which was mutually agreeable. However, in response to requests by Petitioner for certain items, Respondent, Charles F. Printz, Jr., stated that he was keeping those items for himself. Respondent's actions demonstrate that he considered himself to have complete control of the items of personal property and to be entitled to make the final determination of which items Petitioner was permitted to have. These actions were in contravention of the instrument dated January 21, 2008, purporting to be the Last Will and Testament of Bethel H. Printz, which provides that Petitioner and Respondent were to come to an agreement with respect to these items.

14. In addition, pursuant to the instrument dated January 21, 2008, purporting to be the Last Will and Testament of Bethel H. Printz, the Decedent devised unto Petitioner all of her clothing and personal effects. Petitioner requested that the Respondent, Charles F. Printz, Jr., mail the mink coat owned by the Decedent to her. Respondent replied, "I had thought that after 25 years in Alaska, you had plenty of warm clothing."

15. Respondent, Charles F. Printz, Jr., set an arbitrary deadline of May 18, 2012, for Petitioner to notify him as to whether she would be making her own arrangements for storage and moving of her personal items at the residence owned by the Decedent; otherwise, he

said would hire movers to pack Petitioner's personal items on May 21, 2012, and transport them to a storage facility. On May 18, 2012, counsel for Petitioner informed counsel for Respondent that she would make her own arrangements for removal of her personal items from the residence. On May 21, 2012, counsel for Respondent informed counsel for Petitioner that the items had been packed and moved to a storage facility. Those items were withheld from Petitioner until she paid One Thousand Four Hundred Forty-Nine Dollars and Seventy-Five Cents (\$1,449.75) for the cost of packing and storing the items. This expense was unnecessary and should be borne by the Estate.

16. Respondent, Charles F. Printz, Jr., made statements accusing Petitioner of removing items from the residence owned by the Decedent during visits prior to the death of the Decedent, even demanding an accounting of items removed.

17. Petitioner is informed and believes, and upon such information and belief alleges, that the Decedent did not intend or contemplate that there would be such an unfriendly and acrimonious relationship between the Petitioner and Respondent, Charles F. Printz, Jr., in the administration of the Estate.

18. The unfriendly and acrimonious relationship between the Petitioner and Respondent, Charles F. Printz, Jr., has been detrimental to the administration of the Estate and its beneficiaries.

19. Respondent, Charles F. Printz, Jr., should be removed as Executor of the Estate and his appointment as Executor be revoked due to his continued violation of his fiduciary duties to the Estate and its beneficiaries and for his self-dealing and self-interest in handling the administration of the Estate.

20. Petitioner is informed and believes, and upon such information and belief alleges, that the Respondent, Charles F. Printz, Jr., will continue to mismanage and/or convert

the assets of the Estate to his own personal benefit, and his past acts, omissions, and self-dealing necessitate the immediate suspension of the power and authority of the Respondent, Charles F. Printz, Jr., as Executor, pending formal Hearing on this Petition for the protection of the Estate and of the interests of the Petitioner.

WHEREFORE, Petitioner respectfully requests that the County Commission of Jefferson County, West Virginia enter an Order:

1. Removing Charles F. Printz, Jr. as Executor of the Estate of Bethel H. Printz;
2. Appointing a Curator of the Estate of Bethel H. Printz in accordance with the provisions of W. Va. Code § 44-1-5 (2010) pending resolution of the civil action to be filed in the Circuit Court of Jefferson County, West Virginia;
3. Permanently enjoining Charles F. Printz, Jr., in his capacity as Executor of the Estate, from making any partial or complete distributions of any assets of the Estate in accordance with the terms of the instrument dated January 21, 2008;
4. Directing Charles F. Printz, Jr., in his capacity as Executor of the Estate, to deposit with the Clerk of the County Commission an amount of money equal to that withdrawn or removed from the Estate, which sum will be held in the custody of the Clerk pending further Order of the County Commission in these proceedings;
5. Impressing a trust on such funds in the Estate, on funds removed from the Estate, and on funds deposited with the Clerk of the County Commission, in favor of the Estate;
6. Granting Petitioner her reasonable costs, including attorneys' fees, expended in this matter; and

7. Granting Petitioner such other and further relief as the County

Commission may deem proper.

MARYBETH PRINTZ

By: 
Of Counsel

John F. Hussell, IV – WV Bar No. 6610
Staci N. Criswell – WV Bar No. 8797
Katherine M. Mullins – WV Bar No. 11425
Dinsmore & Shohl, LLP
P.O. Box 11887
Charleston, WV 25339-1887
Phone: (304) 357-0900
Fax: (304) 357-0919
Counsel for Petitioner

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: THE ESTATE OF BETHEL H. PRINTZ, DECEASED

SS# 227-05-5194

CERTIFICATE OF SERVICE

The undersigned, of counsel for Petitioner, MaryBeth Printz, does hereby certify that the foregoing **Amended Petition to Remove Executor and Appoint Curator** has been served upon the following by this day mailing to him, by first class mail, postage prepaid, a true copy thereof:

David A. DeJarnett, Esquire
Bowles Rice McDavid Graff & Love LLP
P.O. Drawer 1419
Martinsburg, WV 25402
Counsel for Respondent

This 10th day of August, 2012.



John F. Hussell, IV

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

Name: Angie Banks

Department or Entity: Assessor

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: 9-20-12

Date Requested – 2nd Choice: _____

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

Subject: **Exonerations**

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

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

Attachments:

<p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p>
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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: September 20, 2012

Date Requested – 2nd Choice: September 27, 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:

This issue is related to the Chesapeake Bay Initiative and Jefferson County’s participation, under the West Virginia Department of Environmental Protection’s Watershed Implementation Plan (WIP), to reduce storm water runoff pollution to the Chesapeake Bay.

In the Spring of 2012, Jefferson County received a Chesapeake Bay Regulatory & Accountability Grant (CBRAG) in the amount of \$30,000. The purpose of the grant is to hire a consultant to review and assess existing land development ordinances, facilitate public meetings, provide public outreach and education, and draft a new storm water management ordinance that provides pollution control requirements for storm water runoff from land development. This will be in addition to the storm water runoff quantity control requirements that already exist under the storm water management regulations.

As directed by the County Commission, the Engineering Department advertised a Request for Qualifications (RFQ) from consultants to perform the scope of work outlined in the Chesapeake Bay Regulatory & Accountability Grant (CBRAG) application. In addition to the Region 9 Planning & Development Council’s proposal, qualification statements were received from KCI Technologies, Inc., William H. Gordon Associates, Inc., and Potesta & Associates, Inc.

The qualification statements were reviewed by Roger Goodwin, Chief County Engineer, Joe Kent, Land Development Inspector, and a representative from the West Virginia Department of Environmental Protection. The consensus is to accept The Region 9 Planning & Development Council’s June 7, 2012, proposal to complete the Storm Water Management Ordinance.

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:

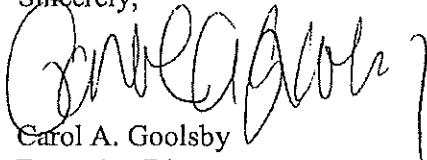
- Delta Development Group, Inc., already under contract with Region 9, was selected via a formal RFP process, which included a review of the firm's qualifications, available at your request. Thus satisfying grant procurement process requirements.
- The grant has a deadline for completion of the scope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

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.

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.

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
Scott G. Mandirola, Director
West Virginia Department of Environmental Protection
Division of Water and Waste Management
601 57th Street, S.E.
Charleston, WV 25304

WVDEP Grants 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	WVDEP Project Manager: 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: Scott G. Mandirola, Director Division of Water and Waste Management	Date 3/26/12
---------------------------------	---	-----------------

AFFIRMATION OF AWARD
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

Signature of Recipient 	Typed Name and Title: Patricia Noland, President	Date 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.

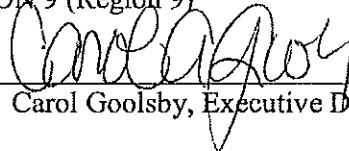
ARTICLE III: REGION 9 and the COMMISSION agree to follow program guidelines as they relate to the requirements and regulations set forth in the grant award from the WV DEP CBRAP.

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.

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

By: _____
Eric R. Clancy
Executive Vice President

By: _____
Carol A. Goolsby
Executive Director

Date: _____

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.

Project Manager	\$150.00/hour
Senior Associate/Associate	\$120.00/hour
Quality Assurance Analyst	\$75.00/hour
Administrative Support	\$55.00/hour



7/19/12



Request by Mr. Goodwin that the Commission accept the 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. Mr. Goodwin stated that, after the last discussion, he has advertised for proposals to perform the scope of work as outlined in the Chesapeake Bay Regulatory & Accountability Grant Fund application, to write a stormwater management ordinance to meet the pollution reduction requirements of the Chesapeake Bay Initiative.

It was suggested by the Commission that Region 9 choose the company to perform the scope of work and handle the administrative work as well. The Commission directed Mr. Goodwin to contact Region 9 and determine if they would be willing to do this and come back to the Commission with an answer.

6. **Ronald Fletcher, President of the Jefferson County Fire and Rescue Association** explained that the Association was against obtaining yearly audits of their monies unless it was funded by the Jefferson County Commission. He stated that the audits were very costly and other financial forms were filed each year that would serve the same purpose. Members of other fire companies echoed Mr. Fletcher's comments.

With regard to staffing and funding of the fire companies Mr. Fletcher offered several scenarios describing how the fire companies themselves could distribute the monies.

The Commission and Mr. Fletcher agreed to resolve the issues quickly.

7. **Stephanie Grove, Assistant Prosecuting Attorney**, informed the Commission of the statutory requirements for membership on the Board of the Eastern Regional Airport Authority.

Ms. Grove, speaking for Steve Groh, Assistant Prosecuting Attorney handling the Faraway Farms matter, provided an update stating that a Summary Judgment was filed and signed by the judge before a hearing was held. Mr. Groh is working on having the Summary Judgment dismissed.

8. **Paul Shroyer, Director of Financial Management:**

- **With regard to Budget Revisions Nos. 1044 through 1047** motion by Ms. Widmyer to ratify previously approved budget revisions Nos. 1044 through 1047. Motion seconded by Mr. Manuel and unanimously approved.
- **With regard to two Journal Voucher adjustments** motion by Ms. Widmyer to ratify two previously approved Journal Voucher adjustments. Motion seconded by Mr. Manuel and unanimously approved.
- **With regard to the drafts of the Standard Operating Procedures and Payment of Vouchers policies** the Commission directed Mr. Shroyer to combine the two making one policy and have staff place his request for approval on next week's agenda.
- **With regard to Budget Revision No. 1 (Issue #1)** motion by Mr. Manuel to ratify the previously approved Budget Revision No. 1 (Issue #1). Motion seconded by Ms. Morgan and unanimously approved.
- **Brief discussion regarding the Capital Outlay Fund.**

NEW BUSINESS

9. **Request for approval of Grant Contract, Resolution and Letter of Agreement for the African American Community Association Grant in the amount of \$8,000 for Fisherman's Hall.**

Motion by Mr. Manuel to approve the Grant Contract, Resolution and Letter of Agreement for the African American Community Association Grant in the amount of \$8,000 for Fisherman's Hall. Motion seconded by Mr. Pellish and unanimously approved.

SA

<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

7-19-12

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.**

6/21/12
minutes

Amended 2012-06-28

- **Discussed list of expenses for the CIP, Courthouse and Other Buildings.**

Included on the list was a new phone system for all County offices estimated by Bill Polk to cost approximately \$175,000; cost for moving the AS400; cost of a new server for the Planning and Zoning Department; cost of mapping software for GIS Department rough estimate of \$75,000 – Mr. Fagan is working on getting a more solid figure; the possible purchase of the Briel Building; space needs; CAD System (estimated cost of \$800,000); possible addition behind the Smoot Building; elevator for the Mason Building estimated at \$250,000; repairs on County Courthouse

- **Request from Mark Hofe of the Twenty-Third Circuit Probation Department for the Commission to provide tables and chairs for the Juvenile Drug Court.**

Mr. Hofe and Shroyer spoke and it was decided that Mr. Hofe will meet with Bill Polk, Maintenance Director, and look over the tables and chairs that the County is not currently using to see if any will serve his purpose.

- **Mr. Shroyer discussed audit findings and the response he received from Stuart Stickel, CPA, Deputy State Auditor.** The audit cited two departments which showed excess budget wages paid to employees in 2010 and 2011. Ms. Keyser will draft a policy regarding authorization for any expenditure of excess budget monies.
- **Mr. Shroyer prepared and submitted a Budget Analysis for May 2012 which he discussed with the Commissioners.**

The Commission took a short break at 10:53 a.m.

The Commission reconvened the meeting at 11:05 a.m.

- 12. Roger Goodwin, Chief County Engineer, along with Carol Goolsby from Region 9 spoke about the Chesapeake Bay Initiative and the Chesapeake Bay Regulatory and Accountability Grant. Ms. Goolsby explained that Region 9 assists by researching and providing information to the County.**

The Commission directed Ms. Keyser to submit the application for the Grant to the Legal Department for review and, if approved by Ms. Grove, to put the item on the Agenda for sometime in July 2012.

- **Rebecca Burns, Office Manager, Engineering Department, requested that the Commission authorize Staff to call on any Letter of Credits that are due and are not renewed by the close of business on Monday, July 9, 2012.**
- Motion by Ms. Morgan to authorize Engineering Department Staff to call on any Letter of Credits that are due and are not renewed by the close of business on Monday, July 9, 2012. Motion seconded by Mr. Pellish and unanimously approved.

- 13. Request by Terry Simons, WorkCamp Coordinator for the Office of Youth Ministry that the Commission approve a waiver of permit fees for approximately 96 proposed charitable home repair projects for those in need.**

Motion by Mr. Manuel to waive permit fees for the Office of Youth Ministry home repair projects for people in the area that are in need of assistance. Motion seconded by Mr. Pellish and unanimously approved.

- 14. Discussion for setting a date for a Public Hearing concerning the purchase of the Briel Building was**



RECEIVED

June 7, 2012

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

JUN 12 2012

Jefferson County Commission

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:

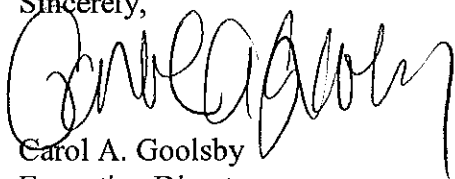
- Delta Development Group, Inc., already under contract with Region 9, was selected via a formal RFP process, which included a review of the firm's qualifications, available at your request. Thus satisfying grant procurement process requirements.
- The grant has a deadline for completion of the scope 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 #55-6600333 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

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.

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.

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Scott G. Mandirola, Director
West Virginia Department of Environmental Protection
Division of Water and Waste Management
601 57th 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:

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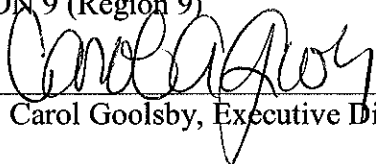
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ARTICLE IV: This agreement may be altered upon mutual agreement of both parties. It may also be terminated by either party upon the service of a thirty day notice so stating.

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

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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.

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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.

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

By: _____
Eric R. Clancy
Executive Vice President

By: _____
Carol A. Goolsby
Executive Director

Date: _____

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.

Project Manager	\$150.00/hour
Senior Associate/Associate	\$120.00/hour
Quality Assurance Analyst	\$75.00/hour
Administrative Support	\$55.00/hour



<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: Dr. Joy Buck and Trina Bartlett

Department or Entity: WVU Health Sciences Center;

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1st Choice: Thursday, September 20

Date Requested – 2nd Choice: _____

If a specific date is needed, please provide reason for specific date: Giving presentations to other County Commissions on other Thursdays in September

Subject: Update on the MAPP (Mobilizing for Action through Planning and Partnerships) presentation that was made to the Commission in Spring 2011

Please provide the County Commission with a description of your request or presentation, including any background information: This will be an update (from Spring 2011) of the key findings from the Mobilizing for Action through Planning and Partnerships (MAPP). MAPP is a strategic approach to community health improvement. The MAPP process involved several assessments that identified the key issues that, when addressed, can improve the overall health of the community. In addition to the findings, next steps will also be discussed.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): None needed

Attachments: To be provided closer to meeting date.

6

<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: **Eleanor Finn**

Department or Entity: **League of Women Voters of Jefferson County**

Estimation of amount of time needed for appointment: **10 minutes**

Date Requested – 1st Choice: **September 20, 2012**

Date Requested – 2nd Choice: **September 27, 2012**

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

Subject: **Summary of League observations of the County Commission**

Request to be placed early in the agenda.

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

A copy of the presentation will be sent in a separate email. This is a working document and subject to changes.

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

Attachments: **Separate email for a copy of the presentation.**

**LEAGUE OF WOMEN VOTERS OF JEFFERSON COUNTY
COUNTY COMMISSION OBSERVER REVIEW
SEPTEMBER 2012**

INTRODUCTION

THE LWVUS BELIEVES THAT DEMOCRATIC GOVERNMENT DEPENDS UPON INFORMED AND ACTIVE PARTICIPATION AT ALL LEVELS OF GOVERNMENT. THE LEAGUE FURTHER BELIEVES THAT GOVERNMENTAL BODIES MUST PROTECT THE CITIZEN'S RIGHT TO KNOW BY GIVING ADEQUATE NOTICE OF PROPOSED ACTIONS, HOLDING OPEN MEETINGS AND MAKING PUBLIC RECORDS ACCESSIBLE.

IDEALLY, OBSERVERS MONITOR BOTH THE ISSUES BEING DISCUSSED AND THE PROCESS. OBSERVERS DO NOT WORK PERSONAL OR PARTISAN AGENDAS, BUT OFFER COMMENTARY ON BEHALF OF THE LEAGUE. IT IS HOPED THAT THE OBSERVER PRESENCE WILL ENCOURAGE BETTER, MORE TRANSPARENT GOVERNMENT.

I BECAME THE LWV OBSERVER TO THE JEFFERSON COUNTY COMMISSION IN LATE JUNE OF 2011 AND HAVE COVERED MOST MEETINGS SINCE THEN WITH HELP OF SEVERAL OTHER LEAGUE MEMBERS.

AN OBSERVER REPORTING FORM, DEVELOPED FROM LWV SOURCES, IS USED SO THAT EACH OBSERVER GATHERS SIMILAR INFORMATION.

IN GENERAL EFFECTIVE PRACTICES:

1. ALL FIVE COMMISSIONERS ARE ALMOST ALWAYS PRESENT. ANTICIPATED ABSENCES ARE MADE KNOWN AND A REQUEST TO DELAY DISCUSSION OF AN IMPORTANT ITEM CAN BE MADE.
2. STAFF IS PRESENT AS NEEDED, AND USUALLY WELL PREPARED. STAFF LEADERSHIP OF THE VARIOUS DEPARTMENTS APPEARS WELL INFORMED, WELL SPOKEN, AND RESPONSIVE TO COMMISSION REQUESTS AND QUESTIONS.
3. PUBLIC COMMENT IS PERMITTED BY SIGNUP **BEFORE** THE MEETING. NO PUBLIC COMMENT IS ACCEPTED DURING THE MEETING.
4. THE AGENDA IS FOLLOWED AND THE MEETINGS PROCEED IN AN ORDERLY FASHION. TIMES ARE SOMETIMES JUGGLED. ANY EXECUTIVE SESSIONS ARE USUALLY HELD AT THE END OF MEETINGS.
5. COMMISSIONERS HOLD A DIALOG ON ITEMS PRESENTED AND OFFER THEIR PERSONAL VIEWS AND BACKGROUND FROM OTHER AGENCIES FOR WHOM THEY ACT AS LIAISONS.
6. WHILE THERE IS DISAGREEMENT, COMMISSIONERS ARE RESPECTFUL OF EACH OTHER AND OF PROPER MEETING CONDUCT.
7. THE CURRENT AGENDA AND MINUTES OF THE IMMEDIATELY PREVIOUS MEETING ARE AVAILABLE AT THE REGULAR COMMISSION MEETINGS AND ONLINE AT THE COUNTY WEBSITE. PAST MEETINGS ARE ARCHIVED AND RECORDED FOR WEBCAST (WHEN AVAILABLE) AND AURALLY IF NEEDED. MINUTES OF OTHER MEETINGS, E.G. PLANNING COMMISSION, BOARD OF ZONING APPEALS, ETC. ARE ALSO AVAILABLE ON THE WEBSITE.

AREAS FOR GENERAL COMMENT

I. ACCESS AND TRANSPARENCY

1. COMMISSIONERS WERE RECENTLY ISSUED IPADS. THIS RAISED THE ISSUE OF CYBER MEETINGS. THIS HAPPENS WHEN SOMEONE, IT COULD BE A DEPARTMENT HEAD, STAFF MEMBER, MEMBER OF THE PUBLIC, REQUESTS AN OPINION FROM THE COMMISSION VIA EMAIL. IF ALL RESPOND, THAT IS A MEETING AND VIOLATES OPEN MEETINGS LAW. SUCH REQUESTS SHOULD FUNNEL THROUGH THE COUNTY ADMINISTRATOR AND BECOME AGENDA ITEMS.

THE COMMISSION IS DEVELOPING A PROCEDURE TO ASSURE COMPLIANCE WITH OPEN MEETINGS LAWS.

II POLICY AND PROCEDURES

1. THE COMMISSION LACKS CONSISTENCY IN PROCEDURE. POLICIES ARE NOT ALWAYS FOLLOWED.

2. FISCAL PLANNING: A PLAN NEEDS TO BE DEVELOPED TO MAINTAIN SERVICE LEVELS IN THE FACE OF EXPECTED DECLINING REVENUE FROM LOTTERY/TABLE GAMES.

3. PROCEDURES ARE NOT CLEAR REGARDING ISSUES REQUIRING COMMISSION ACTION. HOW AND WHERE DOES A MEMBER OF THE PUBLIC BEGIN? SHOULD SOMEONE START WITH A COMMISSIONER OR WITH STAFF?

4. WHAT IS THE STRUCTURE OF A PUBLIC HEARING? WHEN IS A HEARING REQUIRED? WHO DEFINES THE ISSUES AT THE BEGINNING OF THE HEARING TO HELP THE PUBLIC FOCUS COMMENTS? WHAT HAPPENS TO PUBLIC COMMENT, VERBAL OR WRITTEN?

5. CLARIFICATION OF COMMISSION OVERSIGHT RESPONSIBILITY FOR VARIOUS APPOINTED BODIES IS NEEDED. WHAT ARE THEIR RESPONSIBILITIES FOR REPORTING BACK, AND WHAT IS THE COMMISSION'S RESPONSIBILITY TO THEM IN TERMS OF DIRECTION AND SUPPORT?

6. APPOINTMENTS TO COUNTY COMMITTEES/BOARDS: MORE EFFECTIVE ADVERTISING WOULD MAKE RESIDENTS AWARE OF OPPORTUNITIES TO SERVE. APPOINTMENTS SHOULD **REQUIRE**, NOT JUST REQUEST, CANDIDATE RESUMES AT LEAST ONE WEEK PRIOR TO THE APPOINTMENT VOTE. ON -THE- SPOT CANDIDATE VOTES SHOULD BE DEFERRED. THESE ARE IMPORTANT POSTS WHERE LONG RANGE DECISIONS ARE MADE.

PROGRESS

1. A THREE MINUTE TIME LIMIT FOR PUBLIC COMMENT HAS BEEN ESTABLISHED. THIS LIMIT IS FAMILIAR TO PEOPLE WHO SPEAK REGULARLY, BUT NEWCOMERS NEED TO BE INFORMED. SPEAKERS SHOULD BE REMINDED BEFORE THE COMMENTS BEGIN, AND IT SHOULD BE MADE CLEAR THAT NO RESPONSE WILL BE MADE BY THE COMMISSION IN RESPONSE. THE RULE SHOULD BE NOTED ON THE ADVERTISEMENT, THE AGENDA, AND ON THE SIGNUP SHEET.

2. THE WEEKLY AGENDA OFTEN HAS 100+ PAGES OF ITEMS TO SORT THROUGH. THE PROBLEM OF EASILY FINDING BACKGROUND PACKET INFORMATION HAS BEEN SOLVED WITH A BOOKMARK SYSTEM. **LEAGUE STRONGLY COMMENDS DEPUTY COUNTY ADMINISTRATOR SANDY MCDONALD AND ASSISTANTS NICHELLE HOSBY AND DEBBIE**

STELLATO.

3. BECAUSE OF CONCERN ABOUT THE LEGALITY OF COMMISSIONERS VOTING TWICE ON THE SAME ISSUE, THE COMMISSION HAS REQUESTED A LEGAL RULING FROM THE STATE TO CLARIFY VOTING BY COUNTY COMMISSIONERS WHO ARE APPOINTED TO SERVE AS LIAISONS TO VARIOUS GROUPS SUCH AS THE PLANNING COMMISSION, OR EMERGENCY SERVICES. CAN THEY VOTE IN BOTH PLACES?

4. THERE IS INCREASING TRANSPARENCY. PUBLIC HEARINGS ARE HELD MORE FREQUENTLY. THERE IS INCREASING AWARENESS OF THE IMPORTANCE OF ACCESS TO RECORDS. AS RECORDS ARE ESTABLISHED IN ELECTRONIC FORMAT BOTH PUBLIC AND STAFF ACCESS WILL BE FACILITATED.

5. THE HIRING OF A FINANCIAL DIRECTOR AND A HUMAN RESOURCES DIRECTOR ARE MAJOR STEPS FORWARD.
THE NEW FINANCIAL DIRECTOR GIVES THE COMMISSION A MONTHLY BUDGET REPORT AND HAS ESTABLISHED A PROCEDURE FOR BUDGET REVISIONS. HE MONITORS WHEN SPENDING IS OVER BUDGET.
THE NEW HUMAN RESOURCES DIRECTOR HAS SET UP OFFICIAL PERSONNEL FILES. THERE HAS BEEN IMPLEMENTATION OF A NEW BENEFITS POLICY. THE DIRECTOR ALSO KEEPS TRACK OF THE SALARY SCHEDULE AND ANY EXCEPTIONS REQUESTED BY DEPARTMENT HEADS .

6. TO ASSURE AGENDA ITEM FOLLOWUP, A COMMISSION PROJECTS CHART, COMPLETE WITH TEAM LEADERS AND DEADLINES, IS NOW MAINTAINED BY THE ACTING COUNTY ADMINISTRATOR.

7. THE COMMISSION MEETING ROOM HAS BEEN MODIFIED TO INCLUDE INDIVIDUAL MICROPHONES FOR COMMISSIONERS AND FOR PUBLIC COMMENT AND PRESENTATION. THREE MONITORS/SCREENS CAN BE USED SIMULTANEOUSLY FOR POWERPOINT PRESENTATIONS. NOW AUDIBLE AS WELL AS VISUAL INFORMATION AVAILABLE TO COMMISSIONERS IS AVAILABLE TO THE PUBLIC IN REAL TIME.

THE LEAGUE COMMENDS THE MANY HOURS OF DEDICATED SERVICE THE COMMISSIONERS PUT IN TO FULFILL THE RESPONSIBILITIES OF COUNTY GOVERNMENT. THANK YOU.

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Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Stephanie Grove

Department or Entity: Legal

Estimation of amount of time needed for appointment: 30 min or work session

Date Requested - 1st Choice: 9/20/12

Date Requested - 2nd Choice: _____

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

Subject:

Impact Fee Affordable Housing Ordinance

Please provide the County Commission with a description of your request or presentation, including any background information: Update on the impact fee ordinance in compliance w/ the affordable housing amendments passed by the Legislature

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): Motion to approve affordable housing amendments as drafted or to set a public hearing.

Attachments: Draft amendments.

New Definitions:

- 1) Residential Housing Index: The single dwelling residential housing index created by the Tax Commissioner in accordance with the provisions of W.Va. Code § 11-1-2b.
- 2) Average Market Value: The value of a home as determined by the average cost data listed in the Residential Housing Index created pursuant to the provisions of W.Va. Code § 11-1-2b

New Section: 2(F) Affordable Housing Discount

(1) In accordance with the provisions of W.Va. Code § 7-20-7a, the County Commission shall provide a discounted fee schedule for new dwelling units valued at 60 percent (60%) or below of the average market value for single dwelling residential housing in the county as determined by the most recent residential housing index. The discounted fee schedule will be based on a lineal scale of the normal impact fee.

(2) A new dwelling unit's market value shall be determined by the Assessor, using the same methods and calculations to determine market values for purposes of taxation and shall include both the dwelling and land value. The Assessor's estimate of value shall be based upon information supplied by the homeowner about the new dwelling unit during the application process. The Assessor's estimate of market value is not subject to appeal and cannot be used at a later to date to contest valuation for purposes of taxation.

(3) The affordable housing discount shall be available by application only. A qualifying applicant shall be required to pay a percentage of the normal impact fee, which percentage shall be equal to the dwelling unit's estimated value as compared to the residential housing index. For example an applicant whose dwelling unit is estimated to be 60% of the average market value will pay 60% of the impact fee.

(4) An applicant for an affordable housing discount shall:

- a. Complete the Affordable Housing Discount Form available from the Engineering Department
- b. Provide all documentation requested on the Affordable Housing Discount Form
- c. Be entitled to an affordable housing discount if the new dwelling unit's value is estimated to be 60% or below the average market value as determine by the residential housing index.

(5) If the value of the resulting structure as determined by the Assessor for taxation purposes far exceeds the estimated market value as determined by the Assessor and the difference in value results from inaccurate information provided by the applicant, the applicant shall be required to pay the difference between the normal impact fee and the affordable housing fee that was actually paid by the applicant.

8

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

AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Departments of Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: 09/06/12

Date Requested – 2nd Choice: _____

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

Subject: **Discussion of Placement of Signage on Certain County-Owned Properties**

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

The County is experiencing some issues with trespassing and unlawful occupation of certain properties owned by the County. Typically such persons are evicted by the County Code Compliance Officer and the Sheriff's Department on a routine basis. Upon the advice of the Sheriff's Department, staff has been considering the posting of "No Trespassing" signs to allow further enforcement of these violations. While undertaking this research, it came to our attention that there are deed restrictions on the FEMA acquired properties that permit certain uses of the properties. In light of this information, staff would like to discuss this matter with the County Commission to receive policy direction regarding this issue.

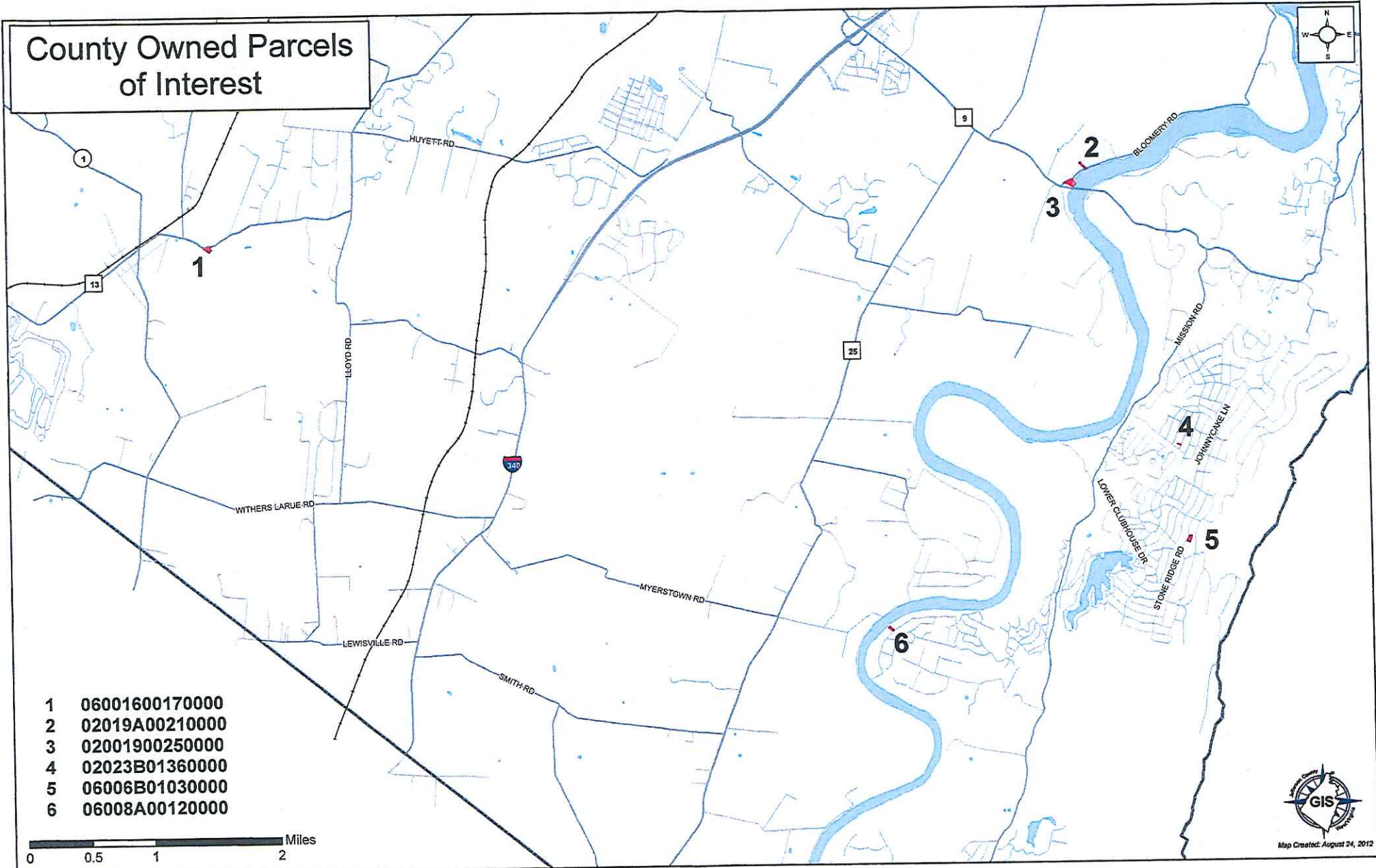
Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):

I move to authorize staff to post signs on _____ (identify) properties stating _____ (i.e.: No Trespassing OR Closed after Dark/No Alcohol Permitted, etc.)

Attachments:

- 1) **Map of County Owned Properties of Interest**
- 2) **Excerpt from deed for FEMA purchased properties**

County Owned Parcels of Interest



- 1 06001600170000
- 2 02019A00210000
- 3 02001900250000
- 4 02023B01360000
- 5 06006B01030000
- 6 06008A00120000

0 0.5 1 2 Miles



Map Created: August 24, 2012

EXHIBIT A

In reference to the Deed between (the property owners) participating in the FEMA acquisition project Edward D. Bark, the Grantor, and the Jefferson County Commission, the Grantee,

WHEREAS, The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended ("The Stafford Act"), identified the use of disaster relief funds under Section 404 (Hazard Mitigation Grant Program, "HMGP"), including the acquisition and relocation of structures in the flood plain;

WHEREAS, Section 404 of the Stafford Act provides a process for a Community, through the State, to make application for funding to be used to acquire interests in property, including the purchase of structures in flood plain, to demolish and/or remove the buildings, and to convert the land use into perpetual open space;

WHEREAS, the West Virginia Office of Emergency Services has made such application and has entered into a FEMA-State Agreement dated March 7, 1997, and herein incorporated by reference;

WHEREAS, the County of Jefferson, acting by and through the Jefferson County Commission, has entered into a cooperative grant agreement with West Virginia Office of Emergency Services dated June 24, 1999 ("Grant Agreement");

WHEREAS, the terms of the Stafford Act, regulations promulgated thereunder (44 C.F.R. Section 206.434), and the FEMA-State Agreement require that the Grantee agree to conditions which were intended to restrict the use of the land to open spaces in perpetuity in order to protect and preserve natural flood plain values; and

NOW, THEREFORE, the grant is made subject to the following terms and conditions:

1. **Terms.** Pursuant to the terms of the Stafford Act, regulations promulgated thereunder (44 C.F.R. 206.434), as they read now and may be amended in the future, and the FEMA-State Agreement, the following conditions and restrictions shall apply in perpetuity to each property described in the attached deed and acquired by the Grantee pursuant to the Stafford Act Section 404 acquisition program:

(a) **Compatible uses:** The land shall be used only for purposes compatible with open space, recreational, or wetlands management practices; in general such uses include parks for outdoor recreational activities, nature reserves, unimproved pervious parking lots and other uses described in 44 C.F.R. Section 206.434, as it reads now and may be amended in the future.

(b) **Structures:** No new structures or improvements shall be erected on the property other than:

(i) A public facility that is open on all sides and functionally related to the open space use;

(ii) A public rest room; or

(iii) A structure that is compatible with the uses described in Paragraph 1(a), above, and approved by the Director, in writing prior to the commencement of the construction of the structure.

Any structures built on the property according to this paragraph shall be floodproofed or elevated to the Base Flood Elevation plus one foot of freeboard.

(c) **Disaster Assistance.** No future disaster assistance from any Federal source for any purpose related to the property may be sought, nor will such assistance be provided;

(d) **Transfer:** The Grantee agrees that it shall convey any interest in the property only with prior approval of the transferee from the Regional Director of FEMA and only to another public entity or to an organization qualified under Section 170(b) of the Internal Revenue Code of 1954, as amended, and the applicable regulations promulgated thereunder. However, the Grantee may convey a lease to a private individual or entity for purposes compatible with the uses described in Paragraph 1(a), above, including agriculture, with the prior approval of the Regional Director.

If title to the property is transferred to a public entity other than a qualified state or federal agency with a conservation mission, it must be conveyed subject to a Conservation Easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth herein, including the easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:

(i) The Grantee shall convey, in accordance with section (d), above,



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 M. Brockman
Director, Planning and Zoning
DATE: September 20, 2012
RE: 2014 Comprehensive Plan: Proposed Steering Committee Structure and Composition

As discussed during the September 13th County Commission workshop on the 2014 Comprehensive Plan process, one of the important elements of the planning process is the creation of a Steering Committee. On Thursday, September 20th, we need to reach a consensus on what the membership of this group should be and how they will be invited and/or recruited to participate. Our appointment date goal is October 25, 2012.

Some of the key roles of the Steering Committee are as follows:

- 1. Provide policy feedback and policy recommendations to Staff.** Because the Steering Committee represents a broad variety of agencies and interests, group members can offer guidance to staff regarding proposed plan recommendations that are specific to each member's area of expertise.
- 2. Review and contribute to draft plan recommendations.** The Steering Committee will review the recommendations from the Subcommittees regarding a vision statement, goals, objectives, scenarios, and implementation strategies. (Steering Committee members will comprise the membership of the six topical subcommittees and the Outreach subcommittee). The Committee's review is based on ensuring that the plan addresses community issues and reflects community opinion and objectives.
- 3. Monitor plan development and the planning process.** Committee members are expected to take an active role in the planning process by attending some of the public input workshops and reviewing recommendations. Committee members will also share their perspectives with staff regarding the planning process – for example, whether additional targeted outreach is necessary to reach certain groups.
- 4. Represent stakeholders that do not directly sit on the steering committee.** One of the important functions of the steering committee is to represent those that do not have direct representation in the planning process.
- 5. Take ownership of the plan as it is developed and responsibility for building community consensus.** Steering Committee members have the responsibility of working with and among other stakeholder groups to effectively communicate plan

recommendations, encourage public participation, and take other steps to create community consensus for the planning process and the plan itself.

6. **Review and endorse draft Comprehensive Plan.** After draft recommendations are complete, the Steering Committee will take the important step of endorsing the recommendations of the draft plan that the committee helped to shape. Some Committee members may also assist in presenting plan recommendations to Planning Commission and County Commission.
7. **Keep the planning process moving forward.** The Comprehensive Plan will have a tight project schedule and assistance from all parties will be necessary in order to complete the process in accordance with required timelines.

In working with the Steering Committee, staff's role is to:

- Support the Steering Committee and subcommittees by providing the best available information and analysis
- Synthesize Steering Committee and subcommittee input into draft plan components
- Support broad participation by the public as well as local officials representing the County's diverse interests
- Help residents view the community with fresh eyes and consider approaches that have worked in other communities and may be of value to Jefferson County
- Provide the technical skills to develop the land use policy maps and other materials needed to communicate the Comprehensive Plan to residents

Attached is a suggested list of organizations and interests representing a broad variety of sectors, including economic development, institutions, resource conservation, homeowners, and other interests. This list is not intended to be a definitive set of organizations, but rather is a starting point for developing a Steering Committee.

It might be worthwhile to also spend some time discussing the anticipated formation of the subcommittees. Our expectation is that the subcommittees will be wholly formed from Steering Committee members and that every Steering Committee member will be on at least one subcommittee. It would be best if the subcommittees are not just the experts in the field but consist of a cross section of interests so that the recommendations coming out of the subcommittees have already addressed the need to provide balanced thought process.

We look forward to discussing this further with you on Thursday.

Brainstormed Ideas for Potential Members of the 2014 Comprehensive Plan Steering Committee

- Jefferson County Commission Districts citizen representatives (5 total)
- Incorporated Towns (5)
- JC Planning Commission (2 members)
- JC County Commission (2 members)
- Chamber of Commerce
- Jefferson County Development Authority (JCDA)
- Agriculture/Rural (2 reps)
- JC Convention and Visitors Bureau (CVB)
- Public Utilities – water/sewer
- Major Business
- Small Business
- WV Department of Transportation (WVDOT)/Metropolitan Planning Organization (MPO)
- JC Historic Landmarks Commission (HLC)/ JC Historical Society
- National Park Service
- JC Parks and Recreation
- Broad-based community recreational interest (i.e., Trail Blazers)
- Conservation-oriented interest (i.e., Land Trust)
- Arts Council
- Watershed Group/Water Advisory Committee
- Board of Education Superintendent
- Eastern Panhandle Organization of Homeowners Associations (EPOHOA)
- Homebuilders and/or Realtors Association
- WV Legislative Rep
- Higher Education Campus
- Department of Environmental Protection (DEP)/Region 9

<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: Barbara Miller

Department or Entity: Homeland Security & Emergency Management

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: September 20, 2012

Date Requested – 2nd Choice: _____

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

Subject:

- 1) Memoranda of Understanding between Jefferson County Schools and JCHSEM for continued use of schools during disasters for shelters, points of distribution, command centers, etc.
- 2) Information received from Raymond Palmer, FEMA regarding various types of assistance post-June 29th storm
- 3) Information about Family Disaster Preparedness Night on September 26th
- 4) Report on the Regional Full Scale Disaster Exercise held on September 8th throughout WV Homeland Security Region 3 (Mineral, Hampshire, Morgan, Grant, Hardy, Berkeley and Jefferson Counties)

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

- 1) These MOUs are updated and signed each year to use the schools in time of disaster.
- 2) Attachments
- 3) As a part of National Preparedness Month, JCHSEM is sponsoring an evening to teach our residents how to build a family disaster kit, how to make a family disaster plan, how to prepare for public health emergencies, and other information to help them to get ready for the next disaster.
- 4) Verbal report on the full scale regional exercise.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Only item #1 requires a motion. "I move to approve the Memoranda of Understanding with Jefferson County Schools, as presented."**

Attachments:

- 1) **Volunteers Meet People's Post-Disaster Needs; SBA Disaster Assistance Available to Private Non-Profit Organizations in WV; Agencies Get More Time to Seek Disaster Aid; FEMA Public Assistance; Hazard Mitigation Grant Program**
- 2) **MOUs-Jefferson County Schools**

10:00 AM
10:00 AM
10:00 AM

**Memorandum of Understanding
Between
Jefferson County Board of Education
&
Jefferson County Office of Homeland Security and Emergency Management**

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Blue Ridge Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

Susan K. Wall
Superintendent, Jefferson County Schools

8-28-12
Date

Susan Bygler
Administrator, Blue Ridge Elementary School

8/7/12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&
Jefferson County Office of Homeland Security and Emergency Management**

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide North Jefferson Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

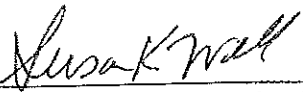
Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

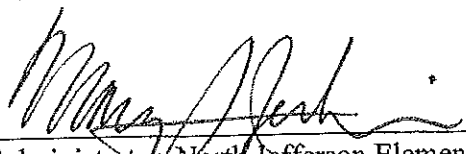
This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:



Superintendent, Jefferson County Schools

8-27-12
Date



Administrator, North Jefferson Elementary School

8/7/12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Page Jackson Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

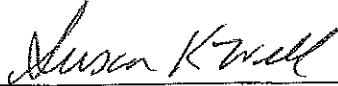
Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

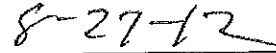
4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

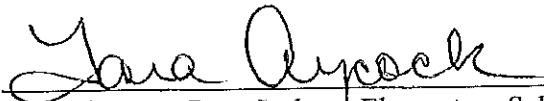
Agreed to and accepted by:



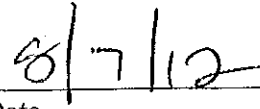
Superintendent, Jefferson County Schools



Date



Administrator, Page Jackson Elementary School



Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&
Jefferson Memorial Hospital**

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or temporary alternate care facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Page Jackson Elementary School for the purpose of setting up shelter, command center, or Point of Distribution site during an incident.
2. Provide the Jefferson Memorial Hospital with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson Memorial Hospital personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson Memorial Hospital to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by employees of the Jefferson Memorial Hospital for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson Memorial Hospital agrees to the following:

1. Provide a hospital point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.
4. Return all buildings to the state they were found in prior to the hospital's use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

Susan Kwall
Superintendent, Jefferson County Schools

8-27-12
Date

Lara Rypock
Administrator, Page Jackson Elementary School

8/7/12
Date

Administrator, Jefferson Memorial Hospital

Date

Coordinator, Threat Preparedness
Jefferson Memorial Hospital

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Ranson Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

Susan K. Well

Superintendent, Jefferson County Schools

8-27-12

Date

Debra P. Cahett

Administrator, Ranson Elementary School

8/7/12

Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Shepherdstown Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

Susan K'Wall
Superintendent, Jefferson County Schools

8-27-12
Date

Dr. Suzanne Offutt
Administrator, Shepherdstown Elementary School

8-7-12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide C. W. Shipley Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

Shirley K Wall
Superintendent, Jefferson County Schools

8-27-12
Date

Reatha E. Bowers
Administrator, C. W. Shipley Elementary School

8-7-12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&
Jefferson County Office of Homeland Security and Emergency Management**

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide South Jefferson Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

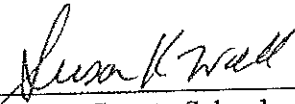
Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

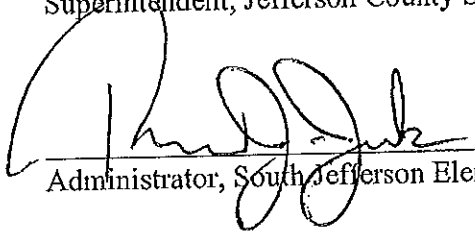
This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:



Superintendent, Jefferson County Schools

8-27-12
Date



Administrator, South Jefferson Elementary School

August 7, 2012
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&
Jefferson County Office of Homeland Security and Emergency Management**

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Wright Denny Intermediate School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

Susan K. Will
Superintendent, Jefferson County Schools

8-27-12
Date

Ch. Walter
Administrator, Wright Denny Intermediate School

8/7/12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide T. A. Lowery Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

Rosa K Wall
Superintendent, Jefferson County Schools

8-22-12
Date

Christine Martin
Administrator, T. A. Lowery Elementary School

8/7/12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Driswood Elementary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

Susan K Wall
Superintendent, Jefferson County Schools

8-27-12
Date

Holly K. Osborne
Administrator, Driswood Elementary School

8/16/12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&
Jefferson County Office of Homeland Security and Emergency Management**

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Blue Ridge Primary School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

Susan Krall
Superintendent, Jefferson County Schools

8-27-12
Date

Muler Shaffer
Administrator, Blue Ridge Primary School

8-7-12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Charles Town Middle School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

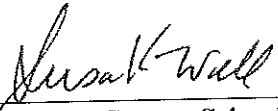
Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

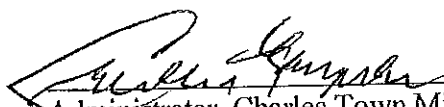
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Agreed to and accepted by:



Superintendent, Jefferson County Schools

8-27-12
Date



Administrator, Charles Town Middle School

8/2/12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&
Jefferson County Office of Homeland Security and Emergency Management**

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Harpers Ferry Middle School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
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Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

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3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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Agreed to and accepted by:

Susan Kneel
Superintendent, Jefferson County Schools

8-27-12
Date

Joseph R Spungas
Administrator, Harpers Ferry Middle School

8/07/12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Shepherdstown Middle School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

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2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Wildwood Middle School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
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3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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Agreed to and accepted by:

Susan K Wall
Superintendent, Jefferson County Schools

8-27-12
Date

Ms. Pat Brockway
Administrator, Wildwood Middle School

8/7/2012
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Jefferson High School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

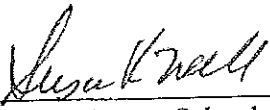
Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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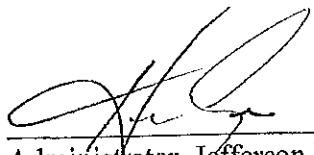
Agreed to and accepted by:



Superintendent, Jefferson County Schools

8-27-12

Date



Administrator, Jefferson High School

8/27/12

Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Washington High School for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

- Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

This document is a statement of understanding and is not intended to create binding or legal obligation on either party. This document will be reviewed and revised on a yearly basis to remain in effect.

Agreed to and accepted by:

Maria K. Wells
Superintendent, Jefferson County Schools

8-27-12
Date

Quincy Ann Marcus
Administrator, Washington High School

8/7/12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&**

Jefferson County Office of Homeland Security and Emergency Management

General Purpose: To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or food and supplies distribution facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Opportunity Learning Center for the purpose of setting up shelter, command center, or Point of Distribution (POD) site during an incident.
2. Provide the Jefferson County Office of Homeland Security and Emergency Management with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson County Office of Homeland Security and Emergency Management personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson County Office of Homeland Security and Emergency Management to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by members of the Jefferson County Jefferson County Office of Homeland Security and Emergency Management for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson County Jefferson County Office of Homeland Security and Emergency Management agrees to the following:

1. Provide a Jefferson County Office of Homeland Security and Emergency Management point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.

4. Return all buildings to the state they were found in prior to the Jefferson County Office of Homeland Security and Emergency Managements use and replace any supplies used during an incident.

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Agreed to and accepted by:

Susa Kwall
Superintendent, Jefferson County Schools

Date

Mary Beth Vickers
Administrator, Opportunity Learning Center

8-7-12
Date

Administrator, Jefferson County Office of Homeland Security
& Emergency Management

Date

**Memorandum of Understanding
Between
Jefferson County Board of Education
&
Jefferson Memorial Hospital**

General Purpose: - To work together during a disaster whether man-made or natural or during a pandemic/epidemic to make available locations for shelters, command, or temporary alternate care facilities during an incident.

Jefferson County Board of Education agrees to the following:

1. Provide Opportunity Learning Center for the purpose of setting up shelter, command center, or Point of Distribution site during an incident.
2. Provide the Jefferson Memorial Hospital with two points of contact in case of an emergency:
 - a. An Administrator who will serve as a primary Point of Contact. The person will have authority to open the building for activation.
 - b. A custodian point of contact, who will work with the Jefferson County Jefferson Memorial Hospital personnel to locate and arrange tables, chairs, etc.
3. Work with the Jefferson Memorial Hospital to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they become available.
4. Allow school to be visited by employees of the Jefferson Memorial Hospital for the development and maintenance of the County Site Dispensing Plan.
5. Agree to maintain records of school personnel time records and any other school expenses incurred as a result using this facility.

Jefferson Memorial Hospital agrees to the following:

1. Provide a hospital point of contact to answer questions that the Jefferson County Board of Education may have regarding these arrangements.
2. Use the after-hours contact or request the use of school buildings only during a true disaster or pandemic/epidemic.
3. Work with the Board of Education to ensure good communications prior to and during an incident by relaying pertinent information, advisories, and updates as they are received.
4. Return all buildings to the state they were found in prior to the hospital's use and replace any supplies used during an incident.

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Agreed to and accepted by:

Susan K. Wall

Superintendent, Jefferson County Schools

8-27-12

Date

Mary Beth Vickers

Administrator, Opportunity Learning Center

8-7-12

Date

Administrator, Jefferson Memorial Hospital

Date

Coordinator, Threat Preparedness
Jefferson Memorial Hospital

Date

Joint Information Center
Disaster Field Office
Charleston, West Virginia



West Virginia Department of Homeland
Security and Emergency Management



FEMA

August 27, 2012
DR-4071-WV-NR002
Media Contact:
FEMA News Desk: 304-344-3519

Disaster News

CORRECTED

Volunteers Meet People's Post-Disaster Needs

Charleston, WV – When disaster strikes, as it did in West Virginia this summer, government agencies are not the only resource.

This year, hundreds of unsung and largely unnamed volunteers throughout the state and from at least four other states have invested their time, money and skills to help the thousands who were hit by the June and July windstorms.

They have removed trees and chopped them up, provided thousands of meals to the hungry, supplied tons of drinking water, laid tarpaulins over leaky roofs, and provided refrigerators, generators and school supplies to help meet the overwhelming needs.

At the heart of the effort is the West Virginia VOAD – Voluntary Organizations Active in Disaster. They carry out the unglamorous nuts and bolts of the volunteer efforts, coordinating all the many member groups to make sure help goes where it's needed and workers on the scene neither miss anyone nor get in each other's way.

And coordination is the key to the entire volunteer effort.

"Today's technology has made coordination vastly quicker and easier," said Jenny Gannaway, chair of the West Virginia VOAD.

A secure web site called E Team has been set up where county emergency managers can coordinate their needs and capabilities with the state emergency operations center.

When county emergency managers learn of a need, they send a request to West Virginia VOAD directly or through E Team. VOAD posts the request on line where it is accessible to all the member agencies. A member agency agrees to meet the need – cut a tree, deliver meals – and then does the job. The workers report what they've done to the county emergency manager, who passes the information on to VOAD, which marks the request as filled.

"This works really well," Ms. Gannaway said. "It cuts down on phone calls, and it is a great way to keep all the members up to date on unmet needs."

"We're still looking for people who need help and haven't got it," Ms. Gannaway added. "People who have unmet needs can call VOAD at 304-343-9922, and we'll do whatever we can to help."

Here's a partial list of the volunteer groups and the work they've done since the storms hammered West Virginia:

- The Mennonite Disaster Service removed and chipped trees in Putnam, Wayne, Greenbrier and Kanawha counties, bringing in equipment all the way from Nebraska to help lift trees off houses.
- American Baptist Men removed trees in Boone, Roane, Kanawha and Fayette counties.
- Catholic Charities worked with county emergency managers to deliver food to Roane, Logan, Mingo, Fayette, Clay and Raleigh counties, and provided food vouchers for people throughout the state.
- Community Lutheran Partners funded the repair of home electric meters.
- The Church of Jesus Christ of Latter Day Saints provided a trailer load of food to the Huntington food bank, and the United Methodist Church sent a truckload of food to Oak Hill.
- Church World Service provided school supplies to food banks for children about to begin the new school year.
- United Church of Christ from Ohio provided a large roll of tarpaulin material for statewide use.
- Donations and grants are being provided or sought by United Methodist Church, St. Vincent de Paul Society, the United Church of Christ, Catholic Charities, and Church World Service. Community Lutheran Partners has received \$25,000 for disaster relief.
- Habitat for Humanity will help Long Term Recovery Groups with house repairs.
- Certain Teed Corporation donated large quantities of dry wall for home repair and Appalachian Outreach made arrangements and delivered it where needed.
- Other agencies -- the Salvation Army, Southern Baptist Church, American Red Cross, and others -- have also contributed time, effort and money state-wide.
- Volunteers in Service to America (VISTA) staffed phones at the state emergency operations center and surveyed the needs of food pantries statewide.

The list goes on and on. Not only West Virginians, but people from Minnesota, North Carolina, Ohio, Virginia and elsewhere have put their own lives on hold to help West Virginians, expending thousands of work hours with more to come.

The volunteer agencies don't do it all by themselves. "The collaboration between WV VOAD member agencies and the state, county and federal officials has been great," Ms. Gannaway said. "FEMA is essential in reaching the sources of help, such as state offices and the like."

She added, "Working together is the key to success, and this disaster has proven that where there is 'communication, cooperation, coordination and collaboration,' great things can happen no matter how big the disaster."

There will be unmet disaster-related needs in the state for months to come. West Virginians who still need help should call VOAD at 304-343-9922 – they're in the helping business.

###

FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.

Disaster recovery assistance is available without regard to race, color, religion, nationality, sex, age, disability, English proficiency or economic status. If you or someone you know has been discriminated against, call FEMA toll-free at 1-800-621-FEMA (3362). For TTY call 1-800-462-7585.



West Virginia Department of Homeland
Security and Emergency Management



FEMA

August 27, 2012
DR-4071-WV-NR002
Media Contact:
FEMA News Desk: 304-344-3519

Disaster News

CORRECTED

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###

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DISASTER NEWS

Loans for Homeowners, Renters and Businesses of All Sizes

SBA Disaster Assistance – Field Operations Center- East – 101 Marletta Street, NW, Suite 700, Atlanta, GA 30303

Release Date: July 27, 2012

Release Number: 12-680, WV13154/13155

Contact: Michael Lampton

Phone: 404-331-0333

SBA Disaster Assistance Available to Private Non-Profit Organizations in West Virginia

ATLANTA – The U.S. Small Business Administration announced today that certain Private Non-Profit Organizations (PNPs) in West Virginia that do not provide critical services of a governmental nature may be eligible to apply for low interest rate disaster loans. These loans are available as a result of a Presidential disaster declaration for Public Assistance resulting from damages caused by severe storms and wind that occurred on June 29 through July 1, 2012.

PNPs located in the following counties that provide non-critical services are eligible to apply: Barbour, Boone, Braxton, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Logan, Marshall, Mason, McDowell, Mercer, Mingo, Monroe, Nicholas, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Tucker, Tyler, Upshur, Wayne, Webster, Wetzell, Wirt, Wood and Wyoming in West Virginia. Examples of eligible non-critical PNP organizations include, but are not limited to, food kitchens, homeless shelters, museums, libraries, community centers, schools and colleges.

“PNP organizations are urged to contact the West Virginia Division of Homeland Security and Emergency Management at www.dhsem.wv.gov to obtain information about local briefings. At the meeting, PNP representatives will need to provide information about their organization,” said Frank Skaggs, director of SBA Field Operations Center East in Atlanta. The information will be used to submit a Request for Public Assistance which FEMA uses to determine if the PNP provides an essential governmental service and meets the definition of a “critical facility.” Based upon that conclusion, FEMA may provide the PNP with a Public Assistance reimbursement grant for their eligible costs or refer the PNP to SBA for disaster loan assistance.

PNP organizations may borrow up to \$2 million to repair or replace damaged or destroyed real estate, machinery and equipment, inventory and other business assets. The SBA may increase a loan up to 20 percent of the total amount of disaster damage to real estate and/or leasehold improvements, as verified by SBA, to make improvements that lessen the risk of property damage by future disasters of the same kind.

The SBA also offers Economic Injury Disaster Loans to PNP organizations of all sizes to help meet working capital needs, such as ongoing operating expenses. Economic Injury Disaster Loan assistance is available regardless of whether the organization suffered any physical property damage. Interest rates are as low as 3 percent with terms up to 30 years. The SBA sets the loan amounts and terms based on each applicant’s financial condition.

Applicants may apply online using the Electronic Loan Application (ELA) via SBA's secure website at <https://disasterloan.sba.gov/ela>.

Disaster loan information and application forms may also be obtained by calling the SBA's Customer Service Center at 800-659-2955 (800-877-8339 for the deaf and hard-of-hearing) or by sending an email to disastercustomerservice@sba.gov. Loan applications can be downloaded from www.sba.gov. Completed applications should be mailed to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

The filing deadline to return applications for physical property damage is **September 21, 2012**. The deadline to return economic injury applications is **April 23, 2013**.

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For more information about the SBA's Disaster Loan Program, visit our website at www.sba.gov.



West Virginia Department of Homeland
Security and Emergency Management

Joint Information Center
Disaster Field Office
Charleston, West Virginia



FEMA

Disaster News

August 16, 2012

DR-4071-WV-NR001

Media Contacts:

FEMA News Desk: 304-344-3519

Agencies Get More Time to Seek Disaster Aid

Charleston, WV – West Virginia local governments, state agencies and certain non-profit organizations will have an additional 30 days to apply for disaster assistance due to damage caused by the June-July windstorms. The extension was announced today by the West Virginia Department of Homeland Security and Emergency Management (WVDHSEM) and the Federal Emergency Management Agency (FEMA).

The deadline is now Sept. 21 to apply for federal aid to repair or replace public buildings and infrastructure damaged by the windstorm.

“We’re pleased with the extension,” said Jimmy Gianato, state coordinating officer for the disaster. “This will give us more time to make sure that all the applicants in the state have a chance to register and get the assistance they are eligible for.”

Under the public assistance program, FEMA pays 75 percent of the costs for debris removal, emergency protective measures, and repairing or replacing disaster-damaged public facilities such as bridges, roads, buildings, schools, publicly owned utilities, recreational facilities and the like.

Since the disaster declaration on July 23, FEMA has received 336 requests for public assistance in the 45 eligible counties.

“This was a big storm and the infrastructure damage in West Virginia was widespread,” said Dolph Diemont, federal coordinating officer for the disaster. “This extension will help insure that none of our potential applicants fall through the cracks.”

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FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.



FEMA

OFFICE OF EXTERNAL AFFAIRS
LEGISLATIVE AFFAIRS DIVISION

FEMA PUBLIC ASSISTANCE

The Federal Emergency Management Agency (FEMA), which is now incorporated within the Department of Homeland Security, under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), Public Law 93-288, as amended, administers the **Public Assistance (PA)** program. Public Assistance is oriented to public entities and can fund the repair, restoration, reconstruction, or replacement of a public facility or infrastructure, which is damaged or destroyed by a disaster.

Eligible applicants include State governments, local governments and any other political subdivision of the State, Native American tribes, and Alaska Native Villages. Certain private nonprofit (PNP) organizations may also receive assistance. Eligible PNPs include educational, utility, irrigation, emergency, medical, rehabilitation, and temporary or permanent custodial care facilities (including those for the aged and disabled), and other PNP facilities that provide essential services of a governmental nature to the public. PNPs that provide “critical services” (power, water--including water provided by an irrigation organization or facility, sewer, wastewater treatment, communications, educational services, and emergency medical care) may apply directly to FEMA for a disaster grant. All other PNPs must first apply to the Small Business Administration (SBA) for a disaster loan. If the PNP is declined for an SBA loan, or the loan does not cover all eligible damages, the applicant may re-apply for FEMA assistance.

As soon as practicable after the declaration, the State, assisted by FEMA, conducts the Applicant Briefings for State, local and PNP officials to inform them about the assistance available and how to apply for it. A request for Public Assistance must be filed with the State within 30 days after the area is designated eligible for assistance. Following the Applicant’s Briefing, a Kickoff Meeting is conducted where damages will be discussed, needs assessed, and a plan of action put in place. A combined Federal/State/local team proceeds with Project Formulation, which is the process of documenting the eligible facility, the eligible work, and the eligible cost for fixing the damages to every public or PNP facility identified by State or local representatives. The team prepares a Project Worksheet (PW) for each project. Projects fall into the following categories:

- Category A: Debris removal
- Category B: Emergency protective measures
- Category C: Road systems and bridges
- Category D: Water control facilities

- Category E: Public buildings and contents
- Category F: Public utilities
- Category G: Parks, recreational, and other

For insurable structures within special flood hazard areas (SFHA), primarily buildings, assistance from FEMA is reduced by the amount of insurance settlement that could have been obtained under a standard NFIP policy. For structures located outside of a SFHA, FEMA will reduce the amount of eligible assistance by any available insurance proceeds.

FEMA reviews and approves the PWs and obligates the Federal share of the costs (which cannot be less than 75 percent) to the State. The State then disburses funds to local applicants.

Projects falling below a certain threshold are considered 'small.' The threshold is adjusted annually for inflation. For fiscal year 2012, that threshold is \$66,400. For small projects, payment of the Federal share of the estimate is made upon approval of the project, and no further accounting to FEMA is required. For large projects, payment is made on the basis of actual costs determined after the project is completed, although interim payments may be made as necessary. Once FEMA obligates funds to the State, further management of the assistance, including disbursement to sub-grantees, is the responsibility of the State. FEMA will continue to monitor the recovery progress to ensure the timely delivery of eligible assistance and compliance with the law and regulations.



FEMA

Office of External Affairs
Congressional Affairs Division

HAZARD MITIGATION GRANT PROGRAM

Authorized under Section 404 of the Stafford Act, the Hazard Mitigation Grant Program (HMGP) administered by the Federal Emergency Management Agency (FEMA), now under the Department of Homeland Security, provides grants to States and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the program is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. FEMA can fund up to 75 percent of the eligible costs of each project. Total Federal funding under the current program is based on a sliding scale of the estimated grants for individual assistance programs and public assistance projects. States may choose to develop an Enhanced State Mitigation Plan in order to receive an increased amount of up to 20 percent for Hazard Mitigation Grant Program funding. Eligible applicants are State and local governments, Native American tribes, and certain non-profit organizations. Individual homeowners and businesses may not apply directly to the program; however, a community may apply on behalf of homeowners and businesses. The following is a summary of key aspects of the Program roles of the States, local applicants, and FEMA:

State's Role

- Manage the overall program within the State.
- Ensure that the FEMA Regional Director has approved the State Hazard Mitigation Plan and the State's administrative plan for implementing the HMGP.
- Establish funding priorities, and select projects for funding based on those priorities.
- Solicit program interest and help potential applicants develop complete applications.
- Establish deadlines for applications.
- Provide applicants with technical assistance (mitigation techniques and/or HMGP policy).
- Ensure that mitigation measures must be cost-effective, must benefit the disaster area, and must be consistent with the mitigation plans required under Section 322 of the Disaster Mitigation Act of 2000.
- Forward selected projects to FEMA for final eligibility review.
- Act as grantee, receiving funds from FEMA and disbursing them to successful applicants.
- Ensure that applicants and subgrantees adhere to all program and administrative requirements.
- Perform grantee responsibilities of monitoring the progress of projects and submitting quarterly reports to FEMA indicating the status and completion date for each approved project.

Community Applicant/Subgrantee's Role

- Submit individual project applications to the State (if the proposed measure is selected as an approved project, the applicant becomes a subgrantee).
- Coordinate with participating homeowners and businesses that will benefit from the grant to develop the application, and subsequently oversee distribution of grant funds to subrecipients or contractors.
- Manage implementation of the approved project.
- Comply with all HMGP requirements and applicable Federal, State and local laws and standards, including compliance with National Flood Insurance Program and the National Environmental Policy Act
- Account for the appropriate use of grants to the State grantee.
- Maintain records on the program and projects as required by law.

FEMA's Role

- Oversee and manage the HMGP.
- Establish minimum criteria for project eligibility.
- Advise the State of the estimated amount of available funding.
- Assist the State in setting priorities for the use of HMGP funds in the aftermath of a disaster.
- Review projects selected and submitted by the State for eligibility.
- Prepare the environmental decision document based on information submitted by the applicant.
- Provide technical assistance to States, applicants, and subgrantees in order to ensure effective and efficient implementation of the program.
- Review State's quarterly reports and follow up on issues as necessary.

For more information about the HMGP application and eligibility requirements, please refer to the implementing regulations at 44 CFR 206.430.

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

10

AGENDA REQUEST FORM

Name: Debbie Keyser, Interim County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: ~~August 2, 2012~~ ~~8-23-12~~ 9/20/12

Date Requested – 2nd Choice: _____

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

Subject: FY2013 Budget Allocations - Discussion/Action

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

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

Attachments:

	2012	2013									
Organization	Approved	Requested	60% of Req	Lyn	Frances	Dale	Walt	Patsy			Funds will be used for:
Animal Welfare Society of Jefferson County	\$15,300	\$20,000	\$8,000		\$9,000	\$20,000	\$10,000				Operating budget
Arts & Humanities Alliance (AHA!)		\$16,000	\$6,400								Grants Program
Birthright of Jefferson County		\$1,500	\$600								Childred Nutrition Program
Blue Ridge Mountain Watershed Coalition		(\$15,000)									Expansion of water monitoring- <i>Approved 7/26/12 unencumbered funds</i>
Books for Babies					\$500						
Boy Scouts of America											
Boys & Girls Club of the Eastern Panhandle	\$5,000	\$10,000	\$4,000		\$4,000	\$2,000	\$2,000				After school & summer programs
CASA(Court Appointed Special Advocates) o/t East. Panhandle	\$2,000	\$5,000	\$2,000	\$5,000	\$2,000	\$4,500	\$2,000	\$5,000			Volunteer recruitment & training
Certified Arts Community-Funding (AHA)		\$5,000	\$2,000				\$2,000				Networking & Partnership building
Charles Town Race Track Chaplaincy	\$2,500	\$5,000	\$2,000		\$2,500	\$2,000					Substance Abuse & Anger Management Programs
Claymont Society for Continuous Education											
Community Alternatives to Violence (CAV)	5,000	\$5,000	\$2,000	\$5,000	\$5,000		\$5,000	\$10,000			Subsidize class fees
Craft Workers at Cool Springs											
Duffields Station Center (train station)	\$1,000	\$3,200	\$1,280		\$1,000	\$1,000					Balance of fee due for restoration of 1839 B&O railroad station Said no more \$\$ last year
Eastern Panhandle Conservation District	\$4,000	\$10,000	\$4,000		\$3,000	\$4,000	\$1,000				Annual tree sale project
Eastern Panhandle Free Clinic	\$16,000	\$25,000	\$10,000	\$25,000	\$12,000	\$25,000	\$15,000	\$25,000			Provide healthcare and medications
Eastern Panhandle Transit Authority (Pan Tran)		\$24,600	\$9,840		\$3,000						Public transportation, fuel and maintenance
For the Love of Children/Outdoor Education(FLOC)	\$3,000	\$5,000	\$2,000		\$1,000						Operating expenses
Freedoms Run/Eastern Areas Health Education Center		\$5,000.00	\$2,000		\$1,000		\$2,000				Advertising national & regional media
Friends in Action of the Eastern Panhandle											
Good Shepherd Interfaith Volunteer Caregivers	\$15,000	\$20,000	\$8,000	\$20,000	\$15,000	\$15,000	\$20,000	\$20,000			Operating expenses
Harpers Ferry Historical Association		\$2,500	\$1,000		\$500						Annual Don Redman Heritage Concert
Hospice of the Panhandle	\$10,000	\$20,000	\$8,000		\$5,000	\$10,000	\$2,000	\$10,000			Furnishing 14 bed inpatient facility
Jefferson County Community Ministries	\$4,000	\$4,500	\$1,800	\$4,500	\$2,000	\$5,000		\$4,500			Help JC residents facing electric termination
Kiwanis Club of Charles Town	\$1,500				\$1,000	\$1,500		\$1,500			
Meals on Wheels	\$5,000	\$10,000	\$4,000	\$10,000	\$4,000	\$3,000	\$3,000				Apply dollar for dollar monies toward United Way match
NAACP of Jefferson County	\$2,500	\$2,500	\$1,000		\$2,500	\$2,500	\$2,000	\$2,000			African American Cultural Heritage Festival cost of rental of stage/sound system
Patriot's Path Foundation, Inc.							\$1,000				
Ranson Parks and Recreation		\$18,000	\$7,200					\$7,200			Hood for concession stand at Ranson Civic Center

Charitable Contributions	2012	2013		
Organization	Approved	Requested	60% of Req	Funds will be used for:
Animal Welfare Society of Jefferson County	\$15,300	\$20,000	\$8,000	Operating budget
Arts & Humanities Alliance (AHA!)		\$16,000	\$6,400	Grants Program
Birthright of Jefferson County		\$1,500	\$600	Childred Nutrition Program
Blue Ridge Mountain Watershed Coalition		(\$15,000)		Expansion of water monitoring- <i>Approved 7/26/12 unencumbered funds</i>
Books for Babies				
Boy Scouts of America				
Boys & Girls Club of the Eastern Panhandle	\$5,000	\$10,000	\$4,000	After school & summer programs
CASA(Court Appointed Special Advocates) o/t East. Panhandle	\$2,000	\$5,000	\$2,000	Volunteer recruitment & training
Certified Arts Community Funding (AHA)		\$5,000	\$2,000	Networking & Partnership building
Charles Town Race Track Chaplaincy	\$2,500	\$5,000	\$2,000	Substance Abuse & Anger Management Programs
Claymont Society for Continuous Education				
Community Alternatives to Violence (CAV)	5,000	\$5,000	\$2,000	Subsidize class fees
Craft Workers at Cool Springs				
Duffields Station Center (train station)	\$1,000	\$3,200	\$1,280	Balance of fee due for restoration of 1839 B&O railroad station Said no more \$\$ last year
Eastern Panhandle Conservation District	\$4,000	\$10,000	\$4,000	Annual tree sale project
Eastern Panhandle Free Clinic	\$16,000	\$25,000	\$10,000	Provide healthcare and medications
Eastern Panhandle Transit Authority (Pan Tran)		\$24,600	\$9,840	Public transportation, fuel and maintenance
For the Love of Children/Outdoor Education(FLOC)	\$3,000	\$5,000	\$2,000	Operating expenses
Freedoms Run/Eastern Areas Health Education Center		\$5,000.00	\$2,000	Advertising national & regional media
Friends in Action of the Eastern Panhandle				
Good Shepherd Interfaith Volunteer Caregivers	\$15,000	\$20,000	\$8,000	Operating expenses
Harpers Ferry Historical Association		\$2,500	\$1,000	Annual Don Redman Heritage Concert
Hospice of the Panhandle	\$10,000	\$20,000	\$8,000	Furnishing 14 bed inpatient facility
Jefferson County Community Ministries	\$4,000	\$4,500	\$1,800	Help JC residents facing electric termination
Kiwanis Club of Charles Town	\$1,500			
Meals on Wheels	\$5,000	\$10,000	\$4,000	Apply dollar for dollar monies toward United Way match
NAACP of Jefferson County	\$2,500	\$2,500	\$1,000	African American Cultural Heritage Festival cost of rental of stage/sound system
Patriot's Path Foundation, Inc.				

United Way		No request		
Shepherdstown 250	\$3,500	No request		
Books for Babies		No request		
Boy Scouts of America		No request		
Claymont Society for Continuous Education		No request		
Craft Workers at Cool Springs		No request		
Friends in Action of the Eastern Panhandle		No request		
Kiwanis Club of Charles Town	\$1,500	No request		
Patriot's Path Foundation, Inc.		No request		
Blue Ridge Mountain Watershed Coalition		(\$15,000)		Expansion of water monitoring- <i>Approved 7/26/12 unencumbered funds</i>

COUNTY ADMINISTRATORS REPORT

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 20th day of September, 2013, the following Order was made and entered:

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

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on budget revision number #1 to the Coal Severance Fund, a copy of which is entered as part of this record.

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

Dale Manuel _____

Frances Morgan _____

Patsy Noland _____

Walter Pellish _____

Lyn Widmyer _____

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

Patsy Noland, President

Jefferson County Commission

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 20th day of September, 2013, the following Order was made and entered:

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

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on budget revision number # 2 to the Coal Severance Fund, a copy of which is entered as part of this record.

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

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

Lyn Widmyer

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

Patsy Noland, President

Jefferson County Commission

Check Number 000005
Vendor 6223

Date 08/13/2012

Voucher No.	Voucher Date	Invoice No.	Description	Amount
10026626	07/30/2012	072012	GrantDrawdown/10-1045 15644322300	13661.00

RECEIVED

AUG 15 2012

Jefferson County Commission

Total this Check

13661.00

FOR SECURITY PURPOSES THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING

Berkeley County Council
100 West King Street
Martinsburg WV 25401
Fund#156 State Grant

Void After 90 Days

MVB Inc.

69-459

515

Date

08/13/2012

000005

Amount

\$13661.00

THE EXACT AMOUNT OF
THIRTEEN THOUSAND SIX HUNDRED SIXTY-ONE DOLLARS AND NO CENTS

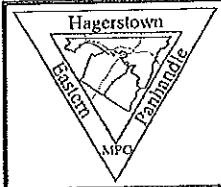
Pay to
the
Order Of

JEFFERSON CTY COMMISSION
124 E WASHINGTON ST
P.O. BOX 250
CHARLES TOWN WV 25414

W. L. Small, Jr.
Keith M. Lemaster Jr.

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK. HOLD AT AN ANGLE TO VIEW

000005 0515045970 00406650



Hagerstown/Eastern Panhandle Metropolitan Planning Organization
33 W. Washington St., 4th Floor, Suite 402, Hagerstown, MD 21740
Phone: 240-313-2080, Fax: 240-313-2084
www.hepmpo.net

Hagerstown/Eastern Panhandle Metropolitan Planning Organization

33 West Washington Street
Hagerstown, MD 21740

Phone: 240-313-2080
Fax: 240-313-2084
E-mail: rgordon@hepmpo.net

Invoice

Invoice No.: EGP-Trans Study 4212011-01
Date: April 21, 2011

BILL TO:

Ms. Jennifer M. Brockman
Director of Planning & Zoning
Jefferson County
116 E. Washinton St.
P.O. Box 338
Charles Town, WV 25414

Description	Total
East Gateway Transportation Analysis Plan - Required Local Match	\$ 13,661

Please Remit to:

Hagerstown/Eastern Panhandle Metropolitan Planning Organization
33 West Washington Street
Hagerstown, MD 21740



THE COUNTY COMMISSION OF JEFFERSON COUNTY

Charles Town, West Virginia 25414

REQUISITION

No. 52927

VENDOR:

HAGERSTOWN/EASTERN PANHANDLE
METROPOLITAN PLANNING ORGANIZATION
23 WEST WASHINGTON STREET
HAGERSTOWN, MARYLAND 21740
(240) 313-2080

DELIVER TO:

JEFFERSON COUNTY DEPARTMENT OF PLANNING
116 EAST WASHINGTON STREET
P.O. BOX 338
CHARLES TOWN, WEST VIRGINIA 25414
(304) 728-3228

QUANTITY	DESCRIPTION - BUDGET LINE - ITEM NUMBER	PRICE	UNIT	AMOUNT
	INVOICE NO: EGP-TRANS STUDY RE: HEPMPD 4212011-01 TOTAL COST			\$13,661.00
1.	ATTENTION - FROM: LINE ITEM NUMBER: 4010223	DEDUCT	-	5,000.00
2.	LINE ITEM NUMBER: #001-439-02-223-000-66-000	DEDUCT	-	8,661.00

PAID
MAY 12 2011

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

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

Julie Prudala MAY 6, 2011
Signature Date

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

Tom Bagch 5-12-11
Signature Date

304-267-3049

JEFFERSON COUNTY
CLERK'S OFFICE
CHARLES TOWN, WV 25414

CHECK NUMBER 064432
VENDOR 17119

DATE 05/19/2011

VOUCHER NO.	VOUCHER DATE	INVOICE NO.	DESCRIPTION	AMOUNT
	04/21/2011	4210111A	EGP TRANS STUDY	5000.00
	04/21/2011	4210111B	EGP TRANS STUDY	8661.00

COPY

TOTAL THIS CHECK 13661.00

Please Detach Here and Retain Top Portion For Your Records

FOR SECURITY PURPOSES THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING

THE SHERIFF OF JEFFERSON COUNTY
COUNTY CLERK'S OFFICE
CHARLES TOWN, WV 25414

BANK OF CHARLES TOWN
Charles Town, WV

89-141
570

064432

DATE 05/19/2011 AMOUNT \$13661.00

THE EXACT AMOUNT OF THIRTEEN THOUSAND SIX HUNDRED SIXTY-ONE DOLLARS AND NO CENTS DISBURSEMENT FUND

HAGERSTOWN EASTERN
PANHANDLE METRO PLNNG ORG
33 WEST WASHINGTON ST
HAGERSTOWN MD 21740

PRESIDENT

CLERK

SHERIFF

064432 0570014181 0002153289

County Commission of Jefferson County
Charles Town, West Virginia

RESOLUTION

Whereas, the Eastern Panhandle Transportation Authority has been awarded funding from the Fiscal Year 2004 Governor's Community Participation Grant Program for \$50,000 to develop a comprehensive plan to improve transportation in Berkeley, Jefferson and Morgan Counties; and

Whereas, the Jefferson County Commission would be pleased to accept the designation of \$15,000 from the Eastern Panhandle Transportation Authority toward the upcoming transportation plan for the entire US 340; and

Whereas, the funds we receive from the organization will help provide the local match for a \$100,000 transportation study plan for the entire US 340 Corridor; and

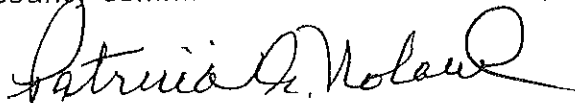
Whereas, one of the critical elements of this plan will be to look at intersections along US 340 and explore ways to make them safer;

Whereas, according to regional traffic projections, the US 340 Corridor will become increasingly congested and movement on the highways will be reduced to stop and go traffic by 2035; and

Therefore Be It Resolved, the Jefferson County Commission is in support of this grant program and recognizes the importance of the entire US 340 Corridor to the future of Jefferson County and helping us make sure it remains safe.

August 18th, 2011

County Commission of Jefferson County



Patricia A. Noland, President

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

REQUEST FOR REVISION TO APPROVED BUDGET

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

Jefferson County, West Virginia
 GOVERNMENT ENTITY

CONTROL NUMBER
2013
 FY
1
 FUND
7
 REV. NO.
1
 PG. OF NO.

Person To Contact Regarding
 Budget Revision: Paul Shroyer
 Phone: 304-728-3283
 Fax: 304-725-7916

215 W. Washington Street
 STREET OR PO BOX
 Charles Town 25414
 CITY ZIP CODE

COUNTY
 Government Type

REVENUES: (net each acct.)

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

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

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

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
401	County Commission	2,610,543	1,300,000		3,910,543
986	County Commission	2,907,519		1,300,000	1,607,519
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures

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

AUTHORIZED SIGNATURE
 OF ENTITY

APPROVAL
 DATE

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 23rd Day of August, 2013, the following Order was made and entered:

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

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on budget revision number #7 to the General County Fund, a copy of which is entered as part of this record.

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

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

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

Patsy Noland, President
Jefferson County Commission

JEFFERSON COUNTY, WEST VIRGINIA
NOTES TO THE FINANCIAL STATEMENTS
For the Fiscal Year Ended June 30, 2011

Governmental funds report deferred revenue in connection with receivables for revenue that are not considered to be available to liquidate liabilities of the current period. Governmental funds also defer revenue recognition in connection with resources that have been received, but not yet earned. At the end of the current fiscal year, the various components of deferred revenue and unearned revenue reported in the governmental funds were as follows:

	<u>Unavailable</u>
Delinquent property taxes receivable (General Fund)	\$ 609,255
Total deferred/unearned revenue for governmental funds	\$ 609,255

C. Capital Assets

Capital asset activity for the fiscal year ended June 30 was as follows:

	Primary Government			
	Beginning Balance	Increases	Decreases	
Governmental activities:				
Capital assets, not being depreciated:				
Land	\$ 866,554	\$ --	\$ --	\$ 866,554
Construction in progress	340,413	104,054	(444,467)	--
Total capital assets not being depreciated	1,206,967	104,054	(444,467)	866,554
Capital assets being depreciated:				
Buildings	18,522,337	502,443	--	19,024,780
Improvements	761,617	444,467	--	1,206,084
Machinery and equipment	5,633,271	144,606	--	5,777,877
Vehicles	1,524,992	120,553	(58,256)	1,587,289
Less: Total accumulated depreciation	(6,980,705)	(1,302,784)	58,256	(8,225,233)
Total capital assets being depreciated, net	19,461,512	(90,715)	--	19,370,797
Governmental activities capital assets, net	\$ 20,668,479	\$ 13,339	\$ (444,467)	\$ 20,237,351

Depreciation expense was charged to functions/programs of the primary government as follows:

Governmental activities:	
General government	\$ 593,834
Public safety	611,431
Culture and recreation	97,519
Total depreciation expense-governmental activities	\$ 1,302,784



Meet and Converse with your

Jefferson County

Commissioners

Where: Skipper's Downtown Dips & Deli

114. West Washington St - Charles Town, WV 25414

304-725-DIPS (3477)

When: September 27, 2012

Time: 5:00 p.m.—7:00 p.m.

*Questions regarding the event should be directed to
the Jefferson County Commission: 304-728-3284*

Routing Sheet

1 Debbie Keyser

Action:

Review and approval for County Commission Action

2 Nichelle

Action:

Place on next County Commission Agenda



Meet and Converse with your

Jefferson County

Commissioners

Where: Skipper's Downtown Dips & Deli

114. West Washington St - Charles Town, WV 25414

304-725-DIPS (3477)

When: September 27, 2012

Time: 5:00 p.m.—7:00 p.m.

*Questions regarding the event should be directed to
the Jefferson County Commission: 304-728-3284*

Good Shepherd Caregivers wants
to honor you and your contributions
to our community.
Please join us at our volunteer picnic!

**Wednesday,
September 26, 2012**

12:00 pm

**Morgan's Grove Park
Pavilion, Shepherdstown**

RSVP with entrée choice by
Wednesday, September 19:

Hamburger
Pork BBQ

Cheeseburger
Egg salad

(304) 876-3325 or
receptionist@gsivc.org



Contents

Grant Coordinator Spotlight	1
Adell Chandler	2
Harrison County	2
Courthouse Assessment	3
Director's Brief	4

10th Cycle Grant Applications Deadline Postmark October 5, 2012

The mission of the WVCFIA is to preserve the history and invest in the future of our county courthouses. How is that mission accomplished?

Daily all fifty-five county assessors, circuit clerks, county clerks, magistrates, and sheriffs' offices collect fees. A portion of certain fees collected have been designated by WV State Code to be deposited into the Courthouse Facilities Improvement Fund (CFIF).

For example, when the county clerk issues a marriage license, \$10 of the total fee is deposited at the state level into the CFIF. Another example would be when the Sheriff issues a license to carry a concealed deadly weapon. Fifteen dollars from the total fee collected from each person who obtains a license is deposited into the CFIF. The Legislature felt that by working together as "Team Counties", we could accomplish more. They implemented a small fee structure that, individually

considered, does not make a large impact, but by combining them together on a statewide level, we have accomplished great things!

Each year the fees are totaled and awarded by the CFIA Board of Directors in the form of grants. Our goal is that all fifty-five counties are applicants for grant funding. Unfortunately, all counties will not be funded, but if the county does not apply, then the opportunity is lost for that county until the next year.

205 County Courthouse Projects have been funded by the West Virginia Courthouse Facilities Improvement Fund since 2004. Totaling \$16,104,124.00 and an average of 25 projects a year.

The clock is ticking for this year's deadline, but you still have time to apply. The 10th Cycle Grant application can be found on our web-site at www.cfia.wv.gov.

Grant Coordinator Spotlight!

Frances Hale knows that the McDowell County Courthouse has a lot of history behind its structure. The main courthouse was built in 1909 and, shortly thereafter, witnessed the killing of Matewan Police Chief, Sid Hatfield, on the main steps in the year 1921. Chief Hatfield was deeply involved in the coal mine wars, but on that day, was unarmed and accompanied by his wife. For this reason and many others, Frances has a strong desire to maintain and improve the courthouse building in Welch. She knows how important the structure is to the heritage and future of her

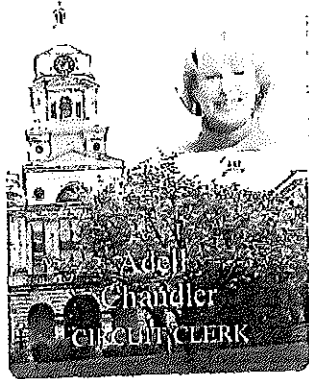
county. Frances loves working for the County Commission and the people in McDowell County. She is most proud of the EECBG grant for new lights, WVCFIA grants for windows and electrical wiring. Frances is currently working on grants through the West Virginia Development Participation Office for McArts, VFW 1144, McDowell County 4-H, Post 8, Coalwood Sewer, and Appalachian Outreach.

Frances is married to Barry Hale and the mother of Amanda and Gary, whom served in the US Army in Afghanistan and Kuwait.



**Adell Chandler
Cabell County
Circuit Clerk
Retiring
November 30,
2012**

**CABELL COUNTY
COURTHOUSE**



Adell Chandler, as a young girl of 17, came to the United States from England in October of 1962. Her first job was in the Prosecutor's Office of the Boone County Courthouse. In 1965, Adell moved to Cabell County and worked in the courthouse for the late Judge Dan C. Robinson for seven years.

In 1989, Adell was appointed Cabell County Circuit Clerk and on November 30, 2012, she has chosen to retire after many years of faithful service to the citizens of Cabell County.

Adell was appointed by the Supreme Court to a 38 member commission on the Future of the West Virginia Court System while serving as President of the WV Association of County Clerks 1996-98, WV Trial Lawyers Association "Outstanding Circuit Clerk" 1997; Member of the Supreme Court

Liaison Committee, Member of the Supreme Court Manual Committee, former member of TEAM for WV Children and WV Association of Counties Board of Directors.

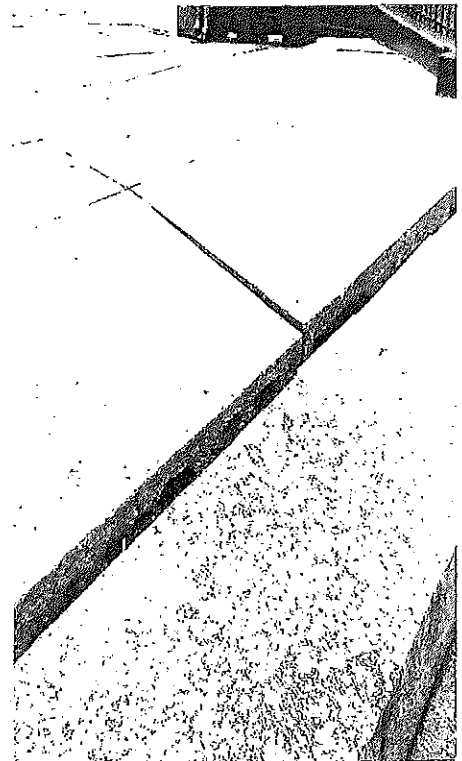
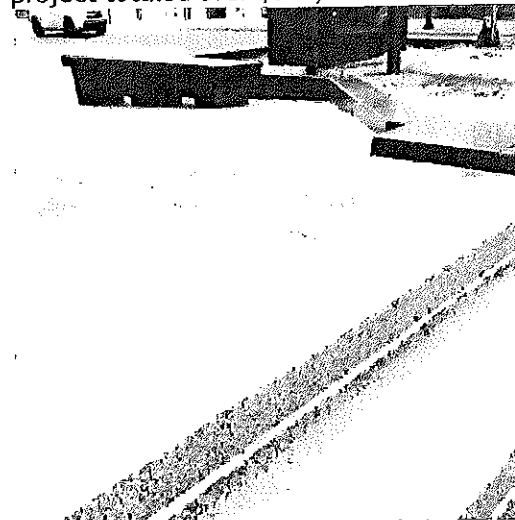
Adell has served as an outstanding board member of WVCFA since the formation of our state agency.

Adell lives in Milton with her husband Pete Meadows. Her sons are Sean, a police officer in Colorado, and Aaron, a trucking dispatcher in Ashland, KY. When her family gets together, all nine grandchildren have lots of fun.

Adell is looking forward to retirement in November but will miss all her colleagues and friends and has enjoyed her work as a board member of the Courthouse Facilities Improvement Authority.

Harrison County Completes Plaza Renovation

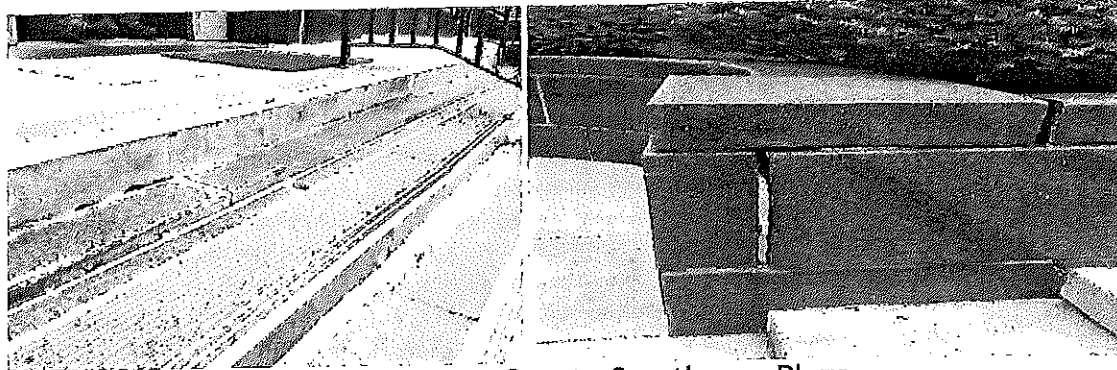
Letters of support from county officials and letters from the community expressed concerns for the tripping hazards at the Harrison Co. Courthouse. The 9th cycle application scored high and Harrison County was awarded \$106,200.00 to help level their entry plaza. The completed project totaled over \$500,000.



Good Monthly
Progress
Reports are
Descriptive!

Due on the 20th
of the Month
following each
quarter!

Reimbursement
Requests can
only be
reimbursed at
the 80% level.



Before Harrison County Courthouse Plaza



After



Courthouse Needs Assessment To Be Completed by July 2013

The 2012 -2013 Courthouse Assessment Team is comprised of Silling Associates Architecture Firm, Scheeser Buckley Mayfield MEP Engineering, Shelley Metz Bauman Hawk Structural Engineering, and Michael Gioulis Historic Preservation. The Assessment is being funded through the West Virginia Courthouse Facilities Improvement Authority and will benefit all 55 counties at no cost to the county.

The approach by the team was to divide the state into 11 Regions: **August 2012** Wetzel, Brooke, Ohio, Marshall & Hancock ; **September 2012** Harrison, Marion, Monongalia, Preston, & Taylor; **October 2012** Jefferson, Berkeley, Morgan, Mineral & Hampshire; **October 2012** Pleasants, Ritchie, Tyler, Wirt & Wood; **November 2012** Barbour, Upshur, Lewis, Doddridge & Gilmer; **January 2013** Hardy, Grant, Tucker, Randolph & Pendleton; **February 2013** Pocahontas, Webster, Braxton, Clay, & Nicholas; **March 2013** Greenbrier, Monroe, Summers, Raleigh, & Fayette; **April 2013** Mercer, McDowell , Wyoming, Mingo & Logan; **May 2013** Boone, Lincoln, Wayne, Cabell & Putnam; **May 2013** Calhoun, Roane, Jackson, Mason & Kanawha.

The on-site physical inspections at the courthouses will require time, energy, and effort on the part of the county. Silling will need the assistance of county administrators, managers, and/or building grounds/maintenance staff. Thank you in advance for your cooperation in this effort. Thanks also to those who have already welcomed Silling to your county. The assessment will assist the CFIA Board with grant selection and assist the counties with grant development and project organization in the future. The assessment will NOT include directives, but merely suggestions.

The systems being evaluated parallel the categories included in the CFIA grant application: Life Safety, Roofing, Exterior, Mechanical (HVAC/Plumbing), ADA Accessibility, Structural, Electrical, Data, Interior, Doors, and Windows.

For more information or to assist with questions, please contact Mike Moore at Silling Associates at (304)346-0565 or email at mmoore@silling.com or call Melissa Garretson Smith at (304) 558-5435 or email her at melissa.smith@wvcfia.com.

Director's Brief



WVCFIA
2003 Quarrier Street
Charleston, WV 25311

Phone:
(304)558-5435

Fax:
(555) 558-9174

www.cfia.wv.gov

Melissa Garretson Smith,
Executive Director

Brenda S. Ashworth,
Executive Assistant

WVCFIA
2003 Quarrier Street
Charleston, WV 25311

Summer vacations should all be finished. Now is the time to buckle in and finish your 10th cycle grant application. Unfortunately, the time has passed for our staff to conduct a thorough review of your application. However, we can still peruse your submission for completeness. Just a few reminders: Make sure your budget includes the payment of prevailing wage and that you begin communicating with the State Historic Preservation Office. The postmark deadline for the application is October 5th!

At this time I am not able to provide a definite dollar amount that we will be providing in grant funds. With the passage of SB 618 during the last legislative session, we anticipate our fees to be slightly lower. SB 618 established the priority of payment of magistrate court costs. The result of that legislation was that CFIA was pushed down two places in the funding stream from court costs. It is too early in the fiscal year to determine the

impact of the legislation, but we will almost certainly be getting less revenue because of this 2012 legislation. The Board will make every effort to provide grant funding consistent with previous cycles. Applicants will receive notification of funding prior to Christmas.

Christmas is just around the corner! If you have any history buffs in your family or your office, you might want to purchase the Emmy nominated documentary, "West Virginia's Living Monuments - The Courthouse", or pre-order the full color, 250 page book that will cover all 55 courthouses. If you're interested, give Patti or Kathy a call at the WVCo at 304-346-0591.

Hopefully, the movie and the book will increase the interest in courthouses of West Virginia's citizens. We should all be interested in preserving our past and investing in our future.

-Melissa



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

Impact Fee Status Report

August 2012

Office of Impact Fees

Summary

Date Range: Wednesday 1 through Friday 31 August 2012

Report Date: 6 September 2012

Process Number Range: 1200102 - 1200109

Total Applications: 8

Total Non-Exempt: 8

Of which:

Commercial: 0

Residential: 8

Of which:

County: 6

Municipal: 2

Total Exempt: 0

Of which:

Commercial: 0

Residential: 0

Of which:

County: 0

Municipal: 0

Tables 1 through 7 summarize impact fee processing for the month of August 2012:

Table 1. Form 100 Tallies

	Exempt	Commercial	Residential	Total
1 – 31 August 2012	0	0	8	8
Fees collected		\$0.00	\$104,036.00	\$104,036.00
<i>Of which</i>				
School Impact Fee			\$90,864.00	\$90,864.00
Law Enforcement Fee		\$0.00	\$1,572.00	\$1,572.00
Parks & Recreation Fee			\$6,016.00	\$6,016.00
Fire & EMS Fee		\$0.00	\$5,584.00	\$5,584.00

Table 2. Financial Data – Office of Impact Fees General Account (3111776)

Description	Amount
Opening Statement Balance (1 August 2012)	\$197,519.69
August Deposits (1 – 31 August 2012)	\$104,036.00
School July Transactions (withdraws via transfer on 22 August 2012)	(\$159,435.28)
Law July Transactions (withdraws via transfer on 22 August 2012)	(\$1,689.13)
Parks & Rec July Transactions (withdraws via transfer on 22 August 2012)	(\$10,621.63)
Fire & EMS July Transactions (withdraws via transfer on 22 August 2012)	(\$25,773.65)
Interest Earned (31 August 2012)	\$52.11
Ending Statement Balance (31 August 2012)	\$104,088.11
<i>Outstanding Credits (deposits through 1 September 2012)</i>	<i>\$0.00</i>

Table 3. Financial Data – School Impact Fee Account (3107582)

Description	Amount
Opening Balance (1 August 2012)	\$1,610,860.74
July Transactions (deposits via transfer on 22 August 2012)	\$159,435.28
Withdraw via Refund Requisition 12R0081 (CHK 106 - 22 August 2012)	(\$1,500,000.00)
Interest Earned (31 August 2012)	\$350.30
Ending Balance (31 August 2012)	\$270,646.32

Table 4. Financial Data – Law Enforcement Impact Fee Account (3120120)

Description	Amount
Opening Balance (1 August 2012)	\$67,343.49
July Transactions (deposits via transfer on 22 August 2012)	\$1,689.13
Withdraw via Requisition 12R0082 (CHK 102 - 22 August 2012)	(\$55,518.00)
Interest Earned (31 August 2012)	\$18.05
Ending Balance (31 August 2012)	\$13,532.67

Table 5. Financial Data – Parks & Recreation Impact Fee Account (3122808)

Description	Amount
Opening Balance (1 August 2012)	\$271,611.72
July Transactions (deposits via transfer on 22 August 2012)	\$10,621.63
Interest Earned (31 August 2012)	\$81.75
Ending Balance (31 August 2012)	\$282,315.10

Table 6. Financial Data – Fire & EMS Impact Fee Account (3122816)

Description	Amount
Opening Balance (1 August 2012)	\$114,245.67
July Transactions (deposits via transfer on 22 August 2012)	\$25,773.65
Interest Earned (31 August 2012)	\$36.44
Ending Balance (31 August 2012)	\$140,055.76

Table 7. Total Impact Fees as of 1 September 2012/1

Description	Amount
Office of Impact Fees General Account	\$104,088.11
School Impact Fee Account	\$270,646.32
Law Enforcement Fee Account	\$13,532.67
Parks & Recreation Impact Fee Account	\$282,315.10
Fire & EMS Impact Fee Account	\$140,055.76
Total	\$810,637.96

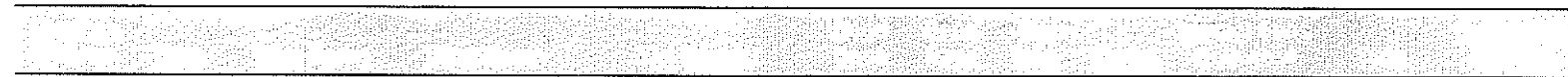
Notes:

/1 These values represent both impact fees collected and interest earned. The general account includes the outstanding credits listed in table 2 and outstanding debits, if any, listed in tables 3-6.

Form 100 Transaction Summary

Jefferson County Government – Office of Impact Fees

Impact Fee Applications Processed between Wednesday, August 01, 2012 and Friday, August 31, 2012



Category Count: 0	Category Total	\$0.00
--------------------------	-----------------------	---------------

1200102	08/09/2012	Eastland Assoc.		02 Charles Town	570	347	16	130	\$13,070.00	08/09/2012	N/A
1200103	08/10/2012	Dan Ryan		08 Ranson Corp			8D	26	\$12,808.00	08/10/2012	N/A
1200104	08/15/2012	Corbin	Norman & Lora	02 Charles Town	1108	371	23F	11	\$13,070.00	08/15/2012	N/A
1200105	08/16/2012	ILA Properties,		04 Harpers Ferry	1894	163	18	19.15	\$13,070.00	08/16/2012	N/A
1200106	08/21/2012	Martin	Gregory	04 Harpers Ferry	1074	493	21B	20	\$13,070.00	08/21/2012	N/A
1200107	08/23/2012	Dan Ryan		02 Charles Town	1018	71	6A	38	\$13,070.00	08/23/2012	N/A
1200108	08/23/2012	Julie Duval	Arcadia	03 Charles Town	23	67	12A	81	\$12,808.00	08/23/2012	N/A
1200109	08/31/2012	Keeler and	Roy and Delores	06 Kabletown	1092	124	9G	2310	\$13,070.00	08/31/2012	N/A

Category Count: 8	Category Total	\$104,036.00
--------------------------	-----------------------	---------------------

TOTAL APPLICATIONS: 8	Grand Total	\$104,036.00
------------------------------	--------------------	---------------------

Eastern Panhandle Conservation District Annual Awards and Recognition Banquet

The Eastern Panhandle Conservation District Board of Supervisors cordially invites you to the District's Annual Awards and Recognition Banquet. It will be held on **Wednesday, September 26, 2012 beginning at 6.30 pm at the Berkeley County Youth Fairgrounds.**

This banquet will be recognizing and honoring local individuals that have done an outstanding job with conservation initiatives. The landowners of the Eastern Panhandle have done an excellent job of utilizing conservation plans on their farms and we wish to recognize them.

With education being one of our top priorities within the District, we will also be honoring and recognizing winners of education programs for the year.

For planning purposes, you are being asked to notify the District office at 304-263-4376 no later than Friday, September 21, 2012 to confirm the number of attendees

RECEIVED

SEP 18 2012



Jefferson County Commission

Directions: From I-81 take Ext 12. Merge onto WV 9 E towards Charles Town. Go through 5 stoplights. Make the next left onto Grapevine Road (Heiston's is on your right and the Regional County Jail is on your left). Follow this road until you come to a stop sign (please be careful, this is a very windy road with a lot of curves). At the stop sign take a right onto Golf Course Road. You will cross over a one land bridge and come to a Y in the road (on the left will be Stonebridge Golf Course). Stay left and follow the road around. The Berkeley County Fairgrounds will be on your left.

Sandy McDonald

From: Carol Hartzell [shgrpi@comcast.net]
Sent: Monday, September 10, 2012 5:29 PM
To: dstellato@jeffersoncountywv.org; webmaster@jeffersoncountywv.org;
laura@jeffersoncountywv.org; sandy@jeffersoncountywv.org; nhosby@jeffersoncountywv.org
Subject: Apple Valley Waste vs the little guy

Your submission:

Your Name: Carol Hartzell

Your Email Address: shgrpi@comcast.net

Subject: Apple Valley Waste vs the little guy

Message: Apple Valley Waste is systematically putting my garbage man out of business. It appears that Jefferson County gave Apple Valley carte blanche to all trash collecting, yet my choice of trash companies is not and never will be Apple Valley Waste. Who in the county can talk to me about my rights to hire who I want. Thanks.

Jefferson County Public Service District

Jefferson County Public Service District Regular Board Meeting August 6, 2012

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, August 6, 2012 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Jim Cummins; Secretary, Peter Appignani; Treasurer, Bill Strider; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; Operations Manager, Joe Freeze; District Legal Counsel, Jim Kelsh; and from Pentree Engineering, Zane Summerfield.

CALL TO ORDER

Chairman Cummins called the meeting to order at 7:00PM.

PUBLIC COMMENTS

Paul Raco, representative for Briar Run, informed the Board that the developers would like to pursue the previously drafted payment agreement for 12 apartments and 8 townhouses rather than the entire phase at this time. He will work with District staff on this matter.

Jacquelyn Milliron, Breckenridge resident, had questions regarding an item on the agenda relating to choosing alternatives for a proposed sewer collection project and the effect on rates.

Heidi Parker, Breckenridge resident, echoed Ms. Milliron's comments and is concerned with the increase in sewer rates.

John Fludine, Breckenridge resident, also had concerns with rates and wanted to learn more about what the District is involved in and who is making the decisions.

OLD BUSINESS

Review Minutes of July 2 Regular Board Meeting

The minutes of the July 2, 2012 regular Board meeting were approved as presented.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to accept the July 2, 2012 minutes as presented. Unanimously approved.

Review Minutes of July 19 Work Session

The minutes of the July 19, work session were approved as presented.

Action: Motion made by Mr. Strider and seconded by Mr. Cummins to accept the July 19, 2012 minutes as presented. Mr. Appignani had no objection to the minutes for the portion of the meeting he was in attendance for. Unanimously approved.

Update on the Water Systems Improvement Project for Glen Haven and Cavaland

Ms. Lawton has been continuing to work on the design with Matt Harper at Gwin, Dobson, and Foreman. Mr. Young, the Districts accountant, prepared a cash flow analysis to show the District can cover the monthly bill for the \$230,000 BAN until permanent financing is in place. Mr. Kelsh will file the cash flow analysis with the Public Service Commission for approval.

Action: No action taken by the Board.

RECEIVED

SEP 07 2012

Jefferson County Commission

Discuss and Choose Alternatives for the Preparation of a New Preliminary Engineering Report by Pentree for Sewer Collection Project

Last month the Board directed Mr. Summerfield to prepare a very rough cost estimate for each of the alternatives. Mr. Summerfield and Ms. Lawton prepared a spreadsheet with cost estimates and the pros and cons of each alternative. Mr. Summerfield briefly reviewed each alternative, the estimated costs, the pros and cons, and the effects (if any) on Charles Town or Ranson systems.

Maurice Gladhill, developer of the proposed Aspen Greens subdivision, and Fred Gates, representative from Gates Associated, were in the audience to learn about the alternatives and the associated affect on their project. Mr. Gladhill gave a brief presentation to the Board and members of the audience on his Aspen Greens project. He is awaiting the Boards decision on which alternative will be presented in a Preliminary Engineering Report so he knows how to plan his project. Mr. Gladhill suggested the possibility of installing a line that would be beneficial to the District for a share in the costs. The Board would like to take more time to review the alternatives and postpone making a decision on which alternative(s) to choose until a future Board meeting.

Action: No action taken by the Board.

NEW BUSINESS

Discussion with Mr. Russell Roper on Cave Quarters Estates

A couple months ago, the Board discussed a previous offer by Mr. Roper to purchase his wastewater treatment plant and the associated sewer utility, but his request was denied at that time due to the District inability to afford the costs of upgrading and taking over the facility. Mr. Roper was in attendance at tonight's meeting to possibly enter into a public private partnership with the District in hopes of getting possible funding for the system at which time he would give it to the District at no cost. The Board would like Mr. Kelsh to investigate possible funding opportunities from various agencies. Ms. Lawton will prepare a fact sheet of the Cave Quarter system to assist Mr. Kelsh in his investigation.

Action: No action taken by the Board.

Discussion of any Expenses over Budget

The Board acknowledged the total payroll, employee insurance, pension & FICA, and the rent expense accounts were over budget as of closing for the June 2012 fiscal year.

Action: Motion made by Strider and seconded by Mr. Appignani to approve the items over budget as discussed. Unanimously approved.

Disbursements

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve disbursements for water expenses in the amount of \$8,032.96. Unanimously approved.

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve disbursements for the Public Service District expenses in the amount of \$135,214.70. Unanimously approved.

Approve Transfer of \$6,617.94 from Sewer Security Deposit Account to Sewer Operating Account for Security Deposit Refunds

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve the transfer of \$6,617.94 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds. Unanimously approved.

General Manager's Report

Ms. Lawton updated the Board on activities since last month's meeting.

Action: No action taken by the Board.

Public Comment

Gagah Batra, a Breckenridge resident, questioned the alternatives for the sewer collection project since he is new to the discussions.

Todd Milliron, a Breckenridge resident, would like the Board to take future growth into account when making decisions regarding choosing alternatives for the sewer collection project.

Jacquelyn Milliron, a Breckenridge resident, hopes the PSD supports any future policies from other state agencies that direct developers to pay for future growth rather than the customers.

Correspondence

None.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to convene in executive session for the purpose of discussing litigation and contract negotiations. Unanimously approved.

Mr. Appignani excused himself from the discussions on the Jefferson Utilities, Inc General Investigation case currently at the Public Service Commission.

Mr. Kelsh excused himself from the discussions on the Charles Town Purchase of Willow Springs Wastewater Treatment Plant.

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to return to public session. Unanimously approved.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to designate Mr. Cummins to have settlement authority for sewer rate case 12-0513-PSD-42T-PC. Unanimously approved.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to adjourn. Unanimously approved.

There being no further business at this time, the meeting was adjourned at 10:26PM

The next regular meeting is scheduled for Tuesday, September 4, 2012 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,

William H. Strider

James D. Cummins
Chairman

William H. Strider
Thru

Peter L. Appignani
Peter L. Appignani
Secretary

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

Week Ending Date	Week Ending September 8, 2012
To be Deposited on:	September 14, 2012
Amount Played	80,130,363.60
Amount Won	72,147,040.79
Amount Promo	266,656.00
MWAP Contribution	<u>5,271.77</u>
Adjusted Gross Terminal Revenue	<u>7,711,395.04</u>
Administrative Costs @ 4%	308,455.79
Excess Lottery Fund @ 4%	<u>0.00</u>
Net Terminal Revenue	<u>7,402,939.25</u>
Surcharge @ 10%	0.00
State Share Excess @ 58%	0.00
Track Share of Capital Reinvestment @ 42%	<u>0.00</u>
<i>Track Share of Capital Reinvestment @ 42% - 96%</i>	<i>0.00</i>
<i>Track Share of Capital Reinvestment @ 42% - 4%</i>	<i>0.00</i>
Adjusted Net Terminal Revenue	<u>7,402,939.25</u>
Racetrack @ 46.50% / 42%	3,442,366.75
Lottery Fund @ 30% / 0%	2,220,881.74
Excess Lottery Fund @ 0% / 41%	0.00
Race Track Purses @ 7% / 14% / 8%	518,205.75
Workers' Compensation Debt Reduction @ 7% / 0%	518,205.75
Employee Pension Fund @ 1% / .5%	74,029.40
Greyhound Development @ .75%	55,522.04
Thoroughbred Development @ .75%	55,522.04
Racing Commission @ 1%	74,029.40
County/Municipality @ 2%	148,058.80
3% Funds:	
Tourism Promotion Fund @ 1.375%	101,790.41
Development Office Promotion Fund @ .375%	27,761.02
Research Challenge Fund @ .5%	37,014.70
Capitol Renovation and Improvement Fund @ .6875%	50,895.21
2004 Capitol Complex Parking Garage Fund @ .0625%	4,626.84
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	37,014.70
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>37,014.70</u>
	<u>7,402,939.25</u>

WEST VIRGINIA LOTTERY
 First Benchmark
 Charles Town
 County / City Split
 Fiscal Year 2013

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%
Week Ending:								
07/07/12	\$ 161,637.92	\$ 161,637.92	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/14/12	\$ 129,458.04	\$ 129,458.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/21/12	\$ 130,037.00	\$ 130,037.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/28/12	\$ 137,164.44	\$ 137,164.44	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/04/12	\$ 132,931.16	\$ 132,931.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/11/12	\$ 134,212.88	\$ 134,212.88	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/18/12	\$ 133,861.76	\$ 110,241.90	\$ 23,619.86	\$ 1,934.47	\$ 9,731.38	\$ 529.08	\$ 8,214.99	\$ 3,209.94
08/25/12	\$ 132,419.80	\$ 66,209.90	\$ 66,209.90	\$ 5,422.59	\$ 27,278.48	\$ 1,483.10	\$ 23,027.80	\$ 8,997.93
09/01/12	\$ 134,266.84	\$ 67,133.42	\$ 67,133.42	\$ 5,498.23	\$ 27,658.97	\$ 1,503.79	\$ 23,349.00	\$ 9,123.43
09/08/12	\$ 148,058.80	\$ 74,029.40	\$ 74,029.40	\$ 6,063.01	\$ 30,500.11	\$ 1,658.26	\$ 25,747.42	\$ 10,060.60
Subtotal	\$ 1,374,048.64	\$ 1,143,056.06	\$ 230,992.58	\$ 18,918.30	\$ 95,168.94	\$ 5,174.23	\$ 80,339.21	\$ 31,391.90

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

VIDEO LOTTERY REPORT

FY 2009		FY 2010		FY 2011		FY 2012		FY 2013	
Date	Amount	Date	Amount	Date	Amount	Date	Amount	Date	Amount
7/5/2008 *	169,912.56	7/4/2009 *	128,262.42	07/03/2010	115,402.58	7/1-2/2011	69,824.12	07/07/2012	161,637.92
07/12/2008	176,592.38	07/11/2009	168,815.08	07/10/2010	205,731.64	07/09/2011	171,717.28	07/14/2012	129,458.04
07/19/2008	160,344.08	07/18/2009	160,652.98	07/17/2010	161,386.76	07/16/2011	143,019.52	07/21/2012	130,037.00
07/26/2008	162,982.74	07/25/2009	158,869.08	07/24/2010	160,368.28	07/23/2011	146,508.00	07/28/2012	137,164.44
08/02/2008	178,171.04	08/01/2009	174,493.08	07/31/2010	157,802.08	07/30/2011	144,510.28	08/04/2012	132,931.16
08/09/2008	123,538.04	08/08/2009	138,408.80	08/07/2010	136,494.98	08/06/2011	151,495.28	08/11/2012	134,212.88
08/16/2008	82,482.89	08/15/2009	81,222.14	08/14/2010	78,376.68	08/13/2011	117,350.38	08/18/2012	110,241.90
08/23/2008	76,426.18	08/22/2009	76,260.31	08/21/2010	76,199.02	08/20/2011	71,614.12	08/25/2012	66,209.90
08/30/2008	89,459.86	08/29/2009	80,472.92	08/28/2010	72,460.03	08/27/2011	63,432.14	09/01/2012	67,133.42
09/06/2008	91,644.46	09/05/2009	80,798.15	09/04/2010	76,362.84	09/03/2011	80,837.76	09/08/2012	74,029.40
09/13/2008	79,729.93	09/12/2009	86,286.92	09/11/2010	82,969.36	09/10/2011	84,845.80		
09/20/2008	71,269.36	09/19/2009	70,010.15	09/18/2010	67,638.78	09/17/2011	66,748.62		
09/27/2008	79,735.73	09/26/2009	69,316.87	09/25/2010	70,435.06	09/24/2011	68,929.80		
10/04/2008	75,186.22	10/03/2009	72,286.04	10/02/2010	71,013.86	10/01/2011	68,871.64		
10/11/2008	77,139.04	10/10/2009	69,650.63	10/09/2010	69,311.50	10/08/2011	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		
11/01/2008	68,352.42	10/31/2009	64,528.30	10/30/2010	65,615.04	10/29/2011	60,507.98		
11/08/2008	70,823.02	11/07/2009	63,741.59	11/06/2010	61,337.62	11/05/2011	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		
12/06/2008	55,696.68	12/05/2009	51,006.51	12/04/2010	53,215.08	12/03/2011	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		
01/03/2009	96,504.65	01/02/2010	92,980.40	01/01/2011	85,152.12	12/31/2011	94,661.00		
01/10/2009	53,286.62	01/09/2010	55,020.46	01/08/2011	54,301.30	01/07/2012	74,863.40		

01/17/2009	56,068.87	01/16/2010	60,551.28	01/15/2011	54,005.90	01/14/2012	58,901.92
01/24/2009	71,474.63	01/23/2010	69,943.53	01/22/2011	60,924.74	01/21/2012	61,819.92
01/31/2009	61,089.80	01/30/2010	48,527.75	01/29/2011	48,036.94	01/28/2012	62,898.78
02/07/2009	83,539.63	02/06/2010	37,155.14	02/05/2011	60,777.44	02/04/2012	72,154.66
02/14/2009	76,054.44	02/13/2010	44,334.00	02/12/2011	67,471.84	02/11/2012	66,429.04
02/21/2009	91,838.41	02/20/2010	76,946.12	02/19/2011	72,018.54	02/18/2012	77,455.88
02/28/2009	80,806.88	02/27/2010	72,024.40	02/26/2011	75,544.02	02/25/2012	77,611.78
03/07/2009	48,837.13	03/06/2010	76,936.85	03/05/2011	74,535.34	03/03/2012	75,963.86
03/14/2009	96,025.39	03/13/2010	71,007.37	03/12/2011	66,979.48	03/10/2012	76,808.62
03/21/2009	79,002.82	03/20/2010	74,335.38	03/19/2011	73,113.26	03/17/2012	76,883.92
03/28/2009	79,250.83	03/27/2010	69,941.88	03/26/2011	68,490.80	03/24/2012	72,108.36
04/04/2009	75,968.30	04/03/2010	70,636.28	04/02/2011	70,846.58	03/31/2012	74,244.22
04/11/2009	75,964.94	04/10/2010	69,692.79	04/09/2011	67,076.78	04/07/2012	75,382.98
04/18/2009	80,598.22	04/17/2010	69,335.92	04/16/2011	64,698.56	04/14/2012	71,065.34
04/25/2009	75,571.46	04/24/2010	68,714.11	04/23/2011	67,674.14	04/21/2012	68,055.08
05/02/2009	73,957.05	05/01/2010	68,799.06	04/30/2011	66,807.50	04/28/2012	72,880.66
05/09/2009	76,697.22	05/08/2010	67,403.54	05/07/2011	66,379.74	05/05/2012	71,582.30
05/16/2009	71,925.70	05/15/2010	70,186.32	05/14/2011	66,699.76	05/12/2012	63,357.92
05/23/2009	81,395.43	05/22/2010	64,695.71	05/21/2011	63,210.44	05/19/2012	78,984.36
05/30/2009	82,161.55	05/29/2010	67,157.40	05/28/2011	64,724.06	05/26/2012	67,396.24
06/06/2009	74,895.74	06/05/2010	77,371.80	06/04/2011	74,952.34	06/02/2012	76,959.44
06/13/2009	67,327.23	06/12/2010	66,106.29	06/11/2011	62,203.12	06/09/2012	63,584.86
06/20/2009	75,500.53	06/19/2010	64,888.48	06/18/2011	61,200.76	06/16/2012	59,436.12
06/27/2009	67,354.10	06/26/2010	63,950.29	06/25/2011	65,470.44	06/23/2012	55,921.30
6/30/2009 ***	32,059.58	06/30/2010	29,667.19	06/30/2011	34,351.16	06/30/2012	58,207.40

TOTALS 4403564.04

4041141.56

4016541.01

4124906.8

1143056.06

Table Game Revenue

Date	Amount	Date	Amount	Date	Amount
July/August, 2010	154,185.68	July, 2011	141,718.01	July, 2012	138,663.64
September, 2010	94,247.84	August, 2011	137,473.92		
October, 2010	105,903.60	September, 2011	110,375.25		
November, 2010	108,717.67	October, 2011	124,273.94		
December, 2010	118,721.11	November, 2011	121,118.87		
January, 2011	106,189.21	December, 2011	140,509.93		
February, 2011	105,776.45	January, 2012	137,812.68		
March, 2011	120,927.10	February, 2012	142,770.01		
April, 2011	130,654.61	March, 2012	151,845.46		
May, 2011	130,492.02	April, 2012	127,862.26		
June, 2011	121,576.41	May, 2012	137,905.13		
		June, 2012	129,235.38		
Total 2010-2011	1297391.7	Total 2011-2012	1602900.84	Total 2011-2012	138663.64

Table Game Revenue Distribution - Jefferson County School Board

<u>Date</u>	<u>Amount</u>
July, 2011	425,154.03
August, 2011	412,421.76
September, 2011	331,125.75
October, 2011	372,821.82
November, 2011	363,356.61
December, 2011	421,529.79
January, 2012	413,438.04
February, 2012	428,310.03
March, 2012	455,536.38
April, 2012	383,586.78
May, 2012	413,715.39
June, 2012	387,706.12
Total 2011-2012	4,808,702.50

<u>Date</u>	<u>Amount</u>
July, 2012	138,663.64
Total 2011-2012	138,663.64