

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**THURSDAY, SEPTEMBER 19, 2013**  
**9:30 A.M.**

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

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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

- August 29, 2013 - Regular Meeting
- September 5, 2013 - Regular Meeting
- September 11, 2013 - Special Session, Financial Director Position
- September 12, 2013 - Special Session, Probate Matters

**APPROVAL OF PURCHASE ORDERS**

- September 19, 2013

**APPROVAL OF ACCOUNTS PAYABLE**

- September 12, 2013
- September 19, 2013

**PUBLIC COMMENT**

**PRESENTATIONS:**

1. 9:45 a.m. Angie Banks, Assessor
  - Approval of Employment for Vacancy in Assessor's Office
  - Discussion/Action
  - Exonerations - Discussion/Action
  
2. 10:00 a.m. Jennifer Maghan, County Clerk
  - Approval of Employment for Vacancy in County Clerk's Office
  - Discussion/Action
  - Approval to hire for an Assistant Deputy Clerk Position - 2E, to replace a Deputy Clerk leaving - Discussion/Action
  - Financial Statement Approval for FY 2013 - Discussion/Action
  
3. 10:25 a.m. Pete Dougherty, Sheriff
  - Vehicle Purchase - Discussion/Action

4. 10:35 a.m. Jeffery A. Polczynski, ENP - Director of Communication & Tom Reilly, Accurate Systems Consultant  
- Presentation for Final Selection of Integrated Public Safety Information Systems (CAD) Vendor & appropriate funding - Discussion/Action
5. 11:05 a.m. BREAK
6. 11:15 a.m. Board Members, Director, Jefferson County Emergency Services Agency  
- Review Proposed Ambulance Ordinance & \$40 fee projection  
- Proposed amendments - Patsy Noland Commissioner (PN)  
- Discussion/Action
7. 11:45 a.m. Heather Morgan McIntyre, Chamber of Commerce  
- Requesting letter of support for wine tasting before 1 p.m. on Sunday during the Mountain Heritage Arts & Craft Festival September 2013  
- Discussion/Action
8. 11:50 a.m. Don Orser, resident  
Consideration of 2013 Board of Assessment Appeals Hearing Examiner  
- Discussion/Action
9. 12:00 p.m. Roger Goodwin, Chief Engineer  
- Bond reduction and/or release - Discussion/Action
10. 12:05 p.m. Jennifer Brockman, Director of Planning & Zoning  
- Approval to move forward with Job Offer for Zoning Administrator Position  
- Discussion/Action  
- Discussion and Possible Action Regarding Potential Amendments to WV Code 8A - Discussion/Action

**UNFINISHED BUSINESS:**

11. Follow-up discussion regarding contracting with Leslie Smith for the position of the Financial Consultant for the Jefferson County Commission - Discussion/Action (Executive Session) (PN)

**NEW BUSINESS:**

12. County Noise Ordinance - Discussion/Action (DM)
13. General County Budget Revision #2 and Resolution - Discussion/Action
14. Approval of Resolution and Contract - Victim of Crime Act (VOCA) Victim Assistant Grant

- Program in the amount of \$59,381.00 with \$14,845.00 match - Discussion/Action
15. Approval of Resolution and Contract - Community Participation Grant Program for the Friends of Blackwater J.R. Clifford Project in the amount of \$1,000 - Discussion/Action
  16. Approval of Resolution and Contract - Community Participation Grant Program for the Good Shepherd Caregivers in the amount of \$10,000 - Discussion/Action
  17. Approval of employment for the vacancy for Financial Director Position - Discussion/Action

#### **COUNTY ADMINISTRATOR REPORTS**

#### **COUNTY COMMISSION REPORTS**

18. 12:30 p.m. **Break for Lunch**

#### **~~~~~ AFTERNOON SESSION ~~~~~**

19. 1:30 p.m. Public Hearing on the proposed Stormwater Management Ordinance and Text Amendments to the Subdivision and Land Development Regulations and to amend such other articles, sections, subsections, and provisions of the Regulations as necessary to implement and maintain consistency with foregoing amendments - Discussion/Action
20. 3:00 p. m. Public Meeting on Broadband in Jefferson County  
- Presentations from Comcast & Frontier
21. 4:30 p.m. John Reisenweber, Director Jefferson County Development Authority  
- Business Prospect - Discussion/Action (Executive Session)

#### **• ADJOURN**

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

- Jefferson County GIS/Addressing Office Quarterly Report - 3<sup>rd</sup> Quarter 2013.
- Maintenance Department Quarterly Report - 4<sup>th</sup> Quarter 2013.

#### **CORRESPONDENCE:**

Invitation to the Eastern Panhandle Conservation District Annual Awards & Recognition Banquet, September 20, 2013.

South Jefferson Public Library announces a "Love Your Heart Movement Walk" on September 28, 2013 from 10 a.m. - 2 p.m.

Invitation from the Shepherdstown Day Care to celebrate their 40<sup>th</sup> Birthday, September 30, 2013 from 4-6 p.m.

Invitation from Good Shepherd Caregiver's for their 6<sup>th</sup> Annual Tastes from Around the World, October 2, 2013 - 6:30 p.m.

West Virginia Solid Waste Authorities 2013 Educational Conference on Litter Control and Solid Waste Management at Canaan Valley Resort - October 13-15, 2013.

Packet of Materials from Bob Aitcheson and Doug Rockwell regarding the Jefferson County Emergency Services Proposed Ambulance Fee Ordinance.

Impact Fee Status Report August 2013.

Memorandum from Office of Impact Fees - Transfer of Funds from Office of Impact Fees General Account to sheriff's Schools Impact Fee Account.

Letter of resignation for the Board of Zoning Appeals from Jeff D. Bresee.

Letter from Office of the State Auditor, Chief Inspector Division regarding a copy of the Audit for the Jefferson County Magistrate Court for the period ending December 31, 2013.

Email from Todd Metzgar opposing the Ambulance Fee Ordinance.

Press Release from FirstEnergy Corporation: FirstEnergy Subsidiaries Apply for Authorization to Sell Eleven Hydroelectric Power Stations to Harbor Hydro Holdings, LLC.

Jefferson County Public Service District Regular Board Meeting Minutes, August 5, 2013.

Jefferson County Homeland & Emergency Management Newsletter, September, 2013.

Potomac Valley Audubon Society, Valley Views, Volume 32, Issue 1 - September 2013.

West Virginia Lottery Weekly Settlement for Charles Town week ending August 31, 2013.

West Virginia Lottery Weekly Settlement for Charles Town week ending September 7, 2013.

*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, August 29, 2013**

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A meeting of the Jefferson County Commission was held on Thursday, August 29, 2013 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 Dale Manuel, Patsy Noland, Walter Pellish and Lyn Widmyer. Jane Tabb was absent with notice. Also present were Debbie Keyser, County Administrator, Cynthia Schott, Executive Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the August 29, 2013 meeting is available through the Jefferson County Commission Office.)

#### **PLEDGE OF ALLEGIANCE**

Commissioner Noland led the Pledge of Allegiance.

President Manuel informed the audience agenda items: #3a – IT Update/IT Position, #4 – Bidding Contract, #7 – Request by Planning Commission to the County Commission to reconsider their motion of 10/25/2012 regarding the Proposed Zoning Ordinance Text Amendment related to new Commercial & Industrial Zoning categories and Minor Amendments to the Jefferson County Zoning and Land Development Ordinance Sections 2.2, 4.10, 4A.5, 5.7, 5.8, 8.5, 8.14,(new), 8.15(new), 9.5, 10.5, 11.1, 12.2, and Appendix C (Agricultural Use and Other Amendments) and #8 – Follow-up discussion regarding contracting the position of the Financial Consultant for the Jefferson County Commission. These items will appear on the September 5, 2013 due to the absence of Commissioner Tabb at today's meeting.

#### **APPROVAL OF MINUTES**

**Motion by Ms. Noland to approve the Minutes of the August 15, 2013 County Commission Meeting with noted correction. Motion seconded and unanimously approved.**

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

**Motion by Ms. Widmyer to approve Purchase Orders in the amount of \$108,420.55 to include P.O. Nos. 50369, 50370, 51872, 51873, 51447, 51448, 50071, 51865, 51867, 51871, 51874, 51868, 51869, 51870, 51649, 51510, 51509 and 51512 Motion seconded and unanimously approved.**

**APPROVAL OF ACCOUNTS PAYABLE**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
070538	424	ACCURATE SYSTEMS INC	51856	\$ 1,486.75	\$ -	\$ 1,486.75
070538	425	ACCURATE SYSTEMS INC	51856	\$ 1,617.00	\$ -	\$ 1,617.00
070539	412	COMCAST		\$ -	\$ 80.50	\$ 80.50
070539	425	COMCAST		\$ -	\$ 443.03	\$ 443.03
070540	425	A. F. MCCORMICK	51860	\$ 390.00	\$ -	\$ 390.00
070541	413	APPLE VALLEY OFF.PRODUCT	51630	\$ 66.13	\$ -	\$ 66.13
070542	405	DR GREGORY ALLEN		\$ -	\$ 15.98	\$ 15.98
070543	424	B-K OFFICE SUPPLY INC	51848	\$ 952.00	\$ -	\$ 952.00
070543	712	B-K OFFICE SUPPLY INC	51700	\$ 323.40	\$ -	\$ 323.40
070544	425	BOLAND SERVICES	51847	\$ 262.00	\$ -	\$ 262.00
070545	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
070546	425	CITY OF CHARLES TOWN	51854	\$ 180.00	\$ -	\$ 180.00
070547	425	CT CARPET ONE FLOOR&HOME	51853	\$ 161.97	\$ -	\$ 161.97
070548	700	BRANDON CONWAY		\$ -	\$ 2,296.00	\$ 2,296.00
070549	405	CRASHTEAMS MID-ATLANTIC	51645	\$ 500.00	\$ -	\$ 500.00
070550	712	CASEY JO CHARLES		\$ -	\$ 89.25	\$ 89.25
070551	425	APPLE VALLEY TIRE	51855	\$ 120.00	\$ -	\$ 120.00
070552	425	DODSON'S SEPTIC	51852	\$ 260.00	\$ -	\$ 260.00
070553	425	DAYCON	51863	\$ 90.04	\$ -	\$ 90.04
070554	225	DELTA DENTAL OF WV		\$ -	\$ 5,820.47	\$ 5,820.47
070555	712	PAMELA DORSEY		\$ -	\$ 89.25	\$ 89.25
070556	712	KAREN ECHEMENT		\$ -	\$ 7.45	\$ 7.45
070557	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ 1,937.63	\$ 1,937.63
070557	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ 1,666.00	\$ 1,666.00
070558	425	GRAINGER, INC	51845	\$ 2,816.36	\$ -	\$ 2,816.36
070558	425	GRAINGER, INC	51859	\$ 155.99	\$ -	\$ 155.99
070559	402	SALLY GRAN		\$ -	\$ 69.00	\$ 69.00
070560	717	GUTTMAN OIL CO		\$ -	\$ 18,202.93	\$ 18,202.93
070561	425	IDVILLE, INC		\$ -	\$ 205.00	\$ 205.00
070562	712	ITSAVVY LLC	49835	\$ 168.93	\$ -	\$ 168.93
070563	402	JEFFERSON PUBLISH CO INC	51790	\$ 158.38	\$ -	\$ 158.38
070563	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 51.18	\$ 51.18
070564	712	THE JOURNAL	51699	\$ 163.80	\$ -	\$ 163.80
070565	425	JOHN DEERE FINANCIAL		\$ -	\$ 614.88	\$ 614.88
070566	717	JERRY'S FORD/LINCOLN/MER	51851	\$ 179.26	\$ -	\$ 179.26
070567	404	JOYCE A. JOHNS	52110	\$ 4,000.00	\$ -	\$ 4,000.00
070568	401	LEWIS CO CIRCUIT CLERK		\$ -	\$ 39.90	\$ 39.90

070569	712	JULIE LIPSCOMB		\$ -	\$ 89.25	\$ 89.25
070570	403	MATTHEW BENDER & CO	51445	\$ 758.89	\$ -	\$ 758.89
070570	405	MATTHEW BENDER & CO	51642	\$ 321.01	\$ -	\$ 321.01
070570	405	MATTHEW BENDER & CO	51647	\$ 3,725.15	\$ -	\$ 3,725.15
070571	402	PIFER OFFICE SUPPLY, INC	51792	\$ 19.76	\$ -	\$ 19.76
070571	406	PIFER OFFICE SUPPLY, INC	51414	\$ 12.50	\$ -	\$ 12.50
070572	712	SHERRY PUCKETT		\$ -	\$ 89.25	\$ 89.25
070573	425	RCS SECURITY	51787	\$ 462.50	\$ -	\$ 462.50
070574	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
070574	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58
070574	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
070574	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
070574	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
070574	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
070574	433	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
070574	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
070574	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
070574	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
070575	404	SOFTWARE SYSTEMS, INC	52111	\$ 3,078.59	\$ -	\$ 3,078.59
070575	700	SOFTWARE SYSTEMS, INC	51511	\$ 73.53	\$ -	\$ 73.53
070576	408	STATE TAX DEPARTMENT		\$ -	\$ 16,103.69	\$ 16,103.69
070577	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 27,298.56	\$ 27,298.56
070578	405	STONEWALL RESORT	51644	\$ 3,948.00	\$ -	\$ 3,948.00
070579	717	SNAP ON TOOLS	51857	\$ 999.00	\$ -	\$ 999.00
070580	424	TRENARY SERVICE CO	51846	\$ 2,860.00	\$ -	\$ 2,860.00
070580	425	TRENARY SERVICE CO	51846	\$ 1,368.00	\$ -	\$ 1,368.00
070580	425	TRENARY SERVICE CO	51861	\$ 218.50	\$ -	\$ 218.50
070581	405	WEST PAYMENT CENTER	51638	\$ 2,309.41	\$ -	\$ 2,309.41
070582	415	WV STATE AUDITOR**		\$ -	\$ 11,090.00	\$ 11,090.00
070583	405	WV STATE BAR	51648	\$ 2,000.00	\$ -	\$ 2,000.00
070584	401	WALMART BUSINESS/GEMB		\$ -	\$ 91.43	\$ 91.43
070585	PAYROLL	WV COUNTIES GROUP		\$ -	\$ 120,779.50	\$ 120,779.50
070586	PAYROLL	WVCORP		\$ -	\$ 28,522.25	\$ 28,522.25
070587	439	XEROX CORPORATION	50339	\$ 610.28	\$ -	\$ 610.28
<b>TOTAL</b>						<b>\$ 275,107.42</b>
<b>TOTAL</b>				<b>\$ 36,817.13</b>	<b>\$ 238,290.29</b>	<b>\$ 275,107.42</b>

**Motion by Ms. Noland to approve the accounts payable for August 22, 2013 in the amount of \$275,107.42. Motion seconded and unanimously approved.**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
070590	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 6,273.43	\$ 6,273.43
070591	712	AT&T/GA		\$ -	\$ 244.87	\$ 244.87
070592	406	ANGELA L BANKS		\$ -	\$ 69.00	\$ 69.00
070593	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
070594	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
070595	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
070596	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
070597	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
070598	PAYROLL	COLONIAL LIFE		\$ -	\$ 731.19	\$ 731.19
070599	GRANT	DELL MARKETING LP		\$ -	\$ 2,889.82	\$ 2,889.82
070600	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
070601	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 3,235.00	\$ 3,235.00
070602	712	JEFFERSON PUBLISH CO INC	51698	\$ 31.42	\$ -	\$ 31.42
070603	712	DR ROBERT JONES		\$ -	\$ 1,000.00	\$ 1,000.00
070604	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 40.00	\$ 40.00
070604	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 4,793.00	\$ 4,793.00
070605	440	HAINES KIMBLE		\$ -	\$ 97.00	\$ 97.00
070606	PAYROLL	COMPTROLLER OF MARYLAND		\$ -	\$ 846.91	\$ 846.91
070607	424	MICROMAIN CORPORATION	51784	\$ 595.00	\$ -	\$ 595.00
070608	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
070609	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
070610	402	PIFER OFFICE SUPPLY, INC	51793	\$ 39.80	\$ -	\$ 39.80
070611	425	RCS SECURITY		\$ -	\$ 132.00	\$ 132.00
070612	GRANT	RCS SECURITY		\$ -	\$ 388.80	\$ 388.80
070613	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 49,514.08	\$ 49,514.08
070613	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 11,580.02	\$ 11,580.02
070613	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 111.10	\$ 111.10
070613	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 25.98	\$ 25.98
070613	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 129.54	\$ 129.54
070613	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 52,021.87	\$ 52,021.87
070614	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 69.93	\$ 69.93
070614	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 165.39	\$ 165.39
070614	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 49,020.04	\$ 49,020.04
070615	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 16,957.89	\$ 16,957.89
070615	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 25,935.59	\$ 25,935.59
070616	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 196.42	\$ 196.42
070616	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 60.96	\$ 60.96
070616	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 39,149.96	\$ 39,149.96
070616	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 126,149.10	\$ 126,149.10

070617	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 249.75	\$ 249.75
070618	412	WPS,INC	50025	\$ 186.91	\$ -	\$ 186.91
<b>TOTAL</b>						<b>\$ 395,174.99</b>
<b>TOTAL</b>				<b>\$ 853.13</b>	<b>\$ 394,321.86</b>	<b>\$ 395,174.99</b>

**Motion by Mr. Pellish to approve the accounts payable for August 29, 2013 in the amount of \$395,174.99. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Joy Lewis introduced herself to the Commission as the new Regional Representative for Governor Tomblin. Ms. Lewis invited the Commission to contact her at any time.

Jennifer Brockman, Director of Planning & Zoning gave an update to the Commission on the activities of the 2035 Envision Steering Committee. Ms. Brockman stated 200 surveys were completed at the Fair and 100 on line-surveys were completed. Ms. Brockman also stated a special “Stake Holders” meeting will take place September 27, 2013.

**PRESENTATIONS:**

1. Approval of Contract and Resolution for a Community Participation Grant Program for the Jefferson County Parks and Recreation Youth Program to purchase equipment in the amount of \$4,000.
  - **Motion by Mr. Manuel to approve the Community Participation Grant Program Resolution for the Jefferson County Parks and Recreation Youth Program for equipment in the amount of \$4,000 and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**
  
2. Nikki Painter, Chief Deputy of Elections updated the Commission regarding the pricing of the electronic polling books for elections. Ms. Painter stated the cost of the polling books would be \$114,000. The County is able to obtain a five (5) year interest free loan from the Secretary of State’s office for \$78,829.00 leaving a balance of \$34,220.59 for the County to pay up front. This cost is to be paid from the County Clerk’s budger. Ms. Painter stated the electronic poll books would reduce confusion over where voters are registered to vote on the day of elections and poll workers are able to check voters in on Election Day in a more efficient manner, saving time for the voter.
  - **Motion by Mr. Manuel to enter into the agreement and work with the balance of \$34,220.59. Motion seconded and approved on a vote of 4-1 with Mr. Pellish opposing, citing budget restraints at the present moment, and the fact this is not an election year.**
  
3. Financial Director’s Report – Ms. McDonald stated adjustments needed to be made to the

State/Federal Grant funds for the period ending June 30, 2012 as per the State Auditors recommendation. In the past there have been issues with getting the grants into the correct accounts. We now need to take them from the incorrect accounts and put into the correct account.

- **Motion by Mr. Pellish to approve the recommended adjustments to the State/Federal Grants funds for the period ending June 30, 2012 as per State Auditor to show correct deposits to the correct Federal/State Grant accounts. Motion seconded and unanimously approved.**

4. Debbie Keyser, County Administrator & Sandy McDonald, Deputy Administrator continued the Financial Analysis Presentation update. Ms. Keyser stated although there has been a slight decrease in revenue, there has been an increase in expenditures. Ms. Keyser pointed out areas in which the budget has increased substantially and presented options for percentage cuts to the budget. Ms. Keyser made the follow recommendations in regard to the budget and requested permission to move forward:
  - a) Develop a regional jail team to look at and make recommendations for cutting jail cost to the County. It was the consensus of the Commission for Ms. Keyser to move forward.
  - b) Ms. Keyser stated the County is paying \$900,000 in overtime. Ms. Keyser requested the Compensation team review overtime costs and return to the County Commission with recommendations. It was the unanimous consent of the Commission for Ms. Keyser to move forward.
  - c) Ms. Keyser recommended the County return to having one department overseeing the vehicle/fleet in the County. Ms. Keyser recommended one department over see all the vehicles in the county, reviewing purchases, maintenance, repairs and disposal of vehicles. Ms. Keyser stated she believed this should fall under the Maintenance Department.
  - d) Ms. Keyser recommended the County have one department responsible for purchasing of office supplies in order to see a cost savings. The consensus of the Commission was for Ms. Keyser to research this option.
  - e) Ms. Keyser stated a Wellness proposal will be forthcoming. Although this won't have an immediate impact, in the long run it will cut down on health care costs.
  - f) Ms. McDonald stated a CD is coming due and the Tax Office would like to know if it should be renewed or rolled over. The Capital Outlay cash balance is at \$400,000. It was the recommendation of the Deputy Administrator to rollover the CD. It was the consensus of the Commission to rollover the CD without objection.

g) Ms. McDonald spoke regarding ECivis. The ECivis contract is due for renewal. It was recommended to the Commission to not renew the contract. The service is not providing the adequate resources we expected and therefore is not cost effective.

- **Motion by Ms. Noland to not renew the ECivis contract. Motion seconded and unanimously approved/.**

5. Debbie Keyser, IT Service Contract Metro Ethernet - Ms. Keyser introduced Tom Reilly who explained the advantages of contracting with the Metro Ethernet. Mr. Reilly stated the speed will be 10 megs of service. Presently we have 1.5. This will also come in at savings over what we are now spending.

- **Motion by Ms. Noland to approve the contract for Metro Ethernet and to move forward. Motion seconded and unanimously approved.**

6. Pete Dougherty, Sheriff of Jefferson County, requesting approval to hire a new Deputy to replace Deputy Harrison. Sheriff Dougherty stated this position is a budgeted position, yet this new hire will come in a significantly lower salary. Sheriff Dougherty requested a start date of September 16, 2013.

- **Motion by Mr. Manuel to approve the hire of a replacement Deputy to begin on September 16, 2013. Motion seconded and unanimously approved.**

#### **COUNTY ADMINISTRATOR REPORT**

Ms. Keyser announced the Jefferson Public Library is hosting a "Love Your Heart Walk".

Ms. Keyser informed the Commission Frontier and Comcast are being scheduled for September 19, 2013 at 3 p.m. It was the consensus of the Commission to invite Region 9 to attend the meeting and give a brief review of their findings. Mr. Pellish requested Comcast and Frontier to present their understanding of the issues with Broadband.

Ms. Keyser stated, Berkeley County has requested Jefferson's salary information; Ms. Keyser has agreed and requested their salary information to build our compensation study.

Ms. Keyser gave an update about the County Commission Association and corrected a statement made at the last Commission meeting. The dues for the County Commission Association are \$3,900 not \$6,000. We pay 839.00 to NACO, and since we are members of the County Commission Association we receive a refund of \$419.50. If we do receive a refund from the County Commission Association we will have to pay the 50% refund. As this has never happened before, the County Commission Association will be taking this to their board.

Ms. Keyser reported on the PERS Retirement Conference she attended. The County needs to document when someone is out on Workers Comp, as that time counts toward their years of service. The amount a retiree can earn has changed from \$15,000 to \$20,000. This has been a good investment year resulting in a potential slight drop in county pension costs.

Ms. Keyser stated that on September 19<sup>th</sup>, the Internet Policy will be presented.

OPEC Study not completed last year as Mr. Shroyer became ill. Ms. Keyser stated she will be putting together an RFP and sending it out. This is an Audit finding that must be followed through on.

Ms. Keyser stated she has interviewed for the Financial Director Position. Ms. Keyser inquired of the Commissioners if they would like to interview this applicant. The applicant has not shared with his employer that he is investigating a new position, so please keep his name confidential.

Ms. Keyser announced that Ms. Schott is resigning from her position.

## **COUNTY COMMISSIONERS REPORTS**

Dale Manuel:

- Participated in the African-American Cultural Parade.
- Attended the Deputy Reserve Graduation.
- Spent many hours at the fair.
- Attended a Water Advisory meeting at the fair booth.
- Attended the Jefferson County Emergency Services Meeting.
- Attended a special meeting of the Jefferson County Emergency Services.

Patsy Noland:

- Busy with the Fair all week.
- Meet with the Chairmen of the Board and staff of Region 9 as the Director resigned.
- Attended a committee meeting with Partnership for Affordable Housing.

Walt Pellish:

- Attended a Development Authority Meeting.
- Spent many hours at the fair.

Lyn Widmyer:

- Participated in the African-American Cultural Parade.
- Attended the Fair.
- Attended the Historic Landmarks Committee meeting.
- Attended the HPMO meeting.
- Attended an ice cream social at Harpers Ferry to discuss ideas about the town's future.

- The Commission meeting was adjourned at 11:50 a.m. on a motion by Ms. Tabb. Motion was seconded and unanimously approved.

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DALE MANUEL, PRESIDENT

Respectfully submitted  
Cynthia C. Schott  
Executive Administrative Assistant

# Minutes

## Jefferson County Commission

Thursday, September 5, 2013

A meeting of the Jefferson County Commission was held on Thursday, September 5, 2013 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 Dale Manuel, Patsy Noland, Walter Pellish, Jane Tabb and Lyn Widmyer. Also present were Debbie Keyser, County Administrator, Cynthia Schott, Executive Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the September 5, 2013 meeting is available through the Jefferson County Commission Office.)

### PLEDGE OF ALLEGIANCE

Commissioner Widmyer led the Pledge of Allegiance.

### APPROVAL OF PURCHASE ORDERS

**Motion by Ms. Noland to approve revised Purchase Orders in the amount of \$3,406.26 to include P.O. Nos. 51796, 52112, 52113, 51650 and 50343. Motion seconded and unanimously approved.**

### APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
070620	402	BANK OF CHARLES TOWN	51794	\$ 48.40	\$ -	\$ 48.40
070621	412	BARDANE PUBLIC HEALTH CT		\$ -	\$ 383.00	\$ 383.00
070622	424	B-K OFFICE SUPPLY INC	51871	\$ 596.50	\$ -	\$ 596.50
070623	424	BOLAND SERVICES	51874	\$ 834.00	\$ -	\$ 834.00
070624	401	201 N. GEORGE ST LLC		\$ -	\$ 9,638.92	\$ 9,638.92
070625	405	MARCIA L. CHANDLER, RPR	51649	\$ 211.75	\$ -	\$ 211.75
070626	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
070627	403	COAST TO COAST COMPUTER	51447	\$ 232.00	\$ -	\$ 232.00
070627	403	COAST TO COAST COMPUTER	51448	\$ 232.00	\$ -	\$ 232.00
070628	424	DAYCON	51867	\$ 1,437.58	\$ -	\$ 1,437.58
070629	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 63.75	\$ 63.75
070630	717	DONALD B. RICE TIRE CO.	51872	\$ 1,402.44	\$ -	\$ 1,402.44
070631	425	GRAINGER, INC	51868	\$ 108.48	\$ -	\$ 108.48
070631	425	GRAINGER, INC	51870	\$ 359.83	\$ -	\$ 359.83

070632	401	HIRERIGHT		\$ -	\$ 52.60	\$ 52.60
070633	700	ALBERT HOCKMAN		\$ -	\$ 178.50	\$ 178.50
070634	700	BRANDON HAYNES		\$ -	\$ 178.50	\$ 178.50
070635	439	JEFFERSON PUBLISH CO INC	50342	\$ -	\$ 66.52	\$ 66.52
070636	700	MCKINNEY'S AUTO REPAIR	51510	\$ 138.03	\$ -	\$ 138.03
070637	413	JENNIFER S. MAGHAN		\$ -	\$ 76.00	\$ 76.00
070638	700	MILLER'S CHRYSLER JEEP	51512	\$ 308.64	\$ -	\$ 308.64
070638	717	MILLER'S CHRYSLER JEEP	51873	\$ 100.04	\$ -	\$ 100.04
070639	700	ROBIN MAHONY		\$ -	\$ 5.19	\$ 5.19
070640	424	NEOPOST USA INC.	51865	\$ 2,660.00	\$ -	\$ 2,660.00
070641	716	NO RULES LETTERING 2013	50369	\$ 400.00	\$ -	\$ 400.00
070642	402	PIFER OFFICE SUPPLY, INC	51633	\$ 107.64	\$ -	\$ 107.64
070642	402	PIFER OFFICE SUPPLY, INC	51795	\$ 29.88	\$ -	\$ 29.88
070643	413	ALICE N. PAINTER		\$ -	\$ 76.00	\$ 76.00
070644	402	RECORD MANAGEMENT SOLUTN	51631	\$ 35.00	\$ -	\$ 35.00
070645	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,668.00	\$ 6,668.00
070646	704	ST/WV REGIONAL JAIL &	50071	\$ 97,658.00	\$ -	\$ 97,658.00
070647	700	SUPERIOR AUTO BODY	51509	\$ 641.26	\$ -	\$ 641.26
070648	MISC	SHERIFF OF JEFFERSON CO		\$ -	\$ 1,763.69	\$ 1,763.69
070649	975	SUMMIT COMMUNITY BANK		\$ -	\$ 2,441.41	\$ 2,441.41
070650	MISC	SHERIFF OF JEFFERSON CO		\$ -	\$ 3,029.00	\$ 3,029.00
070651	MISC	SHERIFF OF JEFFERSON CO		\$ -	\$ 6,250.00	\$ 6,250.00
070652	MISC	SHERIFF OF JEFFERSON CO		\$ -	\$ 60,470.28	\$ 60,470.28
070653	716	VALLEY PET CEMETERY	50370	\$ 435.00	\$ -	\$ 435.00
070654	700	BENJAMIN S. WILLIAMS		\$ -	\$ 231.00	\$ 231.00
070655	700	JOSEPH WINDLE		\$ -	\$ 231.00	\$ 231.00
070656	700	JOSEPH WINDLE		\$ -	\$ 12.35	\$ 12.35
070657	425	WINCHESTER SECURITY,LLC	51869	\$ 665.00	\$ -	\$ 665.00
070658	402	XEROX CORPORATION	51632	\$ 1,181.81	\$ -	\$ 1,181.81
070658	439	XEROX CORPORATION	50339	\$ 537.31	\$ -	\$ 537.31
070659	413	CHEROKEE GRIM		\$ -	\$ 76.00	\$ 76.00
070660	413	WENDY EVANGELISTI		\$ -	\$ 76.00	\$ 76.00
<b>TOTAL</b>						<b>\$ 203,828.30</b>
<b>TOTAL</b>				<b>\$ 110,360.59</b>	<b>\$ 93,467.71</b>	<b>\$ 203,828.30</b>

**Motion by Ms. Widmyer to approve the accounts payable for September 5, 2013 in the amount of \$203,828.30. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Dr. Bob Jones, Medical Director of the JCESA, spoke in favor of supporting the Jefferson County Emergency Services Agency Fee Ordinance.

Daniel Lutz, resident came to present to each Commissioners a quart of his award winning tomato mincemeat with venison chutney.

**PRESENTATIONS:**

1. The Honorable John Unger, West Virginia Senator presented a Community Participation Grant to the Good Shepherd Caregivers in the amount of \$10,000. Paula Reese, Executive Director of Good Shepherd Caregivers accepted on behalf of Good Shepherd Caregivers.
  
2. Angie Banks, Assessor – Exonerations

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Dennis & Gayle Drury	Charles Town District	Personal Property	301578	\$565.42

- **Motion by Ms. Widmyer to approve the Exoneration for Dennis & Gayle Drury as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Elmer L. & Mary Vickers	Middleway District	Personal Property	313096	\$91.12

- **Motion by Ms. Noland to approve the Exoneration for Elmer L. & Mary Vickers as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Timothy Utterback, Jr.	Charles Town District	Personal Property	304734	\$287.38

- **Motion by Ms. Tabb to approve the Exoneration for Timothy Utterback, Jr. as presented by the Assessor. Motion seconded and unanimously approved.**

3. Bidding/Contract Policy – Ms. Keyser stated the policy presented is from the State of West Virginia. Ms. Keyser stated amounts presented in the policy can be adjusted.
  - **Motion by Ms. Noland to adopt the Bidding & Contract Policy as presented by the County Administrator with the addition of “review of contracts in conjunction of the budget review”. Motion seconded and approved on a vote of 4-1 with Ms. Widmyer opposing.**
  
4. Vehicle/Fleet Policy – Ms. Keyser stated this policy basically combines all the separate policies dealing with vehicles. Ms. Keyser also stated, this policy would allow for one department to oversee the vehicles owned by County, Ms. Keyser recommended this department be Maintenance, Bill Polk.
  - **Motion by Ms. Noland to adopt the Vehicle/Fleet Policy as presented by the Administrator adding all vehicles shall be titled to the County and an annual report regarding the County’s vehicle/fleet should be presented during the budget review. Motion seconded and unanimously approved.**
  
5. John Galloway, Location Scout/Location Manager requesting the use of the Jefferson County Courthouse and Jefferson County old jail for filming of a WWI, WWII Mini Series Documentary at some point during the three week period of Monday September 30, 2013 through October 18, 2013. Stephen David Entertainment Production Company is the production company filming the Documentary. Stephen David Entertainment Production Company will enter into a location agreement with the County after a site visit and determination of the scope of work.
  - **Motion by Mr. Manuel to approve use of the Courthouse and Old Jail by Stephen David Entertainment Production Company for filming of a WWI, WWII Mini Series Documentary with the understanding a location agreement will be reviewed by our legal staff. Motion seconded and unanimously approved.**
  
6. Peggy Smith, Mayor of Charles Town began by thanking the County Commission for their support of the Jefferson County Convention and Visitors Bureau. In an attempt to encourage tourism in Charles Town, Mayor Smith requested permission of the County Commission for tours of the Courthouse for six (6) weeks beginning September 21, September 28 and Saturdays in October, 2013. Mayor Smith invited the Commissioners to a VIP tour on September 14, 2013 at 10 am.
  - **Motion by Mr. Pellish to approve the request as presented by Mayor Smith, City of Charles Town, to have tours of the Courthouse on September 21, 28 and Saturdays in October, 2013. Motion seconded and unanimously approved.**

**Administrator's Report:**

- Ms. Keyser gave an update of the cash flow from the Tax Department; the County has collected \$3 million along with the million on hand.
- Ms. Keyser reported the Prosecuting Attorney has hired Lindsay Leatherman to replace a vacancy in the Prosecuting Attorney Office. Ms. Leatherman will begin on September 16, 2013.
- Ms. Keyser reported the Highway Department has determined the intersection of Route 9 and Chestnut Hill does meet the sight requirements, but will be installing a light and flashing beacons at the intersection.
- The meeting scheduled with Frontier & Comcast has been set up and representatives will be appearing before the Commission on September 19, 2013.
- Ms. Keyser inquired if the Commissioners are available to attend a budget workshop and a visit with a potential Financial Director candidate on Wednesday, September 11 at 2pm. The Commissioners concurred and agreed to meet.

**PRESENTATIONS CONTINUED:**

7. Don Orser, resident - came before the commission to request the Exoneration for six (6) tax tickets for 2013. Mr. Orser believes there is no legal basis for these tax tickets as they are actually for 2012. Ms. Grove, Assistant Prosecuting Attorney stated the Commission can't give exoneration if the Assessor is not in agreement. Ms. Banks, County Assessor is not in agreement.
  - **Motion by Mr. Pellish to deny the request for exoneration. Motion seconded and unanimously approved.**
8. Roger Goodwin, Chief Engineer – gave an update on the adoption of the Stormwater Ordinance and the related Texts Amendments to the Land Development Regulations. Mr. Goodwin presented a brief overview of the Stormwater Ordinance which will be presented at a Public Hearing on September 19, 2013. Mr. Goodwin stated no motions or action were required at this time.
9. The Commission recessed for break at: 11 am  
The Commission reconvened from break at: 11:15 am.
10. Debbie Keyser, County Administrator and Tom Reilly, IT Consultant came before the Commission to present an update on IT and the IT Position. Ms. Keyser started by informing the Commission that Ms. Charlotte Hernandez, resigned as of September 4, 2013. Mr. Reilly presented an IT Power Point highlighting three different approaches the Commission can utilize in filling the IT position. The option consisted of an 1) a full-time IT Manager (an employee of the County) 2) Contracted Full Time IT Manager 3) Contracted IT Management Team and Part-Time Employee. Mr. Reilly highlighted the value and advantage of each option.
  - **Motion by Mr. Manuel to enter into contractual negotiations for a 9-12 months contract for an IT Management Team while moving forward to hire**

**a part-time IT employee. (This is with the understanding the position vacated by Ms. Hernandez is replaced and not included in the above). Motion seconded and unanimously approved.**

- **Motion by Mr. Pellish to direct the Administrator to enter into a short term contract with Mr. Reilly to help with the IT help desk due to Charlotte's departure, until a replacement can be found. Motion seconded and unanimously approved.**

11. Ms. Brockman, Director of Planning and Zoning – requested, on behalf of the Planning Commission, that the County Commission reconsider their Motion of October 25, 2012 regarding the Proposed Zoning Ordinance Text Amendment Related to New Commercial and Industrial Zoning Categories. Ms. Brockman stated the legal counsel agreed that the item could be revisited at this time without another public hearing as long as the amendments under consideration were all a part of the September 6, 2012 Public Hearing held by the County Commission. Ms. Brockman answered concerns expressed by the Commission at a previous meeting concerning the Proposed Zoning Ordinance Text Amendment Related to New Commercial and Industrial Zoning Categories. Ms. Brockman stated staff recommendations are included in the proposed plan including concerns brought up by the public at the Public Hearing.

- **Motion by Ms. Widmyer to affirm the decision of the County Commission on October 25, 2012, to postpone approving the new Commercial and Industrial Zoning Categories until the work on the Comprehensive Plan is complete, and incorporate them into the Comprehensive Plan. Motion fails and on a vote of 2-3 with Mr. Pellish, Ms. Tabb and Ms. Noland opposing.**
- **Motion by Ms. Tabb that the proposed new Zoning Ordinance Text Amendments Related to the new Commercial and Industrial Zoning Categories is scheduled for a Public Hearing before the County Commission as soon as possible. Motion seconded and unanimously approved.**

Ms. Brockman requested the County Commission schedule a Public Hearing to hear minor amendments to the Jefferson County Zoning and Land Development Ordinance to the Sections 2.2, 4.10, 4A.5, 5.7, 5.8, 8.5, 8.14(new), 9.5, 10.5, 11.1, 12.2, and Appendix C (agricultural Use and Other Amendments). Ms. Brockman stated these amendments are very minor and recommends the County Commission move forward to hold a Public Hearing

- **Motion by Mr. Pellish to schedule a Public Hearing as requested, on the minor amendments to the Jefferson County Zoning and Land Development.**
- **Ordinance sections as specified in the agenda. Motion seconded and unanimously approved.**

12. The Commission recessed for lunch at 12:38 pm.

The Commission reconvened from lunch at: 1:32 pm.

13. Doug Pittinger, Director of Jefferson County Emergency Services Agency (JCESA) and Mr. Williams, JCESA - Mr. Pittinger stated the JCESA is returning to the Commission with a revised budget and potential fee rates as requested by the County Commission. Mr. Pittinger stated the JCESA Board had unanimously approved the revised budget. Mr. Pittinger highlighted changes to the budget and justified the need for the proposed requested budget for the potential ambulance fee. Mr. Williams stated the Board of the JCESA is happy with the budget as presented as it creates the positions that have been asked for and in need of for so long. Mr. Williams stated one of the functions of the JCESA is to advocate for the fire departments and believes this ambulance fee is a double edge sword for the fire companies. Although this addresses the staffing the fire companies require, it will adversely affect the fundraising of the fire companies.

- **Motion by Mr. Manuel to put the ordinance as amended back before the body. Motion is seconded and unanimously approved.**
- **Motion by Mr. Manuel to adopt option #4, and move the fee from \$85 to \$60 and move it into the document. Motion seconded and fails on a vote of 2-3 with Ms. Tabb, Ms. Noland and Mr. Pellish opposing.**
- **Motion by Mr. Manuel to adopt option #5, \$55 fee to replace the \$85 fee in the document. Motion seconded and fails on a vote of 2-3 with Ms. Tabb, Ms. Noland and Mr. Pellish opposing.**
- **Motion by Mr. Pellish to institute the ambulance fee at \$40 per year. Motion seconded and passes on a vote of 3-2 with Mr. Manuel and Ms. Widmyer opposing.**
  - **Mr. Manuel offered a subsidiary motion to postpone the vote to the next meeting of the County Commission. Motion seconded and fails on a vote of 2-3 with Ms. Tabb, Ms. Noland and Mr. Pellish opposing.**
- It was the consensus of the Commission to hold over the vote on the Ambulance fee until a clean copy is submitted to the Commission. It was the direction of the Commission the JCESA will submit a new calculation for the ambulance fee with the \$40 fee.

14. Follow-up on discussion regarding contracting the position of the Financial Consultant for the Jefferson County Commission. Ms. Noland requested this issue to be discussed in Executive Session. Ms. Widmyer expressed her concern over discussing consultant negotiations being held in Executive Session. Ms. Widmyer stated she had contacted the Ethics Committee to offer a written opinion on the topic and was told one would be forthcoming in seven (7) working days. Ms. Widmyer requested the Commission delay

this issue until the opinion can be read. It was the opinion of Counsel the Commission was in compliance of the law in their use of Executive Session in this instance.

- **Motion by Ms. Noland to enter into Executive Session to discuss contract negotiations for the position of Financial Consultant citing State Code § §6-9A-4(2)(A), Matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of a public officer or employee, or prospective public officer or employee unless the public officer or employee or prospective public officer or employee requests an open meeting. Motion seconded and approved on a vote of 4-1 with Ms. Widmyer opposing.**
- **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland for the County Commission to enter into contract negotiations with Leslie Smith to analyses the current financial condition of the county, review the budget for FY 2014 and or reconstruct the budget for FY 2014, prepare and submit a written report regarding findings and recommendations to the County with respect to the preparation and presentation of annual budget review and reconstruct previous years budgets as necessary, work with and collaborate with Elected Officials, Department Heads and other employees as required and needed to gain data and information relative to all above, consult with the State Auditor of WV as necessary to accomplish the task as set forth above consult with the State Tax Department as necessary to accomplish the task as set forth above, consult with other vendors to the County as necessary to accomplish the task as set forth above, with any cost attended there-to to be billed to the County to accomplish all the foregoing the County will provide all fiscal related documentation requested by the Consultant, the Consultant will need read only access to all the County financial data with a contract to be negotiated for not more than \$10,000 for over a period of not more than thirty days. Motion seconded and approved on a vote of 4-1 with Ms. Widmyer opposing.**

The Commission meeting was adjourned at 4:35 p.m. on a motion by Ms. Tabb. Motion was seconded and unanimously approved.

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DALE MANUEL, PRESIDENT

Respectfully submitted  
Cynthia C. Schott  
Administrative Assistant

**Minutes**  
**Jefferson County Commission**  
**Wednesday, September 11, 2013**

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A meeting of the Jefferson County Commission was held on Wednesday, September 11, 2013 in the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 at 4 p.m. Present were Commissioners Dale Manuel, Patsy Noland, Walter Pellish, Jane Tabb and Lyn Widmyer. Also present was, Debbie Keyser, County Administrator and Cynthia Schott, Executive Administrative Assistant. (An audio tape of the September 11, 2013 meeting is available through the Jefferson County Commission Office.)

In re: To conduct Interview(s) for position of Financial Director for Jefferson County Commission

Commissioner Manuel opened the session at 4:00 p.m.

Commissioner Tabb let the Pledge of Allegiance.

Motion by Mr. Pellish to enter into Executive Session citing State Code §6-9A-4-(2)(A) - Matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of a public officer or employee, or prospective public officer or employee unless the public officer or employee or prospective public officer or employee request an open meeting. Motion seconded and unanimously approved.

Motion by Mr. Pellish to come out of Executive Session. Motion seconded and unanimously approved.

Motion by Mr. Pellish to adjourn at 5:08 p.m. Motion seconded and unanimously approved.

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DALE MANUEL, COMMISSION PRESIDENT

Respectfully submitted:  
Cynthia C. Schott  
Executive Administrative Assistant

**Minutes**  
**Jefferson County Commission**  
**Thursday, September 12, 2013**

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A meeting of the Jefferson County Commission was held on Thursday, September 12, 2013 in the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 at 9 a.m. (An audio tape of the September 12, 2013 meeting is available through the Jefferson County Commission Office.)

PRESENT: Dale Manuel, President  
Walter Pellish, Vice President  
Patsy Noland, Commissioner  
Jane Tabb, Commissioner  
Lyn Widmyer, Commissioner  
Sandy McDonald, Deputy County Commissioner  
Lynn Fields, Deputy Probate Clerk  
Stephanie Grove, Assistant Prosecuting Attorney  
Cynthia Schott, Executive Administrative Assistant

Probate Attorney's: D. Frank Hill, III, Esquire – Fiduciary Commissioner  
Stephen Skinner, Esquire

Probate Witnesses: Kathy D. Warden - Estate of William E. Dunn  
Donna Smoot – Estate of William E. Dunn  
Veronica Bennett – Estate of Lester Pete Snider  
Evone E. Williams – Estate of Elva N. Crawford  
Fred G. Crawford – Estate of Elva N. Crawford

In re: To conduct Hearings in regard to Probate Matters.

Commissioner Manuel opened the session at 9:00 a.m.

Commissioner Widmyer led the Pledge of Allegiance

1. Estate of William E. Dunn, PETITION TO DENY FIDUCIARY COMMISSIONER, D. FRANK HILL, III'S, ORDER TO DENY CLAIM OF KATHY WARDEN – Ms. Warden filed a claim for \$96K with the probate office against the estate of William E. Dunn for care she provided up until the end of his life. The claim was referred to D. Frank Hill, III when it was denied by the Executor, Donna Smoot. At a subsequent hearing, the claim was further denied by D. Frank Hill, III. Ms. Warden is appearing before the Commission to request they overrule Mr. Hill's ruling and demand the estate pay the claim.

Ms. Warden and Ms. Smoot were sworn in by the Clerk. Ms. Warden presented her case to the County Commissioners as to why she believed the Fiduciary Commissioner's ruling should be overruled.

Ms. Warden submitted the following into the record as evidence:

- 1A – Social Security Administration form TOE 210 – Claim for Amounts Due In the Case of Deceased Beneficiary.
- 2A - Medical Power of Attorney and Living Will.
- 2B – Handwritten note from Mr. William Dunn to Chase Bank stating Ms. Warden speak on his behalf regarding his mortgage loan.
- 2C – Note of sympathy from Hospice to Ms. Warden.
- 2D – Notice of Appearance and Certificate of Service from Andrew C. Skinner.
- 2E – Notice to Ms. Lynn Fields, Deputy Probate Clerk – Affidavit of Donna Smoot, as fiduciary of the Estate of William Ellard Dunn, Deceased. Denying the claim filed by Kathy D. Warden.
  
- 3A – Letter from Karen Olden, Deputy Probate Clerk, letter from Lynn Fields, Deputy Probate Clerk, letter from Dale A. Buck, Esquire regarding a claim affidavit.
- 3B – Letter from Ms. Smoot forwarded to Ms. Warden from Ms. Fields, Deputy Probate Clerk regarding Ms. Warden's claim.
- 3C – Summary of claim Ms. Warden intended to file against the estate of William E. Dunn, written by Ms. Warden.
  
- 4A – Assignment of Proceeds of Insurance document.
- 4B – Copy of a check received from Insurance Company.
- 4C – Copy of bank statement of William E. Dunn.

Ms. Warden called Ms. Smoot to testify. Mr. Skinner objected to Ms. Smoot being called as a witness.

Commissioner Manuel sustained Mr. Skinner's objection.

Mr. Skinner spoke on behalf of the Ms. Smoot presenting a case as to why Mr. Hill's ruling should not be overruled.

Mr. D. Frank Hill, III, Fiduciary Commissioner testified, affirming his report in full, submitted to the Commission. Ms. Grove requested Mr. Hill clarify if Ms. Warden's witnesses were allowed to testify, but sequestered, so witnesses could testify one at a time, so they did not hear what other witnesses testified to. A court reporter was present and a record made. Ms. Grove stated this is a very common practice.

- **Motion by Mr. Pellish to accept Mr. Hill's recommendation. Motion seconded and unanimously approved. So ordered to Counsel.**

2. Estate of Lester Pete Snider – PETITION TO PROBATE IN SOLEMN FORM, The Executrix for the estate of Lester Peter Snider is only able to find a copy of the Last Will and Testament. Mr. Dorsey, Esquire, prepared the Will and attested to the validity of this Will as it was executed in his office May, of 2011. The Executrix is requesting the Commission grant permission for her to probate the will in solemn form and admit the copy of the will to record. The Probate office sees no reason why the copy of the will cannot be admitted to record. Mrs. Bennett had done due diligence to attempt to find the original Will and to notify all interested parties and potential heirs at law.

Ms. Bennett was sworn in by the Clerk.

- **Motion by Ms. Noland to accept a copy of the Last Will and Testimony of Lester Pete Snider as presented to the Commission and permit the estate to be open for probate purposes. Motion seconded and unanimously approved.**

3. The Commission broke for recess at 9:50 am  
The Commission reconvened at 10:00 am

4. Estate of Elva Nellie Crawford, PETITION TO REMOVE CO-PERSONAL REPRESENTATIVE OF THE ESTATE OF ELVA NELLIE CRAWFORD - The three (3) children of the deceased were previously qualified as co-executors of the estate. They have appeared before the Commission before for a dispute regarding the selling of the real estate of the estate. Two of the co-executors have been unable to reach a compromise or agreement with the third co-executor regarding the fair market value of the real estate. The two co-executors are requesting that the third co-executor be removed from his duties because he is wasting the assets of the estate and prohibiting them from selling the property and bringing the estate to a close. This estate in West Virginia is an ancillary estate; Ms. Crawford was probated in Maryland. Ms. Williams and Mr. Crawford were granted their request to have Carroll M. Crawford to be removed as co-e executor.

Ms. Evon E. Williams and Mr. Fred G. Crawford were sworn in by the Clerk.

Ms. Grove, Legal Counsel inquired the following for the record:

Ms. Grove stated the probate office received an email from Mr. Carroll Crawford requesting a continuance. Mr. Crawford contacted the office on Friday, September 6, 2013.

- Mr. Crawford received notice of the hearing 14-16 days prior to the hearing date.
- Ms. Fields stated Mr. Crawford did not request the hearing be rescheduled and it is Ms. Field's belief that Mr. Crawford would not be able to attend a hearing in the future due to many health issues.
- In phone conversations and emails, Mr. Crawford indicated he would be working on a rebuttal to the allegations in the packet he received. As of September 11, 2013 Mr. Crawford had not sent his rebuttal in. In a phone conversation Mr. Crawford indicated he was unable to work on his rebuttal due to his health.
- Ms. Grove stated without objection, Mr. Carroll's email will be entered into the record.

- **Motion by Ms. Noland to deny the continuance from Mr. Carroll Crawford. Motion seconded and unanimously approved.**

Ms. Williams and Mr. Crawford provided testimony as to why they believe Mr. Carroll Crawford should be removed as a co-executor.

- **Motion by Mr. Pellish to remove Mr. Carroll M. Crawford as a co-personal representative. Motion seconded and unanimously approved.**

Motion by Ms. Noland to adjourn at 10:22 a.m. Motion seconded and unanimously approved.

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DALE MANUEL, COMMISSION PRESIDENT

Respectfully submitted,  
Cynthia C. Schott  
Executive Administrative Assistant

# PURCHASE ORDERS TO BE APPROVED

August 29, 2013

DEPARTMENT	PURCHASE ORDER	AMOUNT	VENDOR	DESCRIPTION
ANIMAL CONTROL	50367	\$ 192.35	Hillside Vet Hospital	Vet Care
	50372	\$ 1,005.00	Jefferson County Health Dept.	Rabies Scree/Pre Rabies Series
	51513	\$ 190.57	Nancy Doyle OBA	Medical Expenses
	51883	\$ 751.30	Sleeping Fox Farm Thoroughbread	Board, Feed, Care - 4 Horses
	51884	\$ 1,454.00	Total Equine Vet. Association	Vet Care - 4 Horses
	51885	\$ 375.00	Matilda Bay Farm	Horse Dentistry -5 Horses
	51886	\$ 100.00	Bobby Schwartz Livestock Hauling	Livestock Hauling - 2 Horses
CENTRAL GARAGE	51876	\$ 519.36	Donald B. Rice	Tires
	51880	\$ 113.00	Trenary Service Co.	AC Service Call
	51900	\$ 327.44	Jerrys Ford/Lincoln	Insturment Cluster
	51902	\$ 650.00	Blue Grenade	Equipment for cars
COMMUNICATIONS	49834	29,856.33	Global Data Consultants	Software/Protection
COUNTY CLERK	51797	\$ 12,850.00	Complete System Support	st & 2nd Installment - Customer Suppo
COUNTY COMMISSION	52143	\$ 108,369.50	WV Regional Jail & Correctional	August Jail Bill
EXTENSION OFFICE	50024	\$ 649.84	WPS Solutions,	Contract- equipment/serivce
OTHER BULIDINGS	51875	\$ 266.00	BK Office Supply	Copy Paper
	51879	\$ 1,391.00	Boland	Service Call
	51881	\$ 131.20	Jefferson Rentals	Equipment Rental
	51882	\$ 136.34	Grainger	Material/Supplies
	51896	\$ 515.25	BK Office Supply	Copy Paper

	51898	\$ 366.42	Grainger	Filters/Batteries
PROSECUTOR'S OFFICE	51652	\$ 292.60	Pamela Patterson	Tanscripts
	51653	\$ 300.00	WV State Bare	Regional Meeting
SHERIFF - LAW	51514	\$ 1,580.60	Galls Quartermaster	Uniforms/Accessories
	51515	\$ 1,135.26	TSSI	Ammuniciation
	51516	\$ 268.99	Teltronic	Auto Equipment
	51517	\$ 333.34	Spirit of Jefferson	Legal Publications
	51518	\$ 395.00	Law Enforcement Systems	Forms
	51519	\$ 500.00	No Rules Lottering	Vehicle Lettering
	51520	\$ 335.11	Lexis Nexis	Code Book Manuels
	51521	\$ 1,082.80	Ray Allen Manufacturing	Equipemnt
	51522	\$ 776.17	Law Enforcement Supplies	Supplies
	51676	\$ 6,282.99	Accurate Systems, Inc.	CAD
SHERIFF - TAX	53114	\$ 349.21	Pifer	Material/Supplies
<b>GRAND TOTAL</b>		<b>\$ 173,841.97</b>		

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

### AGENDA REQUEST FORM

Name: Angela Banks, Assessor

Department or Entity: Assessor's Office

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject: Approval of Employment for Vacancy in the Assessor's Office

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

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

Attachments:

**JEFFERSON COUNTY**

**Personnel Requisition**

Department Name John Swaim Date 9-16-13 Date Needed 9-23-13

Job Title Senior Appraiser Salary 35,000 Criminal History Check  Yes  No

Suggested Recruitment Source(s) \_\_\_\_\_

Applicants Interviewed By Assessor Position Reports To Assessor

Minimum Education Required High school Diploma or GED

Minimum Experience Required 5 years Prior Experience

Job Duties Reviewing real estate

**Budget Information**

Addition  Replacement  Explain or For Whom Matthew Barney

Position Budgeted  Yes  No Proposed Salary 35,000 Date of Hire 9-23-13

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

Safety/Security \_\_\_\_\_ Hours Per Week 40

**Approvals**

Elected Official Approval Amala Bano Date 9-16-13

Department Head Approval \_\_\_\_\_ Date \_\_\_\_\_

County Commission Approval \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

### AGENDA REQUEST FORM

Name: Angie Banks

Department or Entity: Assessor

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject: Exonerations

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

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

Attachments:

# AGENDA REQUEST FORM

Name: Jennifer Maghan

Department or Entity: County Clerk

Estimation of amount of time needed for appointment: 10 min

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject:

- 1) Approval of new hire – Jackie Shadle
- 2) Approval to hire for an Assistant Deputy Clerk Position - 2E, to replace a Deputy Clerk leaving.

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

1) Ms. Shadle is currently with the Jefferson County Board of Education. An offer letter was given to her before the hiring freeze – we are requesting approval of her hiring to replace a former employee. We are requesting starting salary of \$29,500 – Grade 2E-F which is considerably lower than the \$38,000 position vacated.

2) We will have a new vacancy as of September 29, 2013. We are requesting approval to hire to replace this position. Proper advertisement and interviews will proceed hiring.

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

Are documents attached? yes

**If not, please explain:**

**Is a projector needed?**

**Contact information:**

Email Address:

Phone number:

**AGENDA REQUEST FORM**

Name: Jennifer Maghan

Department or Entity: County Clerk

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject: Financial Statement Approval for FY 2013

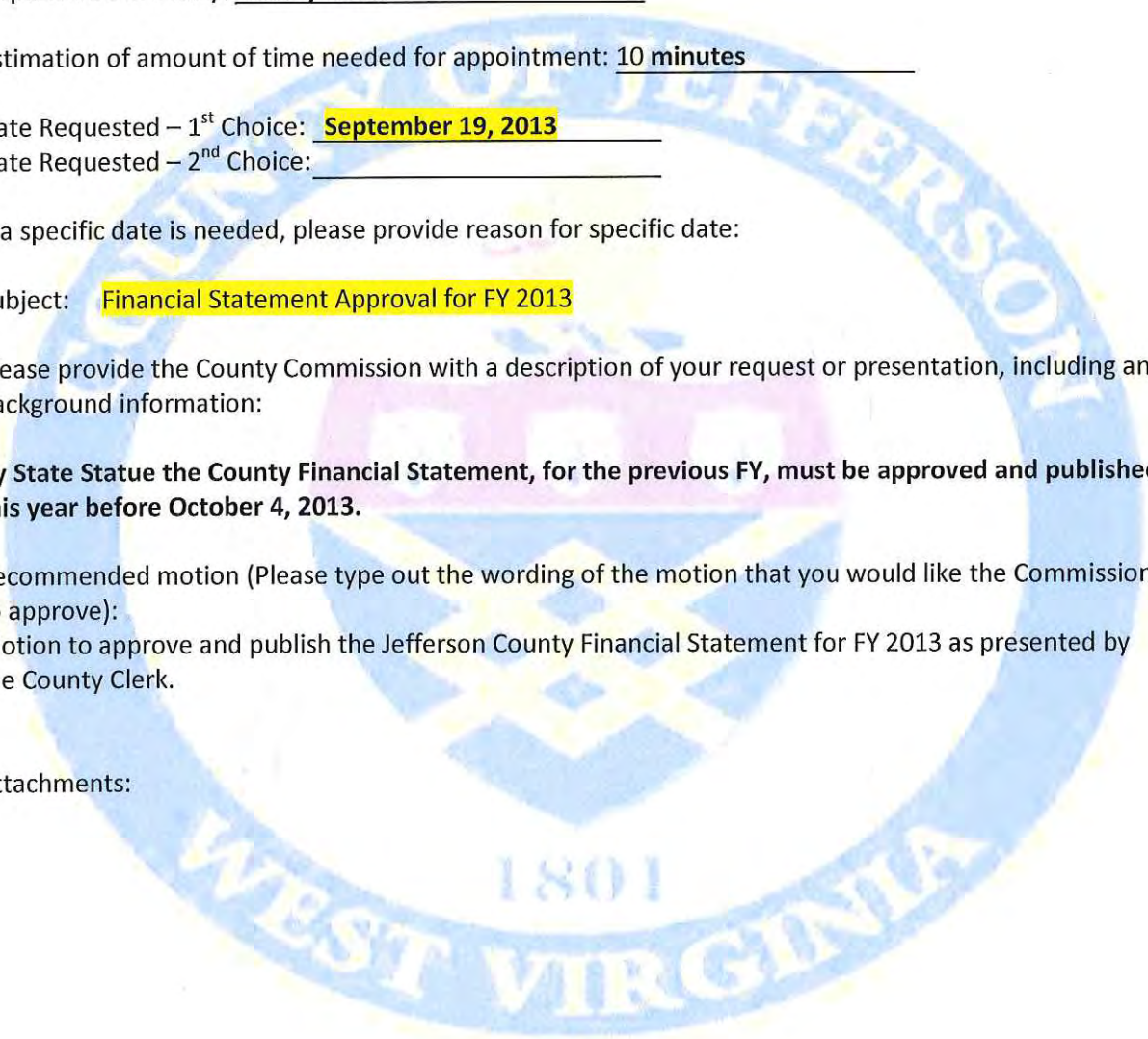
Please provide the County Commission with a description of your request or presentation, including any background information:

**By State Statue the County Financial Statement, for the previous FY, must be approved and published this year before October 4, 2013.**

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

Motion to approve and publish the Jefferson County Financial Statement for FY 2013 as presented by the County Clerk.

Attachments:



JEFFERSON COUNTY, WEST VIRGINIA  
STATEMENT OF NET POSITION  
June 30, 2013

	Primary Government		Component Units				
	Governmental Activities	Board of Health	Development Authority	Historic Landmark	Fannland Protection Board	Emergency Services Agency	Parks and Recreation
<b>ASSETS</b>							
Current assets:							
Cash and cash equivalents	\$ 10,333,428	\$ 1,502,595	\$ 1,222,756	\$ 12,074	\$ 464,441	\$ 273,786	\$ 504,380
Receivables:							
Taxes	709,214	--	--	--	54,205	--	--
Accounts	--	41,948	3,750	--	--	8,253	1,184
Grants	29,749	--	--	--	--	--	--
Due from:							
Other governments	1,417	--	--	--	--	--	--
Prepaid expenses	--	--	12,417	--	3,000	30,468	--
Total current assets	<u>11,073,808</u>	<u>1,544,543</u>	<u>1,238,923</u>	<u>12,074</u>	<u>521,646</u>	<u>312,507</u>	<u>505,564</u>
Restricted assets:							
Restricted cash	2,724,238	--	5,432	--	--	--	--
Other assets	--	--	21,513	--	--	--	--
Capital assets:							
Land	866,554	--	7,400,690	231,650	--	550,000	--
Construction in progress	1,027,000	--	--	--	--	--	--
Depreciable:							
Buildings	19,024,780	--	--	493,200	--	1,366,998	--
Improvements	1,206,084	--	15,000	--	--	--	--
Vehicles	1,763,038	--	--	--	--	--	2,609
Machinery and equipment	5,905,771	--	37,251	--	2,236	539,462	4,685
Less: accumulated depreciation	( 10,356,754)	--	( 10,516)	( 35,832)	--	( 474,565)	--
Other debits:							
Loan acquisition costs	--	--	26,665	--	--	--	--
Total noncurrent assets	<u>22,160,711</u>	<u>--</u>	<u>7,496,035</u>	<u>689,018</u>	<u>2,236</u>	<u>1,981,895</u>	<u>7,294</u>
Total assets	<u>33,234,519</u>	<u>1,544,543</u>	<u>8,734,958</u>	<u>701,092</u>	<u>523,882</u>	<u>2,294,402</u>	<u>512,858</u>
<b>DEFERRED OUTFLOWS</b>							
	--	--	--	--	--	--	--
Total deferred outflows of resources	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>
<b>LIABILITIES</b>							
Current liabilities payable from current assets:							
Accounts payable	166,771	28,309	16,780	--	55,053	8,735	1,019
Payroll payable	--	7,755	--	--	--	26,399	29,296
Benefits payable	213,375	--	--	--	--	--	--
OPEB payable	--	122,116	--	--	--	--	--
Accrued interest payable	--	--	7,794	--	--	1,214	--
Noncurrent liabilities:							
Notes payable - due within one year	--	--	237,112	--	--	24,976	--
Notes payable - due in more than one year	--	--	5,758,899	--	--	1,205,647	--
Leases payable - due within one year	16,839	--	--	--	--	--	--
Compensated absences payable	637,592	--	--	--	--	7,787	--
Total liabilities	<u>1,034,577</u>	<u>158,180</u>	<u>6,020,585</u>	<u>--</u>	<u>55,053</u>	<u>1,274,758</u>	<u>30,315</u>
<b>DEFERRED INFLOWS</b>							
	--	--	--	--	--	--	--
Total deferred inflows of resources	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>
<b>NET POSITION</b>							
Net investment in capital assets	19,419,634	--	41,735	689,018	--	703,140	--
Restricted for:							
Encumbrances	--	--	--	--	120,500	--	--
Mortgage	--	--	--	--	--	81,000	--
Agriculture development	--	--	26,945	--	--	--	--
Unrestricted	<u>12,780,308</u>	<u>1,386,363</u>	<u>2,645,693</u>	<u>12,074</u>	<u>348,329</u>	<u>235,504</u>	<u>482,543</u>
Total net position	<u>\$ 32,199,942</u>	<u>\$ 1,386,363</u>	<u>\$ 2,714,373</u>	<u>\$ 701,092</u>	<u>\$ 468,829</u>	<u>\$ 1,019,644</u>	<u>\$ 482,543</u>

The notes to the financial statements are an integral part of this statement.

JEFFERSON COUNTY, WEST VIRGINIA  
STATEMENT OF ACTIVITIES  
For the Fiscal Year Ended June 30, 2013

	Program Revenues			Net (Expense) Revenues and Changes in Net Position									
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Primary Governmental Activities	Component Units				Parks and Recreation			
						Economic Development Authority	Historic Landmark	Farmland Protection Board	Emergency Services Agency				
<b>Transfers / Programs</b>													
<b>Primary government:</b>													
General government	\$ 14,563,091	\$ 2,428,453	\$ 158,707	\$ 49,084	\$ (11,926,847)								
Public safety	9,983,127	--	89,359	65,915	(9,827,853)								
Health and sanitation	60,717	--	--	--	(60,717)								
Culture and recreation	1,126,920	--	--	--	(1,126,920)								
Social services	24,014	--	--	--	(24,014)								
<b>Total governmental activities</b>	<b>25,757,869</b>	<b>2,428,453</b>	<b>248,066</b>	<b>114,999</b>	<b>(22,966,351)</b>								
<b>Total primary government</b>	<b>\$ 25,757,869</b>	<b>\$ 2,428,453</b>	<b>\$ 248,066</b>	<b>\$ 114,999</b>	<b>\$ (22,966,351)</b>								
<b>Component units:</b>													
Board of Health	645,346	200,650	455,080	--	--	10,384	--	--	--	--	--	--	\$ --
Economic Dev. Authority	644,651	--	--	--	--	--	(644,651)	--	--	--	--	--	--
Historic Landmark Commission	152,493	--	85,000	--	--	--	--	(67,433)	--	--	--	--	--
Farmland Protection Board	1,646,839	--	1,181,979	--	--	--	--	--	(464,860)	--	--	--	--
Emergency Services Agency	1,966,944	96,845	5,719	--	--	--	--	--	--	--	--	(1,864,380)	--
Parks and Recreation	1,010,606	493,332	15,551	--	--	--	--	--	--	--	--	--	(509,913)
<b>Total component units</b>	<b>\$ 6,066,909</b>	<b>\$ 791,227</b>	<b>\$ 1,743,329</b>	<b>\$ --</b>	<b>\$ (67,433)</b>	<b>\$ 10,384</b>	<b>\$ (644,651)</b>	<b>\$ (67,433)</b>	<b>\$ (464,860)</b>	<b>\$ (1,864,380)</b>	<b>\$ (509,913)</b>	<b>\$ (509,913)</b>	<b>\$ (509,913)</b>
<b>General revenues:</b>													
Ad valorem property taxes			11,297,314										
Alcoholic beverages tax			39,022										
Hotel occupancy tax			545,974										
Gas and oil severance tax			38,278										
Other taxes			499,495										231,543
Coal severance tax			131,283										
Licenses and permits			2,844,368										
Intergovernmental:													
Local			--			13,696							
Unrestricted investment earnings			58,560			5,341							
Refunds			298,950			6,798							
Reimbursement			3,357			--							
Easement acquisition			--			--							
Contributions			--			--							
Gain on sale of capital assets			--			155,629							
Miscellaneous			6,314,142			1,167							26,887
<b>Total general revenues</b>			<b>22,070,963</b>			<b>20,104</b>							<b>546,304</b>
Change in net position			(895,388)			30,488							453,911
<b>Net position - beginning</b>			<b>33,095,330</b>			<b>1,355,875</b>							<b>437,152</b>
<b>Net position - ending</b>			<b>\$ 32,199,942</b>			<b>\$ 1,386,363</b>							<b>\$ 483,543</b>

The notes to the financial statements are an integral part of this statement.

JEFFERSON COUNTY, WEST VIRGINIA  
BALANCE SHEET - GOVERNMENTAL FUNDS  
June 30, 2013

	General	Coal Severance Tax	County Capital Outlay	Impact Fees	Other Nonmajor Governmental Funds	Total Governmental Funds
<b>ASSETS AND DEFERRED OUTFLOWS</b>						
<b>Assets:</b>						
<b>Current:</b>						
Cash and cash equivalents	\$ 3,255,487	\$ 404,758	\$ 5,659,849	\$ --	\$ 1,013,334	\$ 10,333,428
Receivables:						
Taxes	709,214	--	--	--	--	709,214
Due from:						
Other funds	35,951	--	--	--	69,749	105,700
Other governments	--	--	--	--	1,417	1,417
Restricted cash	--	--	--	2,724,238	--	2,724,238
<b>Total assets</b>	<b>4,000,652</b>	<b>404,758</b>	<b>5,659,849</b>	<b>2,724,238</b>	<b>1,114,249</b>	<b>13,903,746</b>
<b>Deferred Outflows:</b>						
	--	--	--	--	--	--
<b>Total deferred outflows of resources</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>
<b>Total assets and deferred outflows of resources</b>	<b>\$ 4,000,652</b>	<b>\$ 404,758</b>	<b>\$ 5,659,849</b>	<b>\$ 2,724,238</b>	<b>\$ 1,114,249</b>	<b>\$ 13,903,746</b>
<b>LIABILITIES, DEFERRED INFLOWS AND FUND BALANCES</b>						
<b>Liabilities:</b>						
Accounts payable	166,771	--	--	--	--	166,771
Benefits payable	213,375	--	--	--	--	213,375
Due to:						
Other funds	6,250	--	--	--	99,450	105,700
Deferred revenues:						
Taxes	499,643	--	--	--	--	499,643
<b>Total liabilities</b>	<b>886,039</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>99,450</b>	<b>985,489</b>
<b>Deferred Inflows:</b>						
	--	--	--	--	--	--
<b>Total deferred inflows of resources</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>
<b>Total liabilities and deferred inflows of resources</b>	<b>886,039</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>99,450</b>	<b>985,489</b>
<b>Fund balances:</b>						
Restricted	--	--	--	2,724,238	1,040,323	3,764,561
Committed	--	--	5,659,849	--	--	5,659,849
Assigned	3,114,613	404,758	--	--	--	3,519,371
Unassigned	--	--	--	--	( 25,524)	( 25,524)
<b>Total fund balances</b>	<b>3,114,613</b>	<b>404,758</b>	<b>5,659,849</b>	<b>2,724,238</b>	<b>1,014,799</b>	<b>12,918,257</b>
<b>Total liabilities, deferred inflows and fund balances</b>	<b>\$ 4,000,652</b>	<b>\$ 404,758</b>	<b>\$ 5,659,849</b>	<b>\$ 2,724,238</b>	<b>\$ 1,114,249</b>	<b>\$ 13,903,746</b>

The notes to the financial statements are an integral part of this statement.

JEFFERSON COUNTY, WEST VIRGINIA  
RECONCILIATION OF THE BALANCE SHEET - GOVERNMENTAL FUNDS  
TO THE STATEMENT OF NET POSITION  
June 30, 2013

---

Total fund balances on the governmental fund's balance sheet	\$ 12,918,257
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and are therefore not reported in the funds. (Note IV-C)	19,436,473
Certain revenues are not available to fund current year expenditures and therefore are deferred in the funds. (Note IV-B)	499,643
Long-term liabilities are not due and payable in the current period and therefore are not reported in the funds. (Note IV-G)	<u>( 654,431)</u>
Net position of governmental activities	<u>\$ 32,199,942</u>

The notes to the financial statements are an integral part of this statement.

JEFFERSON COUNTY, WEST VIRGINIA  
STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCES -  
GOVERNMENTAL FUNDS  
For the Fiscal Year Ended June 30, 2013

	General	Coal Severance Tax	County Capital Outlay	Impact Fees	Other Nonmajor Governmental Funds	Total Governmental Funds
<b>REVENUES</b>						
Taxes:						
Ad valorem property taxes	\$ 11,285,497	\$ --	\$ --	\$ --	\$ --	\$ 11,285,497
Alcoholic beverages tax	39,022	--	--	--	--	39,022
Hotel occupancy tax	545,974	--	--	--	--	545,974
Gas and oil severance tax	38,298	--	--	--	--	38,298
Other taxes	485,008	--	--	--	8,276	493,284
Coal severance tax	--	131,283	--	--	--	131,283
Licenses and permits	182,516	--	--	2,568,478	93,374	2,844,368
Intergovernmental:						
Federal	81,459	--	--	--	131,742	213,201
State	--	--	--	--	149,864	149,864
Charges for services	1,898,615	--	--	--	35,293	1,933,908
Fines and forfeits	100,624	--	--	--	393,921	494,545
Interest and investment earnings	15,289	1,286	34,061	5,159	2,765	58,560
Refunds	298,950	--	--	--	--	298,950
Reimbursements	--	--	--	--	3,557	3,557
Payments in lieu of taxes	6,211	--	--	--	--	6,211
Miscellaneous	5,265,089	--	--	--	1,049,053	6,314,142
<b>Total revenues</b>	<b>20,242,552</b>	<b>132,569</b>	<b>34,061</b>	<b>2,573,637</b>	<b>1,867,845</b>	<b>24,850,664</b>
<b>EXPENDITURES</b>						
Current:						
General government	11,298,228	37,121	167,751	1,579,656	988,795	14,071,551
Public safety	9,206,971	--	--	--	101,258	9,308,229
Health and sanitation	45,000	15,717	--	--	--	60,717
Culture and recreation	1,029,401	--	--	--	--	1,029,401
Social services	13,823	--	--	--	10,191	24,014
Capital outlay	45,233	37,670	448,891	55,518	178,625	765,937
<b>Total expenditures</b>	<b>21,638,656</b>	<b>90,508</b>	<b>616,642</b>	<b>1,635,174</b>	<b>1,278,869</b>	<b>25,259,849</b>
Excess (deficiency) of revenues over expenditures	( 1,396,104)	42,061	( 582,581)	938,463	588,976	( 409,185)
<b>OTHER FINANCING SOURCES (USES)</b>						
Transfers in	811,094	--	1,077,032	--	--	1,888,126
Transfers (out)	( 500,000)	--	--	--	( 1,388,126)	( 1,888,126)
<b>Total other financing sources (uses)</b>	<b>311,094</b>	<b>--</b>	<b>1,077,032</b>	<b>--</b>	<b>( 1,388,126)</b>	<b>--</b>
<b>Net change in fund balances</b>	<b>( 1,085,010)</b>	<b>42,061</b>	<b>494,451</b>	<b>938,463</b>	<b>( 799,150)</b>	<b>( 409,185)</b>
Fund balances - beginning	4,199,623	362,697	5,165,398	1,785,775	1,813,949	13,327,442
<b>Fund balances - ending</b>	<b>\$ 3,114,613</b>	<b>\$ 404,758</b>	<b>\$ 5,659,849</b>	<b>\$ 2,724,238</b>	<b>\$ 1,014,799</b>	<b>\$ 12,918,257</b>

The notes to the financial statements are an integral part of this statement.

JEFFERSON COUNTY, WEST VIRGINIA  
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO  
THE STATEMENT OF ACTIVITIES  
For the Fiscal Year Ended June 30, 2013

---

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balances - total governmental funds	\$ ( 409,185)
Capital outlays are reported as an expenditure in the governmental funds but are considered an asset at the government-wide level. This is the amount of capital assets that were purchased during the fiscal year. (Note IV-C)	765,937
Capital outlays are reported as an expenditure in the governmental funds. In the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount of depreciation expense charged during the year. (Note IV-C).	( 1,196,448)
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds. This is the difference between prior and current year deferred revenues.	11,817
Prior year deferred revenues: <u>487,826</u>	
Current year deferred revenues: <u>499,643</u>	
Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds. (Note IV-G)	<u>( 67,509)</u>
Change in net position of governmental activities	<u><u>\$ ( 895,388)</u></u>

The notes to the financial statements are an integral part of this statement.

JEFFERSON COUNTY, WEST VIRGINIA  
STATEMENT OF FIDUCIARY NET POSITION  
FIDUCIARY FUNDS  
June 30, 2013

	<u>Agency Funds</u>
<b>ASSETS</b>	
Non-pooled cash	\$ <u>977,863</u>
Total assets	<u>977,863</u>
<b>DEFERRED OUTFLOWS</b>	
	<u>--</u>
Total deferred outflows of resources	<u>--</u>
Total assets and deferred outflows of resources	\$ <u><u>977,863</u></u>
<b>LIABILITIES</b>	
Due to: other governments	<u>977,863</u>
Total liabilities	<u>977,863</u>
<b>DEFERRED INFLOWS</b>	
	<u>--</u>
Total deferred inflows of resources	<u>--</u>
Total liabilities and deferred inflows of resources	\$ <u><u>977,863</u></u>

The notes to the financial statements are an integral part of this statement.

# AGENDA REQUEST FORM

Name: Peter Dougherty

Department or Entity: Sheriff

Estimation of amount of time needed for appointment: 10 min

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject:

Vehicle Purchase

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

Report on the purchase of 6 new vehicles - \$156,310 used to purchase vehicles

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

Move to approve the payment of \$156,310 for six new vehicles to be paid out of the Capital Outlay Account.

Are documents attached?

If not, please explain:

Is a projector needed?

Contact information:

Email Address:

Phone number:

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**JEFFERSON COUNTY COMMISSION  
AGENDA REQUEST FORM**

Name: Jeffrey A. Polczynski, ENP – Director of Communications

Department or Entity: Emergency Communications

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

Date Requested – 1<sup>st</sup> Choice: 9/19/2013

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

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

Subject: Final Selection of Integrated Public Safety Information Systems Vendor

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

**The purpose of this presentation is to provide the County Commission with information on the final vendor selection for the Integrated Public Safety Systems Vendor. This includes background on the systems, need and overall project; the process used to select the vendor; the results of the process; the current status; and the next steps.**

**Attached is detailed presentation for Commission review prior to the Commission meeting. The Director of Communications and IT consultant will also be providing a powerpoint presentation and will pass out presentation packets at the 9/19/2013 meeting.**

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

**I motion to:**

- 1. accept the recommendation of the CAD Committee to select Spillman Technologies, Inc. as the vendor to implement the Integrated Public Safety Information Systems for the Emergency Communications Center and Sheriff's Office and;**
- 2. direct the Director of Communications to continue collaboration with the municipalities to create a multi-jurisdictional multi-discipline public safety information system and;**
- 3. allocate the \$800,000 budgeted for this project from Capital Improvements to a spendable account based upon recommendation of the County Administrator and;**
- 4. direct the Director of Communications to work within the budget of the monies allocated in Capital Projects for implementation of this CAD, RMS and mobile data system and;**
- 5. direct the Director of Communications and IT consultant to collaborate with counsel and the vendor to create a contract based upon the details of negotiations to date and;**
- 6. at a near-future date to present contract for signature to the President of the Commission.**

Attachments:

**Integrated Public Safety Information Systems\_Commission 2013-09-19**



## Jefferson County Emergency Communications DEPARTMENTAL MEMORANDUM

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**TO:** The County Commission of Jefferson County  
Deborah Keyser, County Administrator

**FROM:** Jeffrey A. Polczynski, ENP – Director of Communications

**DATE:** September 12, 2013

**SUBJECT:** Final Vendor Selection of Integrated Public Safety Information Systems  
Project – Update of Project – Commission Action

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The purpose of this memorandum is to present to The County Commission information regarding the vendor selection for the Integrated Public Safety Information Systems Project, hereafter known as *the project*; Included are the details negotiated with the selected vendor; the overall process thus far and the next steps. Included in this presentation are action items required of The County Commission.

### BACKGROUND

The staff of Jefferson County Emergency Communications Center (JCECC) has been working on a project to implement an automated public safety information system for the dispatch and response to emergency and non-emergency calls for service. This system is a technical solution intended to eliminate the pen/paper method currently being used in the dispatch environment. The project has many intricate and complicated components that are all required to work together to form a single cohesive system in order to be successful to the County's public safety.

The system is defined as Computer-Aided Dispatch (CAD), Records Management System (RMS) and Mobile Data System (MDS).

The system reaches into the response realm by automating the processes for dispatch and providing field responders an all-encompassing interconnected information system within their public safety response vehicles and apparatus. The integrated public safety information systems will drastically improve the structure and operations of Jefferson County's public safety services. Automation will allow for:

- greater efficiency in the reception of calls for service
- workstation integration that provides better flow of dispatch information within the ECC, to the municipal agencies and fire departments, and to the response vehicles

- integrated databases that provide enhanced sharing of crucial safety information to law enforcement, fire and EMS personnel
- better tracking of response units
- better tracking of incidents
- faster determination and allocation of appropriate response
- reduced emergency response times
- more accurate and current mapping data in all vehicles
- establishment of case records management
- access to national databases and crime information systems from the field
- ability to streamline report writing processes and reduce paper consumption
- greater presence of law enforcement officers within the community
- data mining that allows agency management to make determinations on force allocations
- reduced potential for error

#### PROJECT DETAILS

Jefferson County Emergency Communications issued a comprehensive Request for Proposal in Q3/2012 with bids due in Q4/2012. A CAD committee comprising of individuals representing the following disciplines was formed to evaluate the anticipated bids:

- ECC Management
- ECC Supervision
- ECC dispatch staff
- GIS
- Fire Suppression
- Emergency Medical Services
- Municipal Law Enforcement
- Sheriff's Office Law Enforcement
- Sheriff's Office Records
- Information Technology

Due to other projects, equipment upgrades, radio programming, workload, and personnel issues, the evaluation of the bids unfortunately suffered delay. The formal process of bid evaluation was already developed and committee members were issued bids, the instructions, and evaluation sheets. Although bids were under review, the evaluation process was slow due to the sheer magnitude of evaluating extensive 100+ page documents. The JCECC organized meetings and also brought Accurate Systems onboard to provide consultation services to the project.

#### SHORT LIST VENDOR SELECTION

The committee members evaluated proposals from five vendors. The evaluations consisted of the following criteria:

- Proposal Response
- Software functionality and capabilities
- Ease of use of system(s)
- Company profile
- Stability (financial viability, business longevity, national focus)
- Market focus (public safety specific)
- Proposed services
- Customer service (references, retention, measured service rates, 24x7 support)
- Warranty
- Pricing

Two of the five vendors demonstrated the ability to provide Jefferson County with a highly reliable comprehensive system based upon the requirements of the RFP. These two vendors were invited to return to Jefferson County to provide live onsite demonstration of their products. The other three vendors were deemed by unanimous consent of the committee to lack the qualification and capabilities to provide Jefferson County with the desired systems based upon the requirements of the RFP within the budget allocated for the project.

*Spillman Technologies, Inc.* of Salt Lake City, Utah and *New World Systems, Inc.* of Troy, Michigan were the companies invited to provide onsite demonstration. Both vendors provided comprehensive demonstrations of the modules Jefferson County stipulated in the RFP during each of their three days of demonstration. Committee members, as well as agency heads, dispatch and supervisory staff, fire suppression field staff, EMS staff, and law enforcement staff attended the demonstrations.

#### FINAL VENDOR SELECTION

The members of the CAD Committee completed comprehensive reviews and evaluations of the bidders, viewed demonstrations of the short-listed vendors, and performed site visits at agencies already using the products in a live environment. Committee members contacted agencies who have deployed the systems questioning references regarding their deployment and asking specific questions about their use, products and modules deployed, deployment experience, customer service experience, training experience, and pricing.

The committee evaluated the pricing of all of the bidders and created comparison documents. The committee leadership then worked with the finalists to allow opportunity for the two to detail the specific systems and the prices they would provide to the County and the municipalities. Detailed analysis of the system modules and pricing of each of the modules and systems were defined by the vendors. The County worked with each of the finalists and felt that each finalist provided their best pricing. The tables on the following pages are provided to The County Commission to show vendor offerings.

Below is the final compared vendor pricing. The first table depicts the <sup>1</sup>required components defined as core software applications for CAD / RMS for the ECC & JCSO

**Jefferson County Required Components (CAD/RMS for 911 Center and JCSO)**

	Tiburon	PSSI*+	Keystone*	New World	Spillman^
Required CAD/RMS Modules	\$1,676,420.00	\$262,700.00	\$320,199.00	\$407,250.00	\$320,460.00
Required Interfaces	\$173,700.00	\$130,500.00	\$139,000.00	Included	Included
Installation/Professional Services	\$75,000.00	\$38,700.00	\$52,245.00	\$263,260.00	\$149,200.00
Training	Included	\$43,200.00	\$20,050.00	Included	Included
Third Party Products & Services	N/A	N/A	N/A	\$83,200.00	Included
Travel & Living Expenses	N/A	N/A	N/A	\$30,000.00	Included
Maintenance (Years 1-5)	Included	\$206,885.71	\$363,911.00	\$458,056.00	\$128,360.00
<b>Overall Cost</b>	<b>\$1,925,120.00</b>	<b>\$681,985.71</b>	<b>\$895,405.00</b>	<b>\$1,241,766.00</b>	<b>\$598,020.00</b>

\* Pricing does not include mobile options

+ Pricing is based on less than required system users

^ Pricing includes mobile options and licensing for JCSO

Below is the *Shared Agency Costs*. This table depicts the <sup>2</sup>optional components defined as costs to the municipalities for inclusion in the system for RMS and mobile data.

**Jefferson County Shared Agency Costs**

	Tiburon+	PSSI+	Keystone+	New World*	Spillman*
Jefferson County Sheriff's Department (35)	\$555,180.00	\$172,000.00	\$167,868.00	\$220,000.00	Included
Charles Town Police Department (17)	\$282,480.00	\$84,600.00	\$34,283.00	\$60,063.00	\$49,200.00
Ranson Police Department (15)	\$251,640.00	\$77,000.00	\$30,210.00	\$54,938.00	\$44,000.00
Harpers Ferry Police Department (3)	\$66,600.00	\$31,400.00	\$6,042.00	\$10,688.00	\$7,800.00
Shepherdstown Police Department (5)	\$97,440.00	\$39,000.00	\$10,070.00	\$18,063.00	\$13,000.00
Shepherd University Police Department (8)	\$143,700.00	\$50,400.00	\$16,112.00	\$28,000.00	Included
Jefferson County Fire/EMS (60)	\$115,200.00	\$120,000.00	\$61,950.00	\$53,250.00	Included
<b>Overall Cost</b>	<b>\$1,512,240.00</b>	<b>\$574,400.00</b>	<b>\$326,535.00</b>	<b>\$445,002.00</b>	<b>\$114,000.00</b>

\* Pricing does not include annual maintenance agreement costs

+ Vendor did not provide individual agency pricing, pricing estimated (calculated based upon total license cost divided by the number of licenses proposed by vendor)

<sup>1</sup> RFP stipulates mandatory components of system and optional components that the County may elect to purchase. Mandatory components were CAD for the ECC and RMS for the JCSO. Optional components were defined as mobile data system for law enforcement and fire/EMS and report writing system for JCSO. Vendors were required to provide pricing on both mandatory and options.

<sup>2</sup> The RFP stipulates that the vendor provide pricing for municipalities to be included in the system during the project implementation. These components were for RMS and mobile data for the municipal law enforcement agencies.

Below is the table showing the total costs to each vendor for mandatory and optional components.

**Jefferson County Total Integrated Public Safety Information System Cost**

	Tiburon	PSSI	Keystone	New World	Spillman
<b>Required Components (Table 1)</b>	\$1,925,120.00	\$681,985.71	\$895,405.00	\$1,241,766.00	\$598,020.00
<b>Shared Agency Costs (Table 2)</b>	\$1,512,240.00	\$574,400.00	\$326,535.00	\$445,002.00	\$114,000.00
<b>Overall Project Cost</b>	<b>\$3,437,360.00</b>	<b>\$1,256,385.71</b>	<b>\$1,221,940.00</b>	<b>\$1,686,768.00</b>	<b>\$712,020.00</b>

The final numbers provided by the vendors depict only the software, interfaces, installation and professional services, training, and service maintenance warranty pricing.

The RFP stipulated that the County will be responsible for the equipment purchase and installation. This includes the servers, storage area network, virtualization, switches, cabling and cable management, PDU's, KVM's, dispatch workstations, monitors, mobile hardware, and mobile connectivity devices.

Along with hardware, the County will also be responsible for purchasing of emergency medical dispatch (EMD) software from a third party vendor that integrates on the CAD system. This software automates the EMD cardset protocol used by the dispatcher for EMS calltaking and is only offered by the vendor that sells the EMD protocol.

Other miscellaneous costs include CAD consultant, backup solution software for the servers, contracted services of the ECC's selected IT support for hardware installation, and VPN and network security software.

**FINAL PRICING AND SELECTED VENDOR**

The County Commission expressed desire that all agencies of the County be included within the project. The CAD Committee concurs and has worked on a project that provides an all inclusive multi-jurisdiction, multi-discipline, and multi-agency solution in one package. The JCECC has expressed to the municipalities that the JCECC would be the lead on the project and they would be responsible for costs for inclusion on the system. The table below depicts the pricing offered to the *Shared Agencies*.

	New World	Spillman
<b>Jefferson County Sheriff's Department (35)</b>	\$220,000.00	Included
<b>Charles Town Police Department (17)</b>	\$60,063.00	\$49,200.00
<b>Ranson Police Department (15)</b>	\$54,938.00	\$44,000.00
<b>Harpers Ferry Police Department (3)</b>	\$10,688.00	\$7,800.00
<b>Shepherdstown Police Department (5)</b>	\$18,063.00	\$13,000.00
<b>Shepherd University Police Department (8)</b>	\$28,000.00	Included

The County Commission expressed desire that the field responders were provided with access to the system as part of the project. The CAD Committee concurs and the JCECC has expressed to the Fire/EMS agencies that the County will purchase the software and provide for software support/warranty while the agencies would be responsible for hardware and connectivity in the apparatus. The table below shows the cost for including the Fire/EMS agencies of Jefferson County

	New World	Spillman
<b>Jefferson County Fire/EMS (60)</b>	\$53,250.00	Included

The County Commission expressed desire that the system purchased be able to allow the County to enter into a long-term relationship for a system with a vendor. The CAD Committee concurs and the ECC required at minimum five years of software system support by the vendors.

Below is the table showing the costs to each agency for their maintenance of the system and modules they will purchase. The County, JCSO, Fire/EMS are included in the maintenance costs depicted in table 1.

**Jefferson County Shared Agency Maintenance Costs (Years 1-5)**

	Tiburon	PSSI	Keystone	*New World	Spillman
<b>Jefferson County Sheriff's Department</b>	n/a	n/a	n/a	\$151,716.40	Included
<b>Charles Town Police Department</b>	n/a	n/a	n/a	\$46,161.44	\$30,288.00
<b>Ranson Police Department</b>	n/a	n/a	n/a	\$50,040.55	\$26,960.00
<b>Harpers Ferry Police Department</b>	n/a	n/a	n/a	\$8,921.96	\$4,992.00
<b>Shepherdstown Police Department</b>	n/a	n/a	n/a	\$15,128.54	\$8,320.00
<b>Shepherd University Police Department</b>	n/a	n/a	n/a	\$23,274.68	Included
<b>Jefferson County Fire/EMS</b>	n/a	n/a	n/a	\$46,549.35	Included
<b>Overall Cost</b>	n/a	n/a	n/a	<b>\$341,792.91</b>	<b>\$70,560.00</b>

\* New World provided only 2<sup>nd</sup> year agency maintenance costs. The figures shown 5% increase which is same percentage basis of CAD/RMS maintenance

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SPILLMAN TECHNOLOGIES, INC.

Spillman Technologies has provided the County with the proposal for “site licensing” of its system. This means that the Spillman software will be licensed to the County and the County will be allowed to install the software on as many devices as it wishes.

Additionally, the municipalities were provided site licensing for RMS and mobile data which allows the agencies to install the software as they please.

Spillman Technologies has provided the County with site licensing of the mobile data devices for the ECC, HSEM, Sheriff’s Office, and all of Fire and Emergency Medical Services. This allows the County to install mobile data software on as many mobile devices that the County chooses including mobility devices such as tablets, iPads, etc. at no additional cost. If the County adds a vehicle, or a fire department adds an apparatus, the County will not incur additional cost to install the software in that unit nor will have to pay additional support service costs. If the agencies wish to deploy tablets or iPads for connectivity into CAD/RMS/Field Reporting, then an agency simply installs the software without added cost.

NEW WORLD SYSTEMS

Alternatively, New World Systems provided the County with the proposal for a hybrid seat licensing/site licensing of components of its system. New World provides the Aegis/MSP software based upon sites (dispatch or department) and seats (mobile units) for both the ECC/JCSO and participating/shared agencies. The application software is site licensed for installation on workstations in the ECC and Sheriff’s Office as desired by the agencies. If the agency adds a workstation, the software can be installed and configured as desired by the agency at no additional cost.

New World Systems provided the County with seat licensing of the mobile data devices for the ECC, HSEM, Sheriff’s Office, and all of Fire and Emergency Medical Services. This allows the County to install mobile data software on the number of devices that the County is licensed however, if the County adds apparatus or vehicles, the County will have to purchase additional licenses for each device added.

A disadvantage to this method is that a workstation, a mobile data unit, and an accessory item requires separate licensing even though it may be a single user accessing all three devices. Example: if a detective has a workstation in the office, a mobile data unit in a patrol vehicle, and an iPad handheld, then the agency would be required to purchase license for all three devices for this single user.

Although a multi-jurisdiction, multi-agency system; the JCECC separated out the specific costs that the County will incur. The table below depicts the complete capital cost required for the next five year period. These costs would be front-end capital expenditure items.

As stated previously, either of the finalists' software/systems satisfy the County requirements. The CAD Committee evaluated the proposals based upon all aspects of the evaluation criteria and both finalists have the ability to provide comprehensive systems that the public safety agencies would welcome.

**Jefferson County Commission Integrated Public Safety Information System Cost Total**

	New World	Spillman
Required CAD/RMS Modules	\$407,250.00	\$320,460.00
Required Interfaces	Included	Included
Installation/Professional Services	\$263,260.00	\$149,200.00
Training	Included	Included
Third Party Software and Services	\$83,200.00	Included
Travel and Living Expenses	\$30,000.00	Included
CAD/RMS Maintenance (Years 1-5)	\$458,056.00	\$128,360.00
<b>Required Components TOTAL (Table 1)</b>	<b>\$1,241,766.00</b>	<b>\$598,020.00</b>
ECC Hardware, 3rd Party Software & Misc.	\$195,490.00	\$195,490.00
Jefferson County Sheriff's Department Mobile	\$220,000.00	Included
Jefferson County Fire/EMS Mobile	\$53,250.00	Included
Mobile Maintenance Sheriff's Office & Fire/EMS	\$198,265.75	Included
<b>Capital Cost to Jefferson County Commission</b>	<b>\$1,908,771.75</b>	<b>\$793,510.00</b>
Difference	<b>(\$1,115,261.75)</b>	

*The CAD Committee recommends that The County Commission of Jefferson County proceed with the purchase and contract of the Spillman Technologies, Inc. software and solutions.*

Spillman Technologies, Inc. provides a complete multi-agency multi-discipline turnkey solution to Jefferson County and its participating agencies that is within the allocated capital budget established for this project by the County Commission.

**COMMISSION ALTERNATIVES**

The CAD Committee feels that the County Commission *does not have any alternative but to proceed with purchase* of a CAD/RMS system. The ECC currently uses an outdated method of receiving and tracking calls for service using pen and paper. The

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user agencies lack information sharing methods and the lack of an integrated public safety information system is a threat to responder safety and security.

Should the Commission decide not to proceed with the recommendation of the CAD Committee, the Commission can be almost guaranteed the cost and pricing will increase significantly. The County feels that both vendors provided their best offers and will most certainly increase their prices if the County does not act on today's proposal. These prices become no longer valid after October 2013.

Additionally, if the Commission does not act on the CAD Committee's recommendation, the JCECC will be forced to start over and begin the process from square one by re-issuing the RFP. Reissuance of the RFP guarantees that the two vendor finalists will likely not re-bid on the project.

#### COMMISSION ACTION ITEMS

1. Accept the recommendation of the CAD Committee to select Spillman Technologies, Inc. as the vendor to implement the Integrated Public Safety Information Systems for the Emergency Communications Center and Sheriff's Office and;
2. Direct the Director of Communications to continue collaboration with the municipalities to create a multi-jurisdictional multi-discipline public safety information system and;
3. Allocate the \$800,000 budgeted for this project from Capital Improvements to a spendable account based upon recommendation of the County Administrator and;
4. Direct the Director of Communications to work within the budget of the monies allocated in Capital Projects for implementation of this CAD, RMS and mobile data system and;
5. Direct the Director of Communications and IT consultant to collaborate with counsel and the vendor to create a contract based upon the details of negotiations to date and;
6. When presented with negotiated contract, President of the Commission to place signature on contract.

**AGENDA REQUEST FORM**

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



Name: Board Members, Director

Department or Organization: Jefferson County Emergency Services

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1<sup>st</sup> Choice: Sept 19, 2013

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

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

Subject (Wording to be placed on agenda): Amb Ordinance

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

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

Are documents attachments? Yes  No

If not, explain:

Is a projector needed? Yes  No

Contact information:

Email address: dpittinger@jcesa.org

Phone number: 304 728 3287

## ORDINANCE FEE OPTION

<u>Residential</u>	Units	<b>Commissioner Req Option</b>	
	21,221	40	848,840
Adj for Homestead 3538	21,221	-20	-70,760
			778,080
<u>Commercial</u>			
0-2500	256	40	10,240
2501-25000	487	500	243,500
25001-100000+	39	1000	39,000
			292,740
Adj for CAP	782		-34,370
			258,370
<b><u>Grand Total</u></b>	<b>22,003</b>		<b>1,036,450</b>

Ordinance Budget	1,066,011
Difference in Res/Comm	-29,561
Difference in Res	-287,931

# **JEFFERSON COUNTY SPECIAL EMERGENCY AMBULANCE SERVICE FEE ORDINANCE**

## **SECTION 1 – LEGISLATIVE AUTHORITY**

This Ordinance concerns the imposition and collection of a special emergency ambulance service fee and is adopted under the authority of Chapter 7, Article 15, Section 17, of the Code of West Virginia, as amended.

## **SECTION 2 – PURPOSE**

This Ordinance is enacted by the Jefferson County Commission for the purpose of providing career Fire Fighter/Paramedics and Fire Fighter/EMTs to maintain an adequate emergency ambulance system within the geographic boundaries of Jefferson County, West Virginia. An adequate emergency ambulance system is necessary to promote the health and welfare of the citizens of Jefferson County and reduce property loss. Emergency ambulance service is a public purpose and a responsibility of government for which public money may be spent.

## **SECTION 3 – DEFINITIONS**

**RESIDENTIAL UNIT** – Means any place of residence, whether occupied or unoccupied, as classified by the records of the Jefferson County Assessor, including, but not limited to, single-family homes, duplexes, vacation and secondary homes, mobile homes, apartments, rental units, and personal care facilities. In the case of a structure which contains multiple dwelling units, such as duplexes and apartments, each apartment unit or duplex unit shall be deemed to be a separate residential unit.

**COMMERICAL UNIT** – Means any place of business including hotel/motel, industrial/warehouse, institutional, nursing homes as classified by the records of the Jefferson County Assessor.

**OWNER** – Means the person, firm or corporation listed in the records of the Jefferson County Assessor possessing exclusive rights and control of a property.

**USER** – Means any person, firm or corporation to whom emergency ambulance transport service is made available.

**EMERGENCY AMBULANCE SYSTEM** – Any emergency ambulance service provided pursuant to this ordinance including fire and ambulance.

**SPECIAL EMERGENCY AMBULANCE SERVICE FEE** – Means the fee imposed by the Jefferson County Commission through this Ordinance and collected from the users of emergency ambulance service within Jefferson County.

**AGRICULTURAL BUILDING** – Means structures which directly contribute to the operation of the farm and shall include any processing plant, milking parlor, farm equipment

storage building, barn, silo, grain storage building, swinery, and tenant house and quarters furnished to farm employees without rent as part of the terms of their employment. Agricultural buildings shall be exempt from any fee assessed under this Ordinance.

#### **SECTION 4 – RATES**

The Special Emergency Ambulance Service Fee imposed under this Ordinance shall be for emergency ambulance service provided for a Jefferson County Fiscal Year July 1 to June 30. The Special Emergency Ambulance Service Fee established by this Ordinance shall be forty **(\$40.00) per residential unit per Fiscal Year. The Special Emergency Ambulance Service Fee for Commercial Units shall** depend upon the total square footage of the building as set forth below:

<u>Square Feet</u>	<u>Amount</u>
<b>0-2,500</b>	<b>\$85.00</b>
<b>2,501-25,000</b>	<b>\$500.00</b>
<b>25,001 &amp; Up</b>	<b>\$1,000.00</b>

**All those residents who qualify for a property tax Homestead Exemption shall pay a discounted fee equal to fifty percent (50%) of the annual special emergency ambulance fee.**

Said fee may be adjusted annually upon approval of the Jefferson County Commission. The fee shall be the responsibility of the owner of the unit.

The Fee imposed under this ordinance shall be due and payable September 30 of each year. The Fee assessed and levied under the provisions of the ordinance shall be a debt due the Jefferson County Emergency Services Agency and shall be a personal obligation of the owner of the unit. Failure to pay the fee by the due date will result in delinquent status. Delinquent fees may be, at the discretion of JCESA recovered by the JCESA through civil action filed in a court of competent jurisdiction. Such suit need not be brought in the same fiscal year the fee was billed. In any suit for collection of delinquent fees, the JCESA is authorized to recover its court costs and attorney's fees and costs.

For accounts paid on or after October 1 through December 31 the fee shall increase by 15 percent. For accounts paid on or after January 1 through March 31, the fee shall increase again by 15 percent.

If any person believes he or she is erroneously charged an emergency service fee, the JCESA shall provide, upon the person's request, an exoneration form. The form shall be completed and returned to the JCESA no later than September 30 of the Fiscal Year for which the fee applies. The JCESA shall, within a reasonable time, cause to be investigated any request for exoneration. The JCESA shall, at its next regular meeting after completion of the investigation, make and communicate to the County Commission its recommendation regarding the exoneration. If good cause for exoneration is found by the County Commission, said Commission shall exonerate or modify any or all imposed charges, and shall notify the person in writing of its actions. If the

Commission does not exonerate or modify as requested by the applicant, an appeal may be filed with the Circuit Court of Jefferson County.

This ordinance shall be published once a week for two successive weeks in a qualified newspaper published in this county.

#### **SECTION 5 – RATE INCREASES**

The service of ambulance protection shall be continued, maintained, and improved by the Jefferson County Emergency Services Agency at the charge and expense of the owners of all residential and commercial units within the county. The fees shall be imposed, assessed and collected as set forth in this Ordinance. In the event the JCESA determines an increase in the fee imposed by this ordinance is necessary, it shall, by resolution, request the County Commission for such an increase. Procedures set for in Article 15, Chapter 7, Section 17 of the Code of West Virginia for the initial levy of such a fee shall be followed by the County Commission in the event an increase is sought.

#### **SECTION 6 – EFFECTIVE DATE**

This Ordinance shall become effective June 30, 2013. The fee assessed and levied by this ordinance shall be for services rendered from July 1, 2013 to June 30, 2014, and each fiscal year thereafter.

#### **SECTION 7 – MANAGEMENT OF PROCEEDS**

The proceeds from the imposition and collection of the Special Emergency Ambulance Service Fee shall be deposited in a special fund and used only to pay reasonable and necessary expenses actually incurred **including personnel** and the cost of buildings and equipment used in providing emergency ambulance service to residents of Jefferson County **and others that might require such services**. The proceeds may be used to pay for, in whole or in part, the establishment, maintenance and operation of the Jefferson County Emergency Services Agency. Proceeds not expended in a given Fiscal Year will be maintained in the special fund and may be used in subsequent Fiscal Years as necessary.

#### **SECTION 8 – BUDGET DEVELOPMENT**

The Jefferson County Emergency Services Agency shall hold an annual public hearing for the purpose of receiving written or oral public comments pertaining to the operations of the JCESA within Jefferson County. This public hearing shall be advertised as a Class II legal advertisement in local newspapers within the County.

The required public hearing shall be held in conjunction with the regular January Board of Directors meeting in order to provide JCESA sufficient time to consider any improvements or changes in services and to account for said changes when submitting the annual budget request to the Jefferson County Commission.

In conjunction with the submission requirements of the Commission, JCESA shall prepare a regular JCESA budget for County Funds and shall prepare a supplemental budget detailing the upcoming Fiscal Year projections for the special emergency ambulance fund. The Board of Directors shall make recommendations to the County Commission regarding the need to change or maintain the rates charged for the upcoming year.

#### **SECTION 9 – DATA USED FOR ASSESSMENT OF FEES**

Upon completion of the annual budget for the Fund, JCESA shall request the Assessor to provide it with a list of all residential and commercial units and commercial square footage within the county to be utilized as the data base for billing the Special Emergency Ambulance Service Fee commencing the following July 1. Each residential and commercial unit shall have an account established in the name of the owner of that unit and a bill in the amount of the fee shall be delivered to that unit by US Postal Service on or after July 1 of the Fiscal Year. The Assessor will further provide monthly updates to JCESA so that the database can be maintained on a current basis.

#### **SECTION 10 – COLLECTION OF DELINQUENT ACCOUNTS**

In mid-January, letters shall be sent to all delinquent accounts as a status reminder including a notice that delinquent accounts will be submitted for collection. On or about April 1, all delinquent accounts at that point shall be submitted for collection by either internal or external agencies.

Owners of residential and commercial units will be responsible for reporting to JCESA incorrect billing information to avoid collections.

#### **SECTION 11 – FUNDS AND POSITIONS**

Funds will be allocated to hire nine (9) Fire Fighter/Paramedics and Fire Fighter/EMTs **assigned based on response time to maximize limited resources.**

#### **SECTION 12 – AMENDMENTS AND SEVERABILITY**

This Ordinance may, from time to time, be amended by a majority of the members of the County Commission as they deem it necessary and appropriate.

If a court of competent jurisdiction declares any provision of this Ordinance to be void, invalid or ineffective in whole or in part, the effect of such decisions shall be limited to those provisions which are expressly declared to be void, invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully enforceable and effective.

This Ordinance shall become effective 30 days from passage:

Approved by

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(Amended) JEFFERSON COUNTY SPECIAL EMERGENCY AMBULANCE SERVICE FEE  
ORDINANCE**

(Commissioner Noland's Suggested Amended Ordinance)

**SECTION 1 – LEGISLATIVE AUTHORITY**

This Ordinance concerns the imposition and collection of a special emergency ambulance service fee and is adopted under the authority of Chapter 7, Article 15, Section 17, of the Code of West Virginia, as amended.

**SECTION 2 – PURPOSE**

This Ordinance is enacted by the Jefferson County Commission for the purpose of providing career Fire Fighter/Paramedics and Fire Fighter/EMTs to staffing and maintaining an adequate emergency ambulance system within the geographic boundaries of Jefferson County, West Virginia. An adequate emergency ambulance system is necessary to promote the health and welfare of the citizens of Jefferson County and reduce property loss. Emergency ambulance service is a public purpose and a responsibility of government for which public money may be spent.

**SECTION 3 – DEFINITIONS**

RESIDENTIAL UNIT – Means any place of residence, whether occupied or unoccupied, as classified by the records of the Jefferson County Assessor, including, but not limited to, single-family homes, duplexes, vacation and secondary homes, mobile homes, apartments, rental units, and personal care facilities. In the case of a structure which contains multiple dwelling units, such as duplexes and apartments, each apartment unit or duplex unit shall be deemed to be a separate residential unit.

COMMERCIAL UNIT – Means any place of business including hotel/motel, industrial/warehouse, institutional, nursing homes as classified by the records of the Jefferson County Assessor.

OWNER – Means the person, firm or corporation listed in the records of the Jefferson County Assessor possessing exclusive rights and control of a property.

USER – Means any person, firm or corporation to whom emergency ambulance transport service is made available.

EMERGENCY AMBULANCE SYSTEM – Any emergency ambulance service provided pursuant to this ordinance including fire and ambulance.

SPECIAL EMERGENCY AMBULANCE SERVICE FEE – Means the fee imposed by the Jefferson County Commission through this Ordinance and collected from the users of emergency ambulance service within Jefferson County.

AGRICULTURAL BUILDING – Means structures which directly contribute to the operation of the farm and shall include any processing plant, milking parlor, farm equipment storage building, barn, silo, grain storage building, swinery, and tenant house and quarters furnished to farm employees without rent as part of the terms of their employment. Agricultural buildings shall be exempt from any fee assessed under this Ordinance.

**SECTION 4 – RATES**

The Special Emergency Ambulance Service Fee imposed under this Ordinance shall be for emergency ambulance service provided for a Jefferson County Fiscal Year July 1 to June 30. The Special Emergency Ambulance Service Fee established by this Ordinance shall be forty (\$40.00) per residential and commercial unit per Fiscal Year. ~~The Special Emergency Ambulance Service Fee shall depend upon the total square footage of the building as set forth below:~~

~~————— Square Feet ————— Amount~~

<del>0-2,500</del>	<del>\$85.00</del>
<del>2,501-25,000</del>	<del>\$500.00</del>
<del>25,001 &amp; Up</del>	<del>\$1,000.00</del>

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All those residents who qualify for a property tax Homestead Exemption shall pay a discounted fee equal to fifty percent (50%) of the annual special emergency ambulance fee.

Said fee may be adjusted annually upon approval of the Jefferson County Commission. The fee shall be the responsibility of the owner of the unit.

The Fee imposed under this ordinance shall be due and payable September 30 of each year. The Fee assessed and levied under the provisions of the ordinance shall be a debt due the Jefferson County Emergency Services Agency and shall be a personal obligation of the owner of the unit. Failure to pay the fee by the due date will result in delinquent status. Delinquent fees may be, at the discretion of JCESA recovered by the JCESA through civil action filed in a court of competent jurisdiction. Such suit need not be brought in the same fiscal year the fee was billed. In any suit for collection of delinquent fees, the JCESA is authorized to recover its court costs and attorney's fees and costs.

For accounts paid on or after October 1 through December 31 the fee shall increase by 15 percent. For accounts paid on or after January 1 through March 31, the fee shall increase again by 15 percent.

If any person believes he or she is erroneously charged an emergency service fee, the JCESA shall provide, upon the person's request, an exoneration form. The form shall be completed and returned to the JCESA no later than September 30 of the Fiscal Year for which the fee applies.

The JCESA shall, within a reasonable time, cause to be investigated any request for exoneration. The JCESA shall, at its next regular meeting after completion of the investigation, make and communicate to the County Commission its recommendation regarding the exoneration. If good cause for exoneration is found by the County Commission, said Commission shall exonerate or modify any or all imposed charges, and shall notify the person in writing of its actions. If the Commission does not exonerate or modify as requested by the applicant, an appeal may be filed with the Circuit Court of Jefferson County.

This ordinance shall be published once a week for two successive weeks in a qualified newspaper published in this county.

#### **SECTION 5 – RATE INCREASES**

The service of ambulance protection shall be continued, maintained, and improved by the Jefferson County Emergency Services Agency at the charge and expense of the owners of all residential and commercial units within the county. The fees shall be imposed, assessed and collected as set forth in this Ordinance. In the event the JCESA determines an increase in the fee imposed by this ordinance is necessary, it shall, by resolution, request the County Commission for such an increase. Procedures set for in Article 15, Chapter 7, Section 17 of the Code of West Virginia for the initial levy of such a fee shall be followed by the County Commission in the event an increase is sought.

#### **SECTION 6 – EFFECTIVE DATE**

This Ordinance shall become effective June 30, 2013. The fee assessed and levied by this ordinance shall be for services rendered from July 1, 2013 to June 30, 2014, and each fiscal year thereafter.

#### **SECTION 7 – MANAGEMENT OF PROCEEDS**

The proceeds from the imposition and collection of the Special Emergency Ambulance Service Fee shall be deposited in a special fund and used only to pay reasonable and necessary expenses actually incurred ~~including operational personnel in providing emergency ambulance service to residents and others that might require such services and the cost of buildings and equipment used in providing emergency ambulance service to residents of Jefferson County and others that might require such services. The proceeds may be used to pay for, in whole or in part, the establishment, maintenance and operation of the Jefferson County Emergency Services Agency.~~ Proceeds not expended in a given Fiscal Year will be maintained in the special fund and may be used in subsequent Fiscal Years as necessary.

## **SECTION 8 – BUDGET DEVELOPMENT**

The Jefferson County Emergency Services Agency shall hold an annual public hearing for the purpose of receiving written or oral public comments pertaining to the operations of the JCESA within Jefferson County. This public hearing shall be advertised as a Class II legal advertisement in local newspapers within the County.

The required public hearing shall be held in conjunction with the regular January Board of Directors meeting in order to provide JCESA sufficient time to consider any improvements or changes in services and to account for said changes when submitting the annual budget request to the Jefferson County Commission.

In conjunction with the submission requirements of the Commission, JCESA shall prepare a regular JCESA budget for County Funds and shall prepare a supplemental budget detailing the upcoming Fiscal Year projections for the special emergency ambulance fund. ~~In addition, the JCESA shall prepare an annual detailed expenditure report along with the beginning and ending balance of any and all funds received including all funding received from all sources.~~ The Board of Directors shall make recommendations to the County Commission regarding the need to change or maintain the rates charged for the upcoming year.

## **SECTION 9 – DATA USED FOR ASSESSMENT OF FEES**

Upon completion of the annual budget for the Fund, JCESA shall request the Assessor to provide it with a list of all residential and commercial units and commercial square footage within the county to be utilized as the data base for billing the Special Emergency Ambulance Service Fee commencing the following July 1. Each residential and commercial unit shall have an account established in the name of the owner of that unit and a bill in the amount of the fee shall be delivered to that unit by US Postal Service on or after July 1 of the Fiscal Year. The Assessor will further provide monthly updates to JCESA so that the database can be maintained on a current basis.

NEW SECTION

The administrative costs for collection and oversight of the Emergency Services Ambulance Fee shall be the responsibility of the Jefferson County Commission. It shall be the responsibility of the Jefferson County Commission to hire additional county employees, who shall work under the authority of the Jefferson County Finance Director and to provide the space, technology and equipment needed for the collection of said Fee.

Furthermore, it shall be the responsibility of the Jefferson County Financial Director to oversee the county contributions to and expenditures of the Jefferson County Emergency Services Agency and to make budgeting recommendations to the County Commission relating to contributions and expenditures of the JCESA.

**SECTION 10 – COLLECTION OF DELINQUENT ACCOUNTS**

In mid-January, letters shall be sent to all delinquent accounts as a status reminder including a notice that delinquent accounts will be submitted for collection. On or about April 1, all delinquent accounts at that point shall be submitted for collection by either internal or external agencies.

Owners of residential and commercial units will be responsible for reporting to JCESA incorrect billing information to avoid collections.

**SECTION 11 – FUNDS AND POSITIONS**

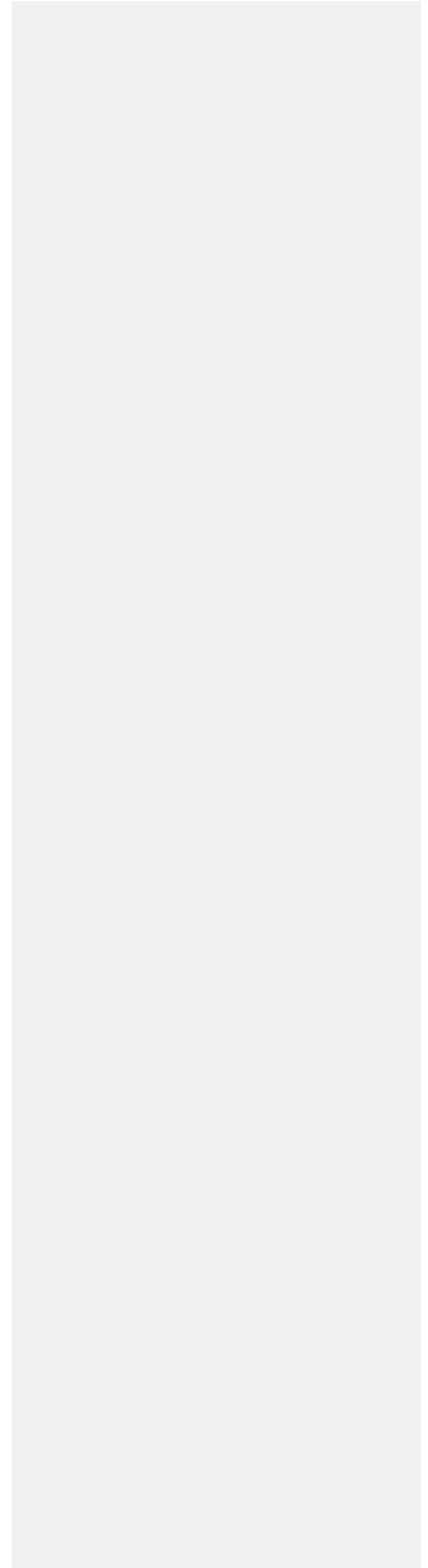
Funds will be allocated to hire nine (9) Fire Fighter/Paramedics and Fire Fighter/EMTs assigned based on response time to maximize limited resources.

**SECTION 12 – AMENDMENTS AND SEVERABILITY**

This Ordinance may, from time to time, be amended by a majority of the members of the County Commission as they deem it necessary and appropriate.

If a court of competent jurisdiction declares any provision of this Ordinance to be void, invalid or ineffective in whole or in part, the effect of such decisions shall be limited to those provisions which are expressly declared to be void, invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully enforceable and effective.

This Ordinance shall become effective 30 days from passage:



**AGENDA REQUEST FORM**

Name: Heather Morgan McIntyre

Department or Entity: Chamber of Commerce

Estimation of amount of time needed for appointment: 5 Minutes

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

Date Requested – 2<sup>nd</sup> Choice: September 19, 2013

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

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

**The Jefferson County Chamber of Commerce is requesting a letter of support of recent legislation for wine tasting to be allowed prior to 1:00 p.m. for the 38<sup>th</sup> annual Mountain Heritage Arts and Crafts Festival to be held at Sam Michaels Park on September 27-29, 2013.**

**Background: The Jefferson County Chamber is requesting a license from the Alcohol Beverage Control Administration to allow wine tasting and sales to be done before 1:00 pm on Sunday. The Legislative passed a law this year stating that the selling of alcohol can be sold at fairs and festivals before 1:00pm to a licensed event. One of the requests that the ABC Administration is requesting is a letter from a government body approving our event.**

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

**Move to approve a letter of support for the Jefferson County Chamber of Commerce to allow wine tasting prior to 1:00 p.m. at the annual Mountain Heritage Arts and Crafts Festival to held at Sam Michaels Park September 27-29, 2013 and direct the County Administrator to write such letter and the President of the Commission to affix his signature on behalf of the Commission.**

Attachments:

**AGENDA REQUEST FORM**

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



Name: Don J. Orser

Department or Organization: Self

Estimation of amount of time needed for appointment: 10 Minutes

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

If a specific date is needed, please provide reason for specific date: **Proximity to October 1, 2013.**

Subject (Wording to be placed on agenda): **October 2013 Board of Assessment Appeals.**

Please provide the County Commission with a description of your request or presentation, including any background information: **Update on progress toward Hearing Schedule and the possible assigning of a Hearing Examiner. I would like to give a very short synopsis of the nature of my appeal and desirable requirements of potential Hearing Examiners.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To be determined.**

Are documents attachments? Yes **No**  
If not, explain:

Is a projector needed? Yes **No**

Contact information:

Email address: **djorser@comcast.net**

Phone number: **304-725-8948 / 304-268-2640**

## Don J. Orser

---

250 Blue Ridge Loop, Harpers Ferry, West Virginia 25425

djorser@comcast.net

August 27, 2013

Tax Year 2013 Board of Assessment Appeals  
c/o Jefferson County Commission  
124 E. Washington Street  
PO Box 208  
Charles Town, West Virginia 25414

Subject: *2013 Board of Assessment Appeals* Hearing Examiner

Dear Tax Year 2013 Board of Assessment Appeals:

I would like to put forward for your consideration as *2013 Board of Assessment Appeals* Hearing Examiner the following names:

- James Knode
- Charles Trump, Esq.
- Richard Guy, Esq.

Please contact me at your convenience regarding their acceptability or alternative names.

At issue is which of two differing computational procedures for calculating the *Jefferson County Residential Modifier* and *Land Improvements* coefficient values is correct: the pre-computer "legacy" procedure the Assessor claims to be using, or *single variable linear regression*, as implemented by Tyler Technologies' *Integrated Assessment System 4.0*, this latter being the mathematical methodology claimed by the Appellant to provide the correct procedure, and hence correct tax assessments.

*Single variable linear regression* refers to the fitting of a straight line through a set of sample data points, in which the slope (*Modifier* coefficient) and height (*Land Improvements* coefficient) of this unique line is calculated so as to minimize the sum of the distances from the data points to the line. Consequently, values on this line are the "best" approximating values to the data points. A formula representing this line is subsequently used to calculate the appraisal value of any given improved parcel from which the specie sample data was chosen, and in particular, all improved parcels in Jefferson County.

Affected is the fair market value split between improvement appraisal portion and land appraisal portion; however, due to what is effectively the Assessor's use of the "Land Residual Method", **only unimproved land parcel valuations are incorrectly calculated**, including the Appellants appealed unimproved parcel valuations.

The Assessor's primary responsibility is the annual availability and correctness of these coefficients so as to provide for the calculation of ad valorem taxes for all Jefferson County parcels.

Please call me at 304-725-8948 or my cell number, 304-268-3640, to discuss the above names or other issues.

Please note that my previous *Appeal Complaint* memorandum should have been dated August 9, 2013 rather than the indicated September 9, 2013. I apologize for any confusion resulting from my error.

Thanks very much for your help in this matter.

Respectfully,



Don J. Orser

cc: Angela Banks, Jefferson County Assessor

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

### AGENDA REQUEST FORM

Name: Roger Goodwin

Department or Entity: Department of Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject: Bond reduction and/or release.

Please provide the County Commission with a description of your request or presentation, including any background information: Complete release of the Construction Bond security for 340 Defense – Mark O’Dell and Yvonne G. Deveau (File #S10-04) – Cash in Escrow with the Bank of Charles Town, Charles Town, WV.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I authorize a complete release of the remaining \$80,958.00 from the construction bond amount for 340 Defense – Mark O’Dell and Yvonne G. Deveau (File #S10-04).

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



## JEFFERSON COUNTY COMMISSION

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

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

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

**PRESIDENT**

*Dale Manuel*

**VICE PRESIDENT** September 19, 2013

*Walt Pellish*

**COMMISSIONER**

*Jane Tabb*

Mr. Arch A. Moore, III  
Executive Vice President

Bank of Charles Town

**COMMISSIONER**

*Patsy Noland*

P. O. Box 906

Charles Town, West Virginia 25414

**COMMISSIONER**

*Lyn Widmyer*

RE: Cash in Escrow dated January 28, 2013 Construction Bond Surety for 340  
Defense – Mark O'Dell and Yvonne G. Deveau (File #S10-04).

Dear Mr. Moore:

The Jefferson County Commission authorizes a complete release of the remaining \$80,958.00 from the construction bond for 340 Defense – Mark O'Dell and Yvonne G. Deveau (File #S10-04). This project is located on the east side of Route 340 South - 361 Berryville Pike approximately 500 feet west of its intersection with Lewisville Road-Route 340/1. The work appears to be 100% complete.

In summary, you are hereby authorized to fully release the remaining amount for the above referenced Cash in Escrow Agreement, originally issued in the amount of \$80,958.00. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Dale Manuel, President  
Jefferson County Commission

DM:rfb

cc: Mr. Mark O'Dell & Ms. Yvonne G. Deveau  
267 Seltonhorst Lane  
Bluemont, Virginia 20135  
Dirk Stansbury  
D. A. Stansbury Engineering, PLLC  
3 Sue Court, Suite B  
Martinsburg, WV 25401  
Department of Engineering

County Administrator  
*Debbie Keyser*

Deputy County Administrator  
*Sandy Slusher McDonald*

**BOND REDUCTION or RELEASE REQUEST - REPORT**

Date Received: 08 / 16 / 2013

J.C.P.C. File No. S10 -04

Consultant/Engineer/Firm Name: D. A. STANSBURY ENGINEERING, PLLC

Mailing Address: 3 SUE COURT, SUITE B

City: MARTINSBURG State: WV Zip: 25401

Contact Person: DIRK STANSBURY Phone: 304-8071-4766

Project/Subdivision Name: 340 DEFENSE SITE PLAN

Section/Phase: \_\_\_\_\_ Lots: \_\_\_\_\_

Review Comments:

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

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

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

Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL BONDED WORK APPEARS COMPLETE, RECOMMEND RELEASE.

Approved for:

BOND RELEASE

By: [Signature] 08/21/13

Original Bond Amt. \$ 65,958 + 15% Cont. \$ 15,000 = Total Original Bond Amt. \$ 80,958

Total Current Bond Amount \$ 80,958.00

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

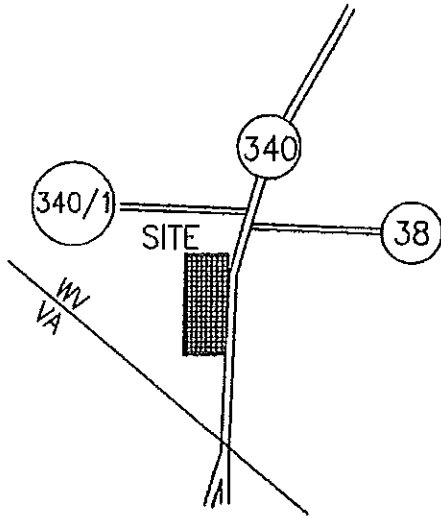
= Approved for Revised Bond Amount \$ 0.00

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

Signature: [Signature] [Signature] Date: 08 / 21 / 2013

nted
2012
2012

1In = 2000ft



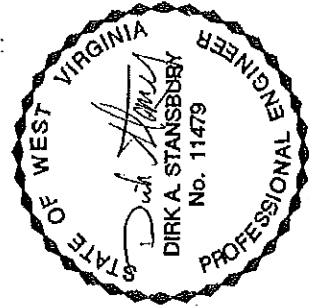
VICINITY MAP

SHEET INDEX

- 1- COVER
- 2- SITE PLAN
- 3- S & E & GENERAL NOTES
- 4- SEDIMENT AND EROSION PLAN
- 5- DRIVEWAY PLAN & PROFILE
- 6- DRIVEWAY AND PARKING DETAILS
- 7- SWM MAP PRESENT
- 8- SWM MAP POST
- 9- SWM DETAILS
- 10-RANGE DETAILS

Developer/Owner

**Mark O'Dell**  
 267 SELTON HORST LANE  
 BLUEMONT, VA 20135  
 304-725-1700



**D.A STANSBURY-ENGINEERING**  
 3 SUE COURT SUITE B  
 Martinsburg, WV 25405  
 304-596-2543

THIS DRAWING IS PROTECTED BY FEDERAL COPYRIGHT LAW AND IS NOT TO BE REPRODUCED OR USED FOR CONSTRUCTION WITHOUT WRITTEN PERMISSION BY DIRK A. STANSBURY, P.E.

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

## AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes (possible executive session)

Date Requested – 1<sup>st</sup> Choice: September 19, 2013 (possible executive session)

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

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

Subject: Approval to move forward with Job Offer for Zoning Administrator Position

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

When Steve Barney gave notice of his resignation in May 2013, the County Commission authorized the Director of Planning and Zoning to advertise for the position in order to include Mr. Barney in the review of the applications. Planning and Zoning staff conducted first interviews in June, 2013 and selected 3 candidates for second interviews, which included a written report and presentation. In July, 2013, staff checked references and was ready to make a choice among the top three candidates to make a recommendation to County Commission when a hiring freeze was put into place by the County Commission until October 2013.

This request is for permission to revisit the top candidates and move forward with a recommendation to the County Commission for a start date in October.

If the County Commission would like to discuss the current staffing levels of the Departments of Planning and Zoning, an executive session is requested.

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

I move approval of the request of the Director of Planning and Zoning to move forward with the consideration of the Zoning Administrator candidates for the purpose of making a recommendation to the County Commission for a start date in October, 2013, to fill the vacant Zoning Administrator position for the Department of Zoning in accordance with the Department of Zoning's budgeted position.

Attachments:

**JEFFERSON COUNTY**

**Personnel Requisition**

Department Name Zoning Date 9/12/13 Date Needed ASAP

Job Title Zoning Administrator Salary \$51,250 to 55,191 DOQ (Grade V) Criminal History Check Yes  No

Suggested Recruitment Source(s) Various State and National APA websites; local newspapers

Applicants Interviewed By: Jennifer Brockman, Seth Rivard, JT Redmon Position Reports To: Jennifer Brockman

Minimum Education Required: Bachelors Degree in planning, public policy, legal, or related field plus experience noted below

Minimum Experience Required: Degree in planning as noted above plus 3-5 years practical experience. American Institute of Certified Planners (AICP) certification is preferred. Previous ordinance administration and strong verbal and written skills required.

**Job Duties:** Administer and interpret land use ordinances, implement the county's comprehensive plan, determine zoning compliance of proposed development, coordinate pre-proposal conferences with developers and citizens, perform subdivision and site plan review for compliance with county zoning, planning and flood plain regulations, building permit and development review functions, make public presentations to boards and commissions and serve as staff to the appointed Board of Zoning Appeals. Position will include input into the updating of locally adopted ordinances and regulations; contributing to the process of updating the Comprehensive Plan; and outreach and education of county staff and the public regarding the locally adopted regulations and ordinances.

---

**Budget Information**

Addition  Replacement  Explain or For Whom Steve Barney who resigned in June 2013

Position Budgeted  Yes  No Proposed Salary \$51,250 to 55,191 DOQ Date of Hire mid October

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

Safety/Security  Hours Per Week 35 hrs/week plus evening and weekend meetings

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**Approvals**

Elected Official Approval \_\_\_\_\_ Date \_\_\_\_\_

Department Head Approval \_\_\_\_\_ Date \_\_\_\_\_

County Commission Approval \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

## AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject: Discussion and Possible Action Regarding Potential Amendments to WV Code 8A

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

In an effort to continue to develop local processes that would reduce barriers to development, streamline processes, and improve the clarity of the processes, the Department of Planning and Zoning staff has reviewed the provisions of WV Code 8A, Article 4 Subdivision and Land Development Ordinance, and developed a few proposed amendments that we believe would help prevent some unnecessary delays that may have inadvertently been created by the language in 8A. Staff would like to reach out to the County's State Senators and Delegates to discuss these proposed amendments for their consideration and possible sponsorship.

To that end, staff would like to make the County Commission aware of this effort and request possible endorsement of the proposed amendments (attached). If the County Commission is not prepared to endorse these amendments, staff would still like to move forward with a discussion with the Senators and Delegates about the staff-proposed amendments.

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

I move endorsement of the proposed text amendments to WV Code 8A for the purposes of allowing staff to forward the proposed amendments to the County's State Senators and Delegates for their review and consideration.

OR

I move to authorize the Departments of Planning and Zoning to forward their proposed amendments to WV Code 8A to the County's State Senators and Delegates for their review and consideration.

Attachments:

- Proposed Amendments to WV Code 8A

**WEST VIRGINIA CODE**

**CHAPTER 8A. LAND USE PLANNING.**

**ARTICLE 4. SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.**

**§8A-4-1. Subdivision and land development ordinances authorized.**

(a) The governing body of a municipality or a county may regulate subdivisions and land development within its jurisdiction by:

- (1) Adopting a comprehensive plan and enacting a subdivision and land development ordinance; or
- (2) Establishing a planning commission, enacting a subdivision and land development ordinance, and adopting a comprehensive plan for the area included in the subdivision and land development ordinance within three years of the enactment of the subdivision and land development ordinance.

(b) A municipality may adopt, by reference, the subdivision and land development ordinance of the county in which it is located.

(c) With the prior approval of the county planning commission, a municipality may, by ordinance, designate the county planning commission as the planning commission for the municipality to review and approve subdivision or land development plans and plats.

**§8A-4-2. Contents of subdivision and land development ordinance.**

(a) A subdivision and land development ordinance shall include the following provisions:

- (1) A minor subdivision or land development process, including criteria, requirements and a definition of minor subdivision;
- (2) The authority of the planning commission and its staff to approve a minor subdivision or land development;
- (3) A major subdivision or land development process, including criteria and requirements;
- (4) The authority of the planning commission to approve a major subdivision or land development;
- (5) The standards for setback requirements, lot sizes, streets, sidewalks, walkways, parking, easements, rights-of-way, drainage, utilities, infrastructure, curbs, gutters, street lights, fire hydrants, storm water management and water and wastewater facilities;
- (6) Standards for flood-prone or subsidence areas;
- (7) A review process for subdivision or land development plans and plats by the planning commission;
- (8) An approval process for subdivision or land development plans and plats by the planning commission, including the authority to approve subdivision or land development plans and plats with conditions;
- (9) A process to amend final approved subdivision or land development plans and plats;
- (10) A requirement that before development of the land is commenced, subdivision and land development plans and plats must be approved by the applicable planning commission, in accordance with the comprehensive plan, if a comprehensive plan has been adopted;
- (11) A requirement that after approval of the subdivision or land development plat by the planning commission and before the subdivision or development of the land is commenced, the subdivision and land development plat shall be recorded in the office of the clerk of the county commission where a majority of the land to be developed lies;
- (12) A schedule of fees to be charged which are proportioned to the cost of checking and verifying proposed plats;
- (13) The process for granting waivers from the minimum standards of the subdivision and land development ordinance;
- (14) Improvement location permit process, including a requirement that a structure or development of land is prohibited without an improvement location permit;
- (15) The acceptable methods of payment to cover the cost of the water and sewer service infrastructure, which can include, but are not limited to, bonds, impact fees, escrow fees and proffers;
- (16) The process for cooperating and coordinating with other governmental agencies affected by the

subdivision and land development and use; and

(17) Penalties for violating the subdivision and land development ordinance.

(b) A subdivision and land development ordinance may include the following provisions:

(1) Establishing a board of subdivision and land development appeals with the same powers, duties and appeals process as set out for the board of zoning appeals under the provisions of article eight of this chapter;

(2) Requirements for green space, common areas, public grounds, walking and cycling paths, recreational trails, parks, playgrounds and recreational areas;

(3) Encourage the use of renewable energy systems and energy-conserving building design;

(4) Vested property right, including requirements;

(5) Exemptions of certain types of land development from the subdivision and land development ordinance requirements, including, but not limited to, single-family residential structures and farm structures; and

(6) Any other provisions consistent with the comprehensive plan the governing body considers necessary.

(c) All requirements, for the vesting of property rights contained in an ordinance enacted pursuant to this section that require the performance of any action within a certain time period for any subdivision or land development plan or plat valid under West Virginia law and outstanding as of January 1, 2010, shall be extended until July 1, 2012, or longer as agreed to by the municipality, county commission or planning commission. The provisions of this subsection also apply to any requirement that a use authorized pursuant to a special exception, special use permit, conditional use permit or other agreement or zoning action be terminated or ended by a certain date or within a certain number of years.

#### **§8A-4-3. Enactment of subdivision and land development ordinance.**

(a) Before a governing body enacts a subdivision and land development ordinance, the governing body shall hold at least one public hearing and give public notice.

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

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

#### **§8A-4-4. Filing the subdivision and land development ordinance.**

After the enactment of the subdivision and land development ordinance by a governing body, the governing body must file the enacted subdivision and land development ordinance in the office of the clerk of the county commission where the subdivision and land development ordinance applies.

#### **§8A-4-5. Amendments to the subdivision and land development ordinance.**

After the enactment of the subdivision and land development ordinance by the governing body, all amendments to the subdivision and land development ordinance shall be made by the governing body after holding a public hearing with public notice.

#### **§8A-4-6. Effect of adopted subdivision and land development ordinance.**

After enactment of a subdivision and land development ordinance by the governing body, all subsequent subdivisions and land development must be done in accordance with the provisions of the subdivision and land development ordinance.

#### **§8A-4-7. Validation of prior subdivision and land development ordinance.**

All subdivision and land development ordinances, all amendments, supplements and changes to the ordinance, legally adopted under prior acts, and all action taken under the authority of the ordinance, are hereby validated and the ordinance shall continue in effect until amended or repealed by action of the governing body taken under authority of this article. These ordinances shall have the same effect as though previously adopted as a comprehensive plan of land use or parts thereof.

**ARTICLE 5. SUBDIVISION OR LAND DEVELOPMENT PLAN AND PLAT.**

**§8A-5-1. Jurisdiction of planning commissions.**

(a) A planning commission has the authority to:

- (1) Approve a minor subdivision or land development application within its jurisdiction;
- (2) Exempt an application for a minor subdivision or land development within its jurisdiction; and
- (3) Approve a major subdivision or land development application within its jurisdiction.

(b) The staff of a planning commission has the authority to approve a minor subdivision or land development application within its jurisdiction, if granted such authority by the governing body in the subdivision and land development ordinance.

(c) If a subdivision or land development plan and plat cannot be approved through the minor subdivision or land development process, then an applicant must use the major subdivision or land development approval process.

**PART I. MINOR SUBDIVISION OR LAND DEVELOPMENT PROCESS.**

**§8A-5-2. Requirements for a minor subdivision or land development.**

a) An application for approval of a subdivision or land development plan and plat may be considered a minor subdivision or land development if it meets the following requirements:

- (1) Only creates the maximum number of lots specifically permitted by the subdivision and land development ordinance for a minor subdivision or land development;
- (2) Will not require the development of new or the extension of existing off-tract infrastructure; and
- (3) Such other requirements as determined by the governing body to ensure that required improvements are installed and not avoided by a series of minor subdivisions or land developments.

(b) The following can be considered a minor subdivision or land development if approved by the planning commission:

- (1) Merger or consolidation of parcels of land;
- (2) Land transfers between immediate family members; and
- (3) Minor boundary line adjustments

**§8A-5-3. Application for minor subdivision or land development.**

(a) An applicant submits a copy of a land development plat and the fees to the planning commission having jurisdiction over the land.

(b) Within seven days after the submission of the subdivision or land development plat, the applicant and the staff of the planning commission shall meet to discuss the proposed subdivision or land development and the criteria used to classify the proposal as minor.

(c) The staff of the planning commission may make a site inspection of the proposed subdivision or land development.

(d) Within ten days after the submission of the subdivision or land development plat, the staff of the planning commission shall notify the applicant in writing that the proposed subdivision or land development has been classified a minor subdivision or land development.

**§8A-5-4. Approval of minor subdivision or land development plans and plats.**

(a) Within ten days after a plat has been classified a minor subdivision or land development, then the planning commission or staff, if the authority has been given by the governing body, shall approve or deny the plat.

(b) If the planning commission approves the plat, then the planning commission shall affix its seal on the plat.

(c) If the planning commission approves the plat with conditions, then the planning commission must state the conditions.

(d) If the planning commission denies the plat, then the planning commission shall notify the applicant in writing of the reasons for the denial.

**§8A-5-5. Recording of minor subdivision or land development plat.**

After approval of a minor subdivision or land development plat by the planning commission and before the

subdivision or development is commenced, the subdivision or land development plat shall be recorded by the applicant in the office of the clerk of the county commission where the land is located.

## PART II. MAJOR SUBDIVISION OR LAND DEVELOPMENT PROCESS.

### §8A-5-6. Application for major subdivision or land development.

(a) An applicant for approval of a major subdivision or land development plan and plat shall submit written application, a copy of the proposed land development plan and plat, and the fees to the planning commission having jurisdiction over the land.

(b) Within forty-five days after receipt of the application, the planning commission shall review the application for completeness and either accept or deny it. The Planning Commission may delegate the determination of completeness to its staff for the purpose of setting the public hearing required within 45 of the determination as detailed in §8A-5-8c.

(c) If the application is not complete, then the planning commission may deny the application and must notify the applicant in writing stating the reasons for the denial.

### §8A-5-7. Contents of a major subdivision or land development plan and plat.

(a) A land development plan and plat must include everything required by the governing body's subdivision and land development ordinance.

(b) If a governing body does not have a subdivision and land development ordinance or if a governing body's subdivision and land development ordinance does not specify what may be included in a subdivision or land development plan and plat, then the following may be included, when applicable, in a subdivision or land development plan and plat:

- (1) Show that the subdivision or land development conforms to the governing body's comprehensive plan;
- (2) A method of payment to cover the cost of the water and sewer service infrastructure, which can include, but is not limited to, bonds, impact fees, escrow fees and proffers;
- (3) Coordination among land development with adjoining land owners, including but not limited to, facilities and streets;
- (4) Distribution of population and traffic in a manner tending to create conditions favorable to health, safety, convenience and the harmonious development of the municipality or county;
- (5) Show that there is a fair allocation of areas for different uses, including, but not limited to, streets, parks, schools, public and private buildings, utilities, businesses and industry;
- (6) Show that there is a water and sewer supply;
- (7) Setback and lot size measures were used;
- (8) The standards used for designating land which is subject to flooding or subsidence, details for making it safe, or information showing that such land will be set aside for use which will not endanger life or property and will not further aggravate or increase the existing menace;
- (9) The control measures for drainage, erosion and sediment;
- (10) The coordination of streets, sidewalks and pedestrian pathways in and bordering the land development; and
- (11) The design, construction and improvement measures to be used for the streets, sidewalks, easements, rights-of-way, drainage, utilities, walkways, curbs, gutters, street lights, fire hydrants, water and wastewater facilities, and other improvements installed, including the width, grade and location for the purpose of accommodating prospective traffic, customers and facilitating fire protection.

(c) The locally adopted regulations related to the major subdivision or land development approval process may separate the approval process into multiple steps, including, but not limited to, a Concept Plan, a Preliminary Plat, Construction Documents and a Final Plat. If multiple steps are proposed for a major subdivision or land development approval process, the locally adopted regulations may limit the public hearing process to the first of these steps and authorize the later steps to be administratively reviewed. All major subdivision or land developments shall require at least one public hearing in accordance with the provisions of 8A-5-8.

### §8A-5-8. Approval of major subdivision or land development plans and plats.

(a) Upon written request of the applicant for a determination, the planning commission must determine by vote at the next regular meeting or at a special meeting, whether or not the application is complete based upon a finding that

the application meets the requirements set forth in its governing body's subdivision and land development ordinance.

(b) If a governing body's subdivision and land development ordinance does not specify what may be included in a land development plan and plat, then the planning commission must determine that an application is complete if the application meets the requirements set forth in subsection (b), section seven of this article.

(c) At a meeting where the application is determined to be complete, the planning commission must set a date, time and place for a public hearing and a meeting to follow the public hearing to vote on the application. If the Planning Commission has authorized the staff to make this determination, such determination will be made in writing to the applicant and staff will set the date, time and place of the public hearing in accordance with this section. The public hearing must be held within forty-five days of the determination of completeness, and the planning commission must notify the applicant of the public hearing and meeting in writing unless notice is waived in writing by the applicant. The planning commission must publish a public notice of the public hearing and meeting in a local newspaper of general circulation in the area at least twenty-one days prior to the public hearing.

(d) At a meeting at the conclusion of the public hearing or a meeting held within fourteen days after the public hearing, the planning commission shall vote to approve, deny or hold the application.

(e) The application may be held for additional information necessary to make a determination. An application may be held for up to forty-five days.

(f) The planning commission shall approve the application after the planning commission determines that an application is complete and meets the requirements of the governing body's subdivision and land development ordinance; or if the governing body does not have a subdivision and land development ordinance or if the subdivision and land development ordinance does not specify what may be included in a subdivision or land development plan and plat, that the application meets the requirements set forth in subsection (b) section seven of this article.

(g) If the planning commission approves the application, then the planning commission shall affix its seal on the subdivision or land development plan and/or plat.

(h) If the planning commission approves the application with conditions, then the planning commission must specify those conditions.

(i) If the planning commission denies the application, then the planning commission shall notify the applicant in writing of the reasons for the denial. The applicant may request, one time, a reconsideration of the decision of the planning commission, which request for reconsideration must be in writing and received by the planning commission no later than ten days after the decision of the planning commission is received by the applicant.

#### **§8A-5-9. Recording of major subdivision or land development plat.**

After approval of a major subdivision or land development plat by the planning commission and after the conditions of the planning commission are met, the subdivision or land development plat shall be recorded by the applicant in the office of the clerk of the county commission where the land is located. If the land is located in more than one county, then the land development plat shall be recorded in the county of the initial land development and subsequently recorded in the other counties when there is land development in that county.

#### **§8A-5-10. Appeal process.**

(a) An appeal may be made by an aggrieved person from any decision or ruling of the planning commission to:

- (1) The circuit court, pursuant to the provisions of article nine of this chapter; or
- (2) A board of subdivision and land development appeals, if the governing body has established a board of subdivision and land development appeals by ordinance.

(b) Within thirty days after the date of the denial, the petition, specifying the grounds of the appeal in writing, must be filed with:

- (1) The circuit court of the county in which the affected land or the major portion of the affected land is located; or
- (2) The board of subdivision and land development appeals that has jurisdiction over the affected land.

#### **§8A-5-11. Effect of approval of land development plans and plats.**

A land development plan and plat that has not been approved by the planning commission is without legal effect: *Provided*, That failure to comply with this article shall not invalidate or affect the title to any land within the area of the land development plat.

**§8A-5-12. Vested property right.**

(a) A vested property right is a right to undertake and complete the land development. The right is established when the land development plan and plat is approved by the planning commission and is only applicable under the terms and conditions of the approved land development plan and plat.

(b) Failure to abide by the terms and conditions of the approved land development plan and plat will result in forfeiture of the right.

(c) The vesting period for an approved land development plan and plat which creates the vested property right is five years from the approval of the land development plan and plat by the planning commission.

(d) Without limiting the time when rights might otherwise vest, a landowner's rights vest in a land use or development plan and cannot be affected by a subsequent amendment to a zoning ordinance or action by the planning commission when the landowner:

(1) Obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project;

(2) Relies in good faith on the significant affirmative governmental act; and

(3) Incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act.

(e) A vested right is a property right, which cannot be taken without compensation. A court may award damages against the local government in favor of the landowner for monetary losses incurred by the landowner and court costs and attorneys' fees, resulting from the local government's bad faith refusal to recognize that the landowner has obtained vested rights.

**§8A-5-12. Vested property right.**

(a) A vested property right is a right to undertake and complete the land development. The right is established when the land development plan and plat is approved by the planning commission and is only applicable under the terms and conditions of the approved land development plan and plat.

(b) Failure to abide by the terms and conditions of the approved land development plan and plat will result in forfeiture of the right.

(c) Subject to section ten-a, article thirteen-e, chapter sixteen of this code, the vesting period for an approved land development plan and plat which creates the vested property right is five years from the approval of the land development plan and plat by the planning commission.

(d) Without limiting the time when rights might otherwise vest, a landowner's rights vest in a land use or development plan and cannot be affected by a subsequent amendment to a zoning ordinance or action by the planning commission when the landowner:

(1) Obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project;

(2) Relies in good faith on the significant affirmative governmental act; and

(3) Incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act.

(e) A vested right is a property right, which cannot be taken without compensation. A court may award damages against the local government in favor of the landowner for monetary losses incurred by the landowner and court costs and attorneys' fees resulting from the local government's bad faith refusal to recognize that the landowner has obtained vested rights.

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

# AGENDA REQUEST FORM

Name: Commissioner Noland

Department or Entity: Jefferson County Commission

Estimation of amount of time needed for appointment: 15 min

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject:

Discussion regarding contracting with Leslie Smith for the position of the Financial Consultant for the Jefferson County Commission, follow-up discussion.

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

Continuation of discussion of the September 5, 2013 County Commission Meeting

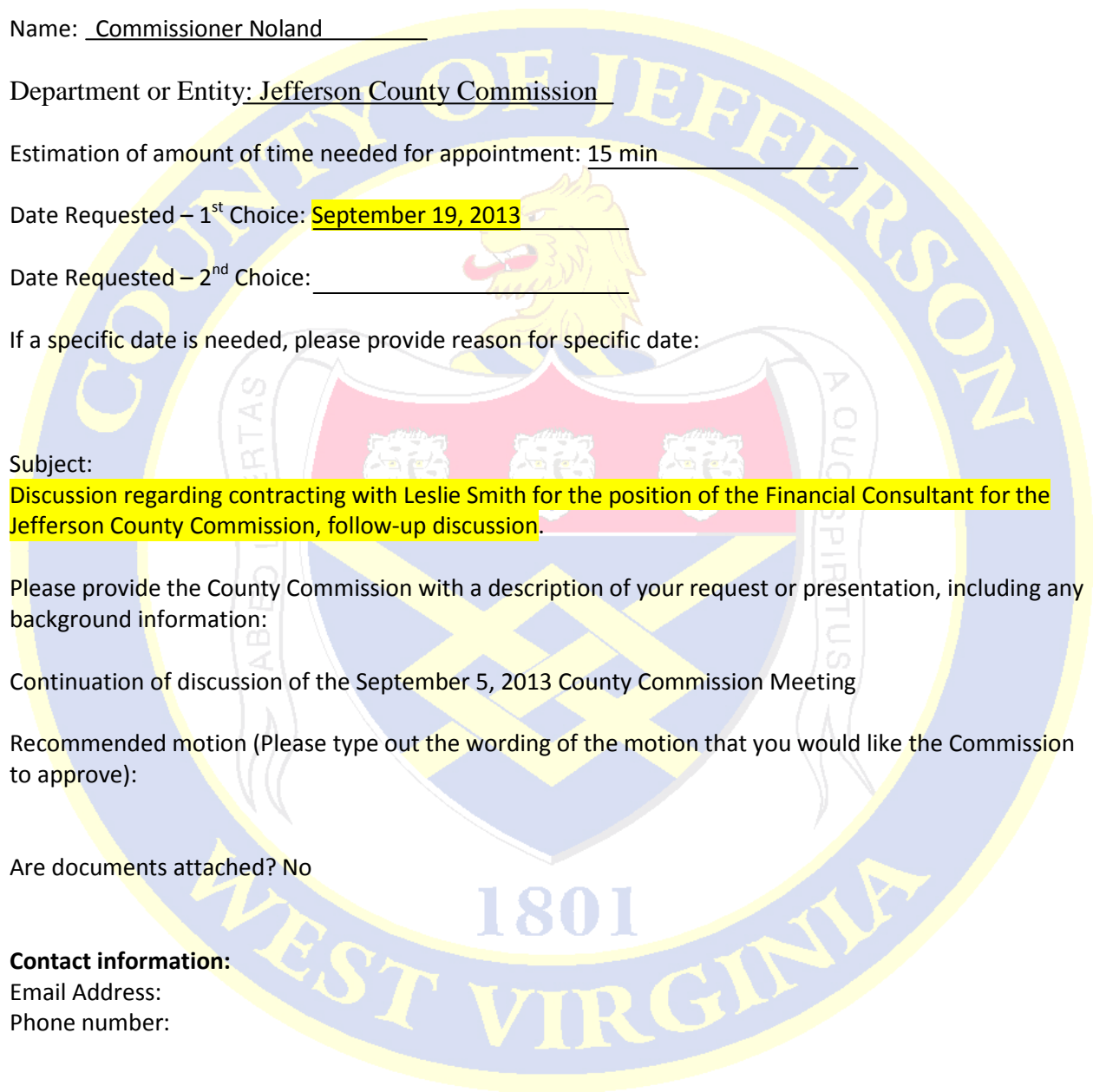
Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):

Are documents attached? No

**Contact information:**

Email Address:

Phone number:



# AGENDA REQUEST FORM

Name: Dale Manuel

Department or Entity: County Commissioner

Estimation of amount of time needed for appointment: 10 min

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject:

County Noise Ordinance

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

Due to citizen concerns over excess noise on Sunday mornings, the county noise ordinance needs to be reviewed and possibly amended.

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

Motion to approve/deny Mr. Charles C. Cheezum appointment to the Jefferson County Public Service District as a Customer Liaison.

Are documents attached? yes

If not, please explain:

Is a projector needed?

Contact information:

Email Address:

Phone number:

**AN ORDINANCE TO ABATE EXCESSIVE RESIDENTIAL NOISE  
WHERE SUCH NOISE IS DEEMED A PUBLIC NUISANCE**

WHEREAS, the County Commission of Jefferson County, West Virginia has received public comment and expert opinion testimony that certain levels of noise may constitute a threat to the public health and safety of the community; and

WHEREAS, in some circumstances such levels of noise may also constitute a public nuisance; and

WHEREAS, Chapter 7, Article 1, Section three-k-k of the West Virginia Code of 1931, (W.Va.Code § 7-1-3kk) as amended, authorizes county commissions to enact ordinances and issue orders for the elimination of hazards to public health and safety of the community and to abate or cause to be abated anything which the county commission determines to be a public nuisance, and further authorizes that such ordinances may provide for a misdemeanor penalty for violation thereof.

BE IT THEREFORE ENACTED AS FOLLOWS:

Section 1. Excessive Noise Levels.

The County Commission of Jefferson County, West Virginia does hereby declare noise levels in excess of 65 decibels (dB), which levels are either intermittent or continuous for a duration of at least thirty minutes, to be a hazard to public health and safety in Jefferson County, West Virginia, exclusive of any municipality therein, and where such noise levels rise to the level of a public nuisance, the same are subject to abatement by the procedures set forth herein.

Section 2. Definitions.

For purposes of this ordinance only the following terms are defined:

- (a) "Complaint" shall mean a written statement of the essential facts constituting the offense charged. It shall be made upon the oath of a law enforcement officer before a magistrate. The complaint shall set forth the facts of the allegation of excessive noise; name the complainant or complainants with complete address and telephone number; name the alleged perpetrator or perpetrators of the excessive noise and his, her or its complete address and telephone number; set forth the names, addresses and telephone numbers of all persons who are impacted by the alleged excessive noise and the approximate area of impact of the excessive noise.
- (b) "Excessive Noise" shall mean:
  - (i) ***Radios, television sets, musical instruments, phonographs, compact disc players, and similar devices.*** It shall be unlawful to operate or permit the use of any radios, television sets, musical instruments, phonographs, compact disc players, and similar devices as to be audible at or above the level of 65 dB through the walls of apartment units within the range of the same building, from another property line, or from the street between the hours of 10:00 p.m. to 6:00 a.m.

(ii) **Parties and other social events.** It shall be unlawful for any person in charge of a party or other social event to allow that party or event to produce noise in a manner such that the noise is audible at or above the level of 65 dB through the walls of apartment units within the range of the same building, from another property line, or from the street between the hours of 10:00 p.m. to 6:00 a.m. A person shall be deemed to be in charge of a party or social event when that event occurs on private property and the person is present at that event and resides on the premises involved or is a person who lives in or on the premises involved and has authorized the use of the premises for such event. For parties or other social events on public property with no permit, or on private property with no owner or resident present and no clearly identified person in charge, all attendees shall be issued a violation.

(iii) **Domestic use of power tools and equipment.** It shall be unlawful to operate or permit the use of non-commercial or non-industrial power tools and landscaping and yard maintenance equipment that produces an audible sound at or above the level of 65 dB through the walls of apartment units within the range of the same building, from another property line, or the street between the hours of 10:00 p.m. to 6:00 a.m.

(iv) **All terrain vehicles, motorcycles, snowmobiles, scooters and other motorized vehicles.** It shall be unlawful to operate or permit the use of all terrain vehicles (ATVs), motorcycles, snowmobiles, scooters or other motorized vehicles that produce an audible sound at or above the level of 65 dB from the property line of the complainant or the street at any time, day or night.

- (c) "Public Nuisance" shall mean excessive noise that affects no fewer than three households that live within a residential area of Jefferson County.
- (d) "Residential area" shall mean any subdivision, development or other similar area used primarily for residential purposes located in Jefferson County but which is not within the boundaries of any municipality therein.
- (e) "Household" shall mean any apartment, townhouse, unit, or freestanding home which serves as a residence of persons who live in that same dwelling, sharing its furnishings, facilities, accommodations, and expenses. A building with multiple apartments, townhouses or units may, accordingly, contain multiple households.

Section 3. Procedures.

- (a) Any person complaining of excessive noise that rises to the level of a public nuisance as defined herein, may contact local law enforcement officers who may then investigate the complainant's report and, if appropriate, such officers may file a complaint with the Jefferson County Magistrate Court. If it appears from the complaint that there is probable cause to believe that an offense has been committed and that the defendant has committed it, a summons shall issue to any officer authorized by law to execute it. The summons shall issue in the same form as a warrant, except that it shall summon the defendant to appear before a magistrate at a stated time and

place. An authorized person shall cause a copy of the complaint and summons to be served upon the alleged perpetrator or upon each of the alleged perpetrators.

- (b) The Clerk of the Jefferson County Magistrate Court shall notify the assigned Jefferson County Magistrate when any complaint has been filed and when service thereof has been made. The assigned Magistrate shall schedule a hearing on the complaint and notify the complainant or complainants and alleged perpetrator or perpetrators of the hearing date and time.
- (c) Upon request by the defendant, a hearing on the complaint shall be heard by the assigned Jefferson County Magistrate according to the West Virginia Rules of Criminal Procedure for Magistrate Courts.

Section 4. Nuisance Abatement and Penalties.

- (a) The Jefferson County Magistrate, having found that a perpetrator or perpetrators during any twelve month period has caused or have allowed the production of excessive noise which constitutes a public nuisance may order the perpetrator or perpetrators to abate the public nuisance and may order the perpetrator or perpetrators to pay to the State of West Virginia a civil penalty not less than \$50 nor more than \$300.
- (b) A second or subsequent knowing and willful violation of this ordinance during a twelve month period shall subject the perpetrator or perpetrators to pay to the State of West Virginia a civil penalty not less than \$150 nor more than \$500.
- (c) Repeated similar violations of this ordinance which occur on separate, subsequent days shall be separate offenses under this ordinance.

Section 5. Exempted Activities.

- (a) All activities within the bounds of any municipalities are exempt from application of this ordinance.
- (b) The following activities are also exempted from application of this ordinance:
  - (1) Emergency or public safety vehicles;
  - (2) Emergency repair activity directed at vital services;
  - (3) Any public or private emergency or alarm device;
  - (4) Sounds emanating from any place of worship;
  - (5) Licensed motor vehicles on any roads, highways or private roadways;
  - (6) Airports;
  - (7) Railroads;
  - (8) Sporting events;
  - (9) Authorized public activities for which a permit has been granted by an appropriate agency of the federal, state or local governments;
  - (10) Authorized construction activities or demolition activities;
  - (11) Farm equipment and farm activities;
  - (12) Legal use of firearms including hunting and shooting activities; and
  - (13) Activities by the federal, state or local governments.
- (c) Hardship Waiver. The County Commission may grant a waiver from the provisions hereof upon application by a citizen for a waiver of the

applicability of this ordinance for a limited period of time but only after a public hearing. Jefferson County Magistrates are not authorized to grant such a hardship waiver.

Section 6. Severability.

The several sections and subsections of this ordinance are severable, and if any section or subsections hereof shall be held unconstitutional, all the remaining sections or subsections shall remain valid.

Section 7. Purpose.

It is the purpose of this ordinance to promote the public health and safety of the community and as such it should be liberally construed to give effect to the purposes hereof.

Section 8. Appeals.

Appeals to the Circuit Court shall be made pursuant to West Virginia Rule of Criminal Procedure for Magistrate Courts 20.1.

Section 9. Civil Cause of Action not Precluded.

Nothing contained in this ordinance shall be construed to limit or preclude the right of any individual or entity from pursuing any civil cause of action otherwise authorized by law for either injury or damage arising from any noise which creates either a public or private nuisance under law.

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Sandy McDonald, Deputy County Administrator

Department or Organization: County Commission

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

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject (Wording to be placed on agenda): General County Budget Revision #2 and Resolution

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

**State Budget Revision #2 General County Fund to provide the Berkeley/Jefferson Day Report Center the cash match of \$106,290 for the 2014 fiscal year approved at a regular meeting on March 7, 2013**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):  
**Motion to approve State Budget Revision #2 General County Fund and Resolution and to authorize the President of the Commission to affix his signature to the appropriate documents**

Are documents attachments? Yes      No  
If not, explain:

Is a projector needed? Yes      No

Contact information:

Email address: \_\_\_\_\_

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

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 19<sup>th</sup> 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 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	_____
Jane Tabb	_____
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 Dale Manuel, 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.

\_\_\_\_\_  
Dale Manuel, President  
Jefferson County Commission





## Berkeley Jefferson Day Report Center

*Serving Berkeley, Jefferson and Morgan Counties*



406 South Raleigh Street  
Martinsburg, WV 25401  
Phone (304) 267-5000 ext 3961  
Fax: (304)-596-2047

August 19, 2013

Jefferson County Commission  
President Dale Manuel  
P.O Box 250  
124 E. Washington Street,  
Charles Town, WV 25414

Dear Mr. Manuel,

I am respectfully requesting that the Jefferson County Commission provide the Berkeley/Jefferson Day Report Center the cash match of \$106,290 for the 2014 fiscal year. These funds will be reimbursed upon funds being received by the West Virginia Community Corrections Grant.

If the Jefferson County Commission has any questions or concerns, please do not hesitate to contact me.

Respectfully Submitted,

Pamela Games-Neely  
President Criminal Justice Board

**RECEIVED**

AUG 23 2013

**Jefferson County Commission**

11:15

# AGENDA REQUEST FORM

Name: Jason Castillo

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 5 min.

Date Requested – 1<sup>st</sup> Choice: March 7, 2013

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

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

Subject: **Request for approval of the Berkeley/Jefferson Day Report Center Grant and the Cash Match amount**

Please provide the County Commission with a description of your request or presentation, including any background information: Currently there are 3 – three year terms ending March 31, 2016 open for appointment.

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

Are documents attached? Yes

If not, please explain:

Is a projector needed? No

Contact information:

Email Address:

Phone number:

**APPROVED**

**MAR 07 2013**

the County Commission  
of Jefferson County  
Charles Town, WV

*Budget Allocation*  
*2013/2014*  
*\$ 106,290.00*

**AGENDA REQUEST FORM**

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



Name: Sandy Slusher McDonald, Deputy County Administrator

Department or Organization: County Commission

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

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject (Wording to be placed on agenda): **Approval of Resolution and Contract –Victim of Crime Act (VOCA) Victim Assistant Grant Program in the amount of \$59,381.00 with \$14,845.00 match – Discussion/Action**

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

**Grant Resolution and contract - Victim of Crime Act (VOCA) Victim Assistant Grant Program in the amount of \$59,381.00 with \$14,845.00 match**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):  
**Motion to approve Victim of Crime Act (VOCA) Victim Assistant Grant Program in the amount of \$59,381.00 with \$14,845.00 match and to authorize the President of the Commission to affix his signature to the appropriate documents**

Are documents attachments? Yes **XX** No

If not, explain:

Is a projector needed? Yes No

Contact information:

Email address: \_\_\_\_\_

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

**RESOLUTION**

The Commission of Jefferson County met on September 19<sup>th</sup>, 2013 with a quorum present and passed the following resolution.

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

Signed: \_\_\_\_\_  
County Clerk

<b>Victim of Crime Act (VOCA) Victim Assistance Grant Program Application</b>	<b>General Administrative Information Page 1</b>
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<b>Applicant Agency:</b> Jefferson County Commission <b>Address:</b> PO Box 250 Charles Town, WV 25414  <b>Phone:</b> 304-728-3243 <b>Fax Number:</b> 304-728-3293	<b>Type of Agency</b> <input type="checkbox"/> State <input checked="" type="checkbox"/> County <input type="checkbox"/> Municipal <input type="checkbox"/> Non-Profit
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<b><u>Project Director:</u></b> Ralph A. Lorenzetti <b>Address:</b> PO Box 729 Charles Town, WV 25414  <b>Phone:</b> 304-728-3243 <b>Fax:</b> 304-728-3293 <b>Email:</b> rlorenzetti@jeffersoncountywv.org	<b><u>Fiscal Officer:</u></b> Debbie Keyser <b>Address:</b> PO Box 250 Charles Town, WV 25414  <b>Phone:</b> 304-728-3284 <b>Fax:</b> 304-725-7916 <b>Email:</b> dkeyser@jeffersoncountywv.org
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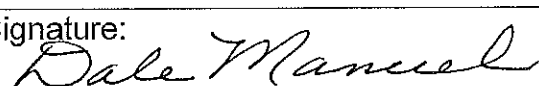
Amount Requested: **59381.00**      Amount Awarded: \_\_\_\_\_  
Project Period: **July 1, 2013 – June 30, 2014**

Percent Breakdown by Crime Category:	Number of years previously funded: <u>15</u>	Geographic Area Served:
38 Domestic Violence		County(ies): Jefferson
10 Sexual Assault	Estimated number of victims to be served by grant: <u>500</u>	Population: 54,225
10 Child Abuse		Rural: 80%
42 Underserved Pop.		

Project Title: **Jefferson County Victim Assistance Program**

Project Description: The Program provides direct services to all victims of crime but will place an emphasis on serving the needs of violent crime and under-served populations. The Program will seek to prevent the re-victimization of crime victims by providing a host of services

*Certification: To the best of my knowledge, the information contained in this application is true and correct. The submission thereof has been duly authorized by the governing body and the applicant will comply with the attached special conditions and assurances, if funding is provided.*

Authorized Official: Dale Manuel	Title: President, Jefferson County Commission
Address: PO Box 250 Charles Town, WV 25414	Phone: 304-728-3248  Fax: 304-725-7916 E-Mail: dmanuel@jeffersoncountywv.org
Signature: 	Date: <u>03/21/13</u>

Applicant: <b>Jefferson County Commission</b>	FEIN Number: <b>55-6000333</b> DUNS Number: <b>07-7411-4548</b>
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Category	VOCA Requested Funds	Matching Funds	Total Budget
Personnel / Contractual	58,881.00	14,845.00	73,726.00
Travel / Training	500.00	0	500.00
Space			
Other			
<b>Totals</b>	<b>59,381.00</b>	<b>14,845.00</b>	<b>74,226.00</b>

**Funding Strategy**

Funding Source(s)	Amount	Status
VOCA Grant Funds	59,381.00	P
Match	14,845.00	C
<b>Total</b>	<b>74,226.00</b>	

- Funding Source - Separately list each source of funds that will be used in the program.
- Amount - Enter the amount received or anticipated for each
- Status - Indicate the status of each funding source as follows:
  - P – Projected grant, loan or donation
  - A – Application submitted and under review
  - C – Funds Committed
  - R – Funds received, appropriated or on hand

Detailed Project Cost by Budget Category	Requested VOCA Funds	Matching Funds	Recommendation
<u>Personnel / Contractual</u>			DJCS Use Only
Full Time Victim Advocate--			
Debra Young	\$25,680.00		
FICA@7.65%	\$1,965.00		
Retirement@11%	\$2,824.00		
Match		\$6,923.00	
Full-Time Advocate			
Jennifer May-Sanner	\$23,946.00		
FICA@7.65%	\$1,832.00		
Retirement@11%	\$2,634.00		
Match		\$6,922.00	
Volunteer Hours		\$1,000.00	
<u>Travel / Training</u>			
Direct service mileage & travel to be Approved by DCJS	\$500.00		
<u>Space:</u>			
<u>Other</u>			
<b>Total Requested VOCA Funds</b>	<b>\$59,381.00</b>		
<b>Total Other Funds</b>		<b>\$14,845.00</b>	
<b>Total of Recommendation (DJCS Only)</b>			

**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: Sandy Slusher McDonald, Deputy County Administrator

Department or Organization: County Commission

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

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject (Wording to be placed on agenda): **Approval of Resolution and Contract – Community Participation Grant Program for the Friends of Blackwater J.R. Clifford Project in the amount of \$1,000 – Discussion/Action**

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

**Grant Resolution and contract for the Governor's Community Participation Grant for the Friends of Blackwater J.R. Clifford Project in the amount of \$1,000 – Pass Through Grant**

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

**Motion to approve Community Participation Grant Program Resolution for the Friends of Blackwater J.R. Clifford Project in the amount of \$1,000 and to authorize the President of the Commission to affix his signature to the appropriate documents**

Are documents attachments? Yes **XX** No

If not, explain:

Is a projector needed? Yes No

Contact information:

Email address: \_\_\_\_\_

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

# JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

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## *RESOLUTION*

The County Commission of Jefferson County, met on September 19<sup>th</sup>, 2013 with a quorum present and passed the following Resolution:

**WHEREAS**, The Jefferson County Commission has agreed to assist the Friends of Blackwater - J. R. Clifford Project to create educational materials with funds made available through the Governor's Community Participation Grant program in the amount of \$1,000.

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

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

13LEDA0427

# GOVERNOR'S COMMUNITY PARTICIPATION GRANT PROGRAM CONTRACT

## BETWEEN THE WEST VIRGINIA DEVELOPMENT OFFICE AND THE JEFFERSON COUNTY COMMISSION

Project Number 13LEDA0427

**THIS AGREEMENT**, entered into this 1st day of July, 2012, by the West Virginia Department of Finance and Administration on behalf of the West Virginia Development Office hereinafter called the "WVDEVO" and the Jefferson County Commission and its authorized officers, agents, and representatives, hereinafter called the "Grantee."

### WITNESS THAT:

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

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

1. **Scope of Services.** The Grantee shall complete in a satisfactory manner as determined by the WVDEVO, and appropriate regulatory agencies, if required, all duties, tasks, and functions necessary to create educational materials for the Friends of Blackwater J.R. Clifford Project. The project may include the printing of posters, coloring books, and other materials as funds permit.
2. **Personnel and Employment.** The Grantee will secure at its own expense, personnel with the necessary qualifications and experience required to perform the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with WVDEVO.

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

3. **Time Performance.** The Grantee will commence its duties under this Contract on July 1, 2012, and such duties shall be undertaken and completed by June 30, 2014.
4. **Compensation and Fiscal Management.** In consideration of the services rendered by the Grantee, the WVDEVO agrees to pay the Grantee the sum of \$1,000. This amount constitutes complete compensation for all services rendered.

The Grantee shall provide local matching funds totaling up to ten percent of the total compensation for all services rendered.

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

5. **Amendments.** Any changes to the scope of services, completion date, compensation or any other terms or conditions of this agreement shall be incorporated in written amendments to the Contract. If necessary and/or required, any amendments to this Contract are subject to the reappropriation of funds and approval of the WVDEVO and/or the Governor of the State of West Virginia.

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

Furthermore, the Grantee shall refund to the State any expenditures determined to be made for an ineligible purpose for which State funds were received.

7. **Sub-Grantees and Reversion of Property.** The Grantee may administer funds on behalf of sub-grantees, provided that the sub-grantee is certified as a nonprofit organization by the United States Internal Revenue Service and the West Virginia Secretary of State's Office. Should the sub-grantee cease to exist, all commodities or supplies purchased with funds provided under the auspices of this Contract by or for the sub-grantee shall become the property of the Grantee.
8. **Competitive Bid Procedures.** Competitive bidding shall be pursued in all instances. The Grantee must follow the more stringent of either state or local purchasing regulations. The West Virginia Purchasing Division requirements, at a minimum, are as follows: Commodities and services expected to cost \$2,500 or less require no bids, however, competition is encouraged. Purchases between \$2,500.01 and \$5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases \$5,000.01 to \$25,000 require three written bids.

Purchases exceeding \$25,000 require public notices as a Class II legal advertisement in compliance with the provisions of West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date. The Grantee shall also, where feasible, solicit sealed bids by listing the project in the F. W. Dodge Reports, sending requests by mail to prospective suppliers or contractors, and by posting notice on a bulletin board in a public place. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than \$25,000 shall be cause for termination of this agreement.

9. **Construction.** The Grantee shall procure construction contracts in accordance with West Virginia Code §5-22-1. The term construction shall mean any construction, reconstruction, improvement, enlargement, painting, decorating, or repair of any public improvement let to contract. **The state and its subdivisions shall, except as provided in this section, solicit competitive bids for every construction project exceeding \$25,000 in total cost. Further, the receipt and utilization of funds procured under this agreement mandate that ALL CONSTRUCTION CONTRACTS NECESSARY FOR THE UNDERTAKING AND COMPLETION OF THIS PROJECT, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code §21-5A.** These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions of West Virginia Code §59-3 as outlined in Section 8 of this agreement.

Any contracts executed for the completion of construction services under this agreement, including contracts which involve the employment of any contractor and/or subcontractor, must comply with the provisions of the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost and source of funds utilized to pay such contract.** Such provisions shall include the payment of the Fair Minimum Wage Rates as determined by the West Virginia Commissioner of Labor for each craft or classification of all workmen needed to perform the contract in the locality in which the public work is performed. For projects involving federal funds which are covered by the provisions of the Davis Bacon Act (40 U.S.C. 276-a 276a-5), the Grantee shall cause the contractor and/or subcontractors to pay the higher wage rate, federal or state.

The Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bidding blanks. The Grantee shall designate the time and place for opening such construction bids in accordance with West Virginia Code §5-22-2.

The Grantee shall secure bonding in accordance with West Virginia Code §5-22-1. All bids submitted pursuant to this chapter shall include a valid bid bond or other surety as approved by the state of West Virginia or its subdivisions. Following the solicitation of such bids, the construction contract shall be awarded to the lowest

qualified responsible bidder, who shall furnish a sufficient performance and payment bond, provided, that the state and its subdivisions may reject all bids and solicit new bids.

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

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

- (a) A bid guarantee from each bidder equivalent to five percent of the bid price. This bid guarantee shall consist of a firm commitment such as bid bond, certified check, or other negotiable instrument accompanying a bid that the bidder will, upon acceptance of the bid, execute the contractual documents as may be required with the time specified.
- (b) A performance bond on the part of the contractor for 100 percent of the contract price. This performance bond shall be executed by the successful contractor in connection with the contract to secure fulfillment of the contractor's obligations under such contract.
- (c) A payment bond on the part of the contractor for 100 percent of the contract price. This payment bond shall be executed in connection with a contract to assure payment is required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.

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

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

The Grantee shall require any facilities constructed under the auspices of this Contract to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A11/.1-1961, as modified (41CFR101-17.1703 and (13CFR309.14)). The Grantee shall be responsible for conducting inspections to ensure compliance with these specifications.

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

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

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

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

Furthermore, no member of the Legislature of the State of West Virginia, or individual performing a service for the Grantee in connection with this project, shall be admitted to any share thereof or to any benefit to arise from this Agreement.

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

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

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

The Grantee shall submit any reports requested by the WVDEVO concerning financial status and program progress.

12. **Political Activity.** No officer or employee of the Grantee whose principal employment is in connection with any activity which is financed in whole or in part pursuant to this agreement shall take part in any of the activities expressly prohibited by the Hatch Act.
13. **Resolution of Disputes.** Resolution of disputes between the State and the Grantee concerning administrative and programmatic matters during the terms of this Agreement shall be initiated through consultation and discussion at the State's Administrative Offices with final decision on questions of policy or fact being determined by the Director of the Community Development Division or his/her designated representative. Nothing in this Agreement shall be construed as making the final decision on a question of law, or to limit in any manner any remedies or recourses available under applicable laws. Citizen's complaints or disputes regarding Grantee performance or actions relative to the approved project are the responsibility of the Grantee.
14. **Termination of Contract.** If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner his obligations under this Contract, or if the Grantee shall violate any of the covenants, agreements, or stipulations of this Contract, the WVDEVO shall thereupon have the right to terminate this Contract by giving written notice to the Grantee of such termination and specifying the effective date thereof, at least fifteen days before the effective date of such termination. The Grantee shall be entitled to receive just and equitable compensation for any satisfactory work completed on the described project.

Notwithstanding the above, the Grantee shall not be relieved of liability to the WVDEVO for damages sustained by the WVDEVO by virtue of any breach of the Contract by the Grantee, and the WVDEVO may

withhold any payments to the Grantee for the purpose of set-off until such time as the exact amount of damages due the WVDEVO from the Grantee is determined.

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

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

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

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

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

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

**JEFFERSON COUNTY COMMISSION**

By: \_\_\_\_\_  
**Dale Manuel, President**

Federal Employee Identification Number

55-6000333

F.E.I.N.

Project Number: 13LEDA0427

**AGENDA REQUEST FORM**

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



Name: Sandy Slusher McDonald, Deputy County Administrator

Department or Organization: County Commission

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

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject (Wording to be placed on agenda): **Approval of Resolution and Contract – Community Participation Grant Program for the Good Shepherd Caregivers in the amount of \$10,000 – Discussion/Action**

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

**Grant Resolution and contract for the Governor's Community Participation Grant for the Good Shepherd Caregivers in the amount of \$10,000 – Pass Through Grant**

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

**Motion to approve Community Participation Grant Program Resolution for the Good Shepherd Caregivers in the amount of \$10,000 and to authorize the President of the Commission to affix his signature to the appropriate documents**

Are documents attachments? Yes  No

If not, explain:

Is a projector needed? Yes No

Contact information:

Email address: \_\_\_\_\_

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

# JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

---

## *RESOLUTION*

The County Commission of Jefferson County, met on September 19<sup>th</sup>, 2013 with a quorum present and passed the following Resolution:

**WHEREAS**, The Jefferson County Commission has agreed to assist the Good Shepherd Interfaith Volunteer Caregivers with capital improvements and program expansion with funds made available through the Governor's Community Participation Grant program in the amount of \$10,000.

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

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

13LEDA0105

# GOVERNOR'S COMMUNITY PARTICIPATION GRANT PROGRAM CONTRACT

## BETWEEN THE WEST VIRGINIA DEVELOPMENT OFFICE AND THE JEFFERSON COUNTY COMMISSION

Project Number 13LEDA0105

THIS AGREEMENT, entered into this 1st day of July, 2012, by the West Virginia Department of Finance and Administration on behalf of the West Virginia Development Office hereinafter called the "WVDEVO" and the Jefferson County Commission and its authorized officers, agents, and representatives, hereinafter called the "Grantee."

### WITNESS THAT:

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

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

1. **Scope of Services.** The Grantee shall complete in a satisfactory manner as determined by the WVDEVO, and appropriate regulatory agencies, if required, all duties, tasks, and functions necessary to assist the Good Shepherd Caregivers with capital improvements and program expansion.
2. **Personnel and Employment.** The Grantee will secure at its own expense, personnel with the necessary qualifications and experience required to perform the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with WVDEVO.

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

3. **Time Performance.** The Grantee will commence its duties under this Contract on July 1, 2012, and such duties shall be undertaken and completed by June 30, 2014.
4. **Compensation and Fiscal Management.** In consideration of the services rendered by the Grantee, the WVDEVO agrees to pay the Grantee the sum of \$10,000. This amount constitutes complete compensation for all services rendered.

The Grantee shall provide local matching funds totaling up to ten percent of the total compensation for all services rendered.

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

5. **Amendments.** Any changes to the scope of services, completion date, compensation or any other terms or conditions of this agreement shall be incorporated in written amendments to the Contract. If necessary and/or required, any amendments to this Contract are subject to the reappropriation of funds and approval of the WVDEVO and/or the Governor of the State of West Virginia.
6. **Payments and Repayment.** In order to receive payments under the terms of this Agreement, the Grantee shall submit the following: (a) a Letter of Transmittal containing a progress report, and (b) a Request for Payment

Financial Report. The final ten percent shall be made available upon submission of certification of completion and acceptance of the project by the Grantee.

Furthermore, the Grantee shall refund to the State any expenditures determined to be made for an ineligible purpose for which State funds were received.

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

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

Purchases exceeding \$25,000 require public notices as a Class II legal advertisement in compliance with the provisions of West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date. The Grantee shall also, where feasible, solicit sealed bids by listing the project in the F. W. Dodge Reports, sending requests by mail to prospective suppliers or contractors, and by posting notice on a bulletin board in a public place. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than \$25,000 shall be cause for termination of this agreement.

9. **Construction.** The Grantee shall procure construction contracts in accordance with West Virginia Code §5-22-1. The term construction shall mean any construction, reconstruction, improvement, enlargement, painting, decorating, or repair of any public improvement let to contract. **The state and its subdivisions shall, except as provided in this section, solicit competitive bids for every construction project exceeding \$25,000 in total cost. Further, the receipt and utilization of funds procured under this agreement mandate that ALL CONSTRUCTION CONTRACTS NECESSARY FOR THE UNDERTAKING AND COMPLETION OF THIS PROJECT, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code §21-5A.** These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions of West Virginia Code §59-3 as outlined in Section 8 of this agreement.

Any contracts executed for the completion of construction services under this agreement, including contracts which involve the employment of any contractor and/or subcontractor, must comply with the provisions of the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost and source of funds utilized to pay such contract.** Such provisions shall include the payment of the Fair Minimum Wage Rates as determined by the West Virginia Commissioner of Labor for each craft or classification of all workmen needed to perform the contract in the locality in which the public work is performed. For projects involving federal funds which are covered by the provisions of the Davis Bacon Act (40 U.S.C. 276-a 276a-5), the Grantee shall cause the contractor and/or subcontractors to pay the higher wage rate, federal or state.

The Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bidding blanks. The Grantee shall designate the time and place for opening such construction bids in accordance with West Virginia Code §5-22-2.

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

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

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

- (a) A bid guarantee from each bidder equivalent to five percent of the bid price. This bid guarantee shall consist of a firm commitment such as bid bond, certified check, or other negotiable instrument accompanying a bid that the bidder will, upon acceptance of the bid, execute the contractual documents as may be required with the time specified.
- (b) A performance bond on the part of the contractor for 100 percent of the contract price. This performance bond shall be executed by the successful contractor in connection with the contract to secure fulfillment of the contractor's obligations under such contract.
- (c) A payment bond on the part of the contractor for 100 percent of the contract price. This payment bond shall be executed in connection with a contract to assure payment is required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.

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

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

The Grantee shall require any facilities constructed under the auspices of this Contract to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A11/.1-1961, as modified (41CFR101-17.1703 and (13CFR309.14)). The Grantee shall be responsible for conducting inspections to ensure compliance with these specifications.

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

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

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

Furthermore, no member of the Legislature of the State of West Virginia, or individual performing a service for the Grantee in connection with this project, shall be admitted to any share thereof or to any benefit to arise from this Agreement.

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

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

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

The Grantee shall submit any reports requested by the WVDEVO concerning financial status and program progress.

12. **Political Activity.** No officer or employee of the Grantee whose principal employment is in connection with any activity which is financed in whole or in part pursuant to this agreement shall take part in any of the activities expressly prohibited by the Hatch Act.
13. **Resolution of Disputes.** Resolution of disputes between the State and the Grantee concerning administrative and programmatic matters during the terms of this Agreement shall be initiated through consultation and discussion at the State's Administrative Offices with final decision on questions of policy or fact being determined by the Director of the Community Development Division or his/her designated representative. Nothing in this Agreement shall be construed as making the final decision on a question of law, or to limit in any manner any remedies or recourses available under applicable laws. Citizen's complaints or disputes regarding Grantee performance or actions relative to the approved project are the responsibility of the Grantee.
14. **Termination of Contract.** If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner his obligations under this Contract, or if the Grantee shall violate any of the covenants, agreements, or stipulations of this Contract, the WVDEVO shall thereupon have the right to terminate this Contract by giving written notice to the Grantee of such termination and specifying the effective date thereof, at least fifteen days before the effective date of such termination. The Grantee shall be entitled to receive just and equitable compensation for any satisfactory work completed on the described project.

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

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

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

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

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

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

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

**JEFFERSON COUNTY COMMISSION**

By: \_\_\_\_\_  
**Dale Manuel, President**

Federal Employee Identification Number

\_\_\_\_\_  
**55-6000333**  
F.E.I.N.

Project Number: 13LEDA0105

**NOTICE OF PUBLIC HEARING**  
**COUNTY COMMISSION OF JEFFERSON COUNTY**  
**Thursday, September 19, 2013 at 1:30 PM**

The County Commission of Jefferson County has scheduled a Public Hearing on the proposed Stormwater Management Ordinance and Text Amendments to the Subdivision and Land Development Regulations and to amend such other articles, sections, subsections, and provisions of the regulations as necessary to implement and maintain consistency with the foregoing amendments.

You may provide oral or written comments at the hearing, **1:30 PM, Thursday, September 19, 2013** during the regularly scheduled County Commission meeting **in the Charles Town Library meeting room at 200 East Washington Street**, at the side entrance on Samuel Street. In addition, you may provide written comments to [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org), or mail to P.O. Box 250, Charles Town, WV 25414, or fax to 304-728-8126.

Copies of the above referenced documents are available on the Departments of Planning and Zoning webpage within the County's website – [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org). Questions related to the documents may be directed to the County's Engineering Department at 304-728-3257.

By Order of the County Commission of Jefferson County  
Dale Manuel, President

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

AGENDA REQUEST FORM

Name: Seth Rivard

Department or Entity: Planning, on behalf of the Dept of Engineering

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: June 27, 2013

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

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

Subject: **Request to schedule a Public Hearing to be held by the County Commission regarding new Stormwater Management Ordinance and associated text amendments to the 2008 Subdivision and Land Development**

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

On July 9, 2013, the Jefferson County Planning Commission will hold a Public Hearing for the purpose of receiving public input regarding the proposed new Stormwater Management Ordinance and associated text amendments to the 2008 Subdivision and Land Development. Subsequent to their hearing, the Planning Commission will forward the draft along with any comments received to the County Commission for their consideration.

This request is for the County Commission to schedule a public hearing before the County Commission on **Thursday September 19, 2013**. The public hearing would be on the new Stormwater Management Ordinance and associated text amendments to the 2008 Subdivision and Land Development Regulations. The public hearing could be scheduled either during the day or an evening meeting. We are unsure of the level of public interest in this topic.

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

**I move to schedule a Public Hearing on the new Stormwater Management Ordinance and associated text amendments to the 2008 Subdivision and Land Development Regulations, on \_\_\_\_\_ (September 19), 2013 at \_\_\_\_\_ pm.**

*Schedule Public Hearing  
Sept 19, 2013  
week in advance*

# Certificate of Publication

JEFFERSON PUBLISHING COMPANY, INC., Publisher  
SPIRIT OF JEFFERSON ADVOCATE

Charles Town, W. Va. August 21 20 13

I hereby certify that the annexed Notice of public hearing  
in the case of proposed Stormwater Management Ordinance...

has been published once a week for two successive weeks, in the Spirit of Jefferson Advocate, a newspaper published in Charles Town, Jefferson County, West Virginia, in the issues of August 21 & 28, 20 13,

as required by law.

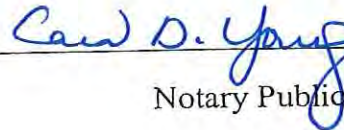


Editor/Manager, Spirit of Jefferson Advocate

State of West Virginia  
County of Jefferson

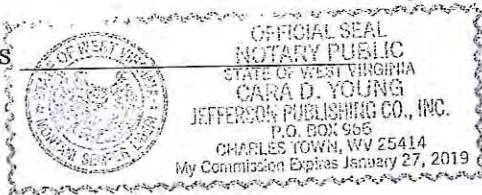
Personally appeared before me, Robert Snyder, Editor/Manager

of the Spirit of Jefferson Advocate, and made oath that the above certificate is true and correct.



Notary Public

Commission expires



**NOTICE OF  
PUBLIC HEARING**  
County Commission  
of Jefferson County  
Thursday, September 19, 2013  
at 1:30 PM

The County Commission of Jefferson County has scheduled a Public Hearing on the proposed Stormwater Management Ordinance and Text Amendments to the Subdivision and Land Development Regulations and to amend such other articles, sections, subsections, and provisions of the regulations as necessary to implement and maintain consistency with the foregoing amendments.

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Dale Manuel, President  
8/21/21

The Journal Print Ad Proof

ADNo: 483392 Customer Number: L17196  
Customer Name: Company: JC COMMISSION  
Address: P O BOX 250  
City/St/Zip: CHARLES TOWN WV , WV 25414  
Phone: (304) 728-3284 Solicitor: SP  
Category: 70 Class: 110 Rate: LE-0 Start: 8-20-2013 Stop: 8-27-2013  
Lines: 62 Inches: 6.50 Words: 182

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Credit Card: Expire:  
Order Number:  
Cost: 68.06 Extra Charges: .00 Adjustments: .00  
Payments: .00 Discount: .00  
Balance: 68.06

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NOTICE OF PUBLIC  
HEARING  
COUNTY COMMISSION  
OF JEFFERSON COUNTY  
*Thursday, September 19,  
2013 at 1:30 PM*

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[info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org), or mail to P.O. Box 250, Charles Town, WV 25414, or fax to 304-728-8126. Copies of the above referenced documents are available on the Departments of Planning and Zoning webpage within the County's website -

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By Order of the  
County Commission of  
Jefferson County  
Dale Manuel, President  
8:20,27 (21)

## MEMORANDUM

### Jefferson County, West Virginia Engineering Department

TO: Jefferson County Commission

FROM: Roger Goodwin  
Chief County Engineer

DATE: September 19, 2013

SUBJECT: Stormwater Management Ordinance – Public Hearing

During the stormwater management ordinance update that was provided to the County Commission at their September 5<sup>th</sup> meeting, Commissioner Walt Pellish commented on a provision he wanted to see in the proposed ordinance. Commissioner Pellish wanted the Chief County Engineer to have some discretion in modifying requirements and/or granting waivers to the requirements, especially if the requirements were relatively costly. In response, staff is proposing a revision (paragraph 5, red text) to Article III for the County Commission's consideration, as follows:

### **Article III Waivers and Modifications of Requirements**

#### **A. GENERAL**

---

- (1) This Article is intended to provide a procedure to achieve the water quality and quantity objectives of this Ordinance while providing reasonable flexibility for difficult site conditions and innovative site design approaches.
- (2) The provisions of this Ordinance are the minimum requirements for the protection of the public's health, safety, and welfare, and should be strictly adhered to. Written requests for waivers to or modifications of these requirements should be granted only where the requirement of strict adherence would be unreasonable, cause undue hardship, or an alternative standard can be demonstrated to provide equal or better results.

#### **B. REQUEST FOR WAIVER OR MODIFICATION**

- (1) Every person or entity defined under Article I.D. of this Ordinance shall submit a complete Stormwater Management Plan unless a written request for a waiver seeking relief from the stormwater management standards of

- (m) Infiltration of runoff throughout the proposed site has been provided where practicable, and predevelopment groundwater recharge protected at a minimum.
  - (n) Peak flow attenuation of runoff has been provided.
  - (o) Long-term operation and maintenance activities are established.
  - (p) The downstream waterways within the watershed containing the site that will receive runoff will not be subject to each of the following criteria:
    - (i) Deterioration of existing culverts, bridges, dams, and other structures.
    - (ii) Deterioration of biological functions or habitat.
    - (iii) Accelerated streambank or streambed erosion or siltation.
    - (iv) Increased threat of flood damage to public health, life, and property.
- (5) The Chief County Engineer may also, at his/her discretion, grant waivers or modifications to the Quality control requirements for projects of minimal size and magnitude where Quality control measures would not be practicable and/or economically feasible, and any impacts of such a project would be relatively insignificant. Should the justification for such waivers be questionable, the Chief County Engineer may refer the request to the Jefferson County Planning Commission for a determination.

## **PRESS RELEASE**

For Immediate Release

Contact: Sandy McDonald, Deputy County Administrator 304-728-3284

### **COUNTY COMMISSION INVITES PUBLIC COMMENT ON BROADBAND ISSUES**

The Jefferson County Commission will hold a public meeting on Thursday, September 19<sup>th</sup>, 2013 at 3:00 PM to discuss broadband issues in Jefferson County and to hear from the public about their concerns. The meeting will be held in the County Commission meeting room, located on the ground floor of the Old Charles Town Library 200 East Washington Street, Charles Town, WV.

A brief overview of the findings from the Region 9 study of broadband in the Eastern Panhandle will be presented. The study may be viewed at <http://www.region9wv.com/BroadbandStrategicPlanning.aspx>.

Representatives from Comcast and Frontier have been invited to comment on the services they provide. The meeting will then be open to public comment.

For further information contact: Debbie Keyser, County Administrator, Jefferson County Commission 304-728-3281.

# #

# Region 9 Broadband Strategic Plan

1

**BUSINESS SURVEY  
SUMMARY OF RESULTS AS OF  
SEPTEMBER 2012**

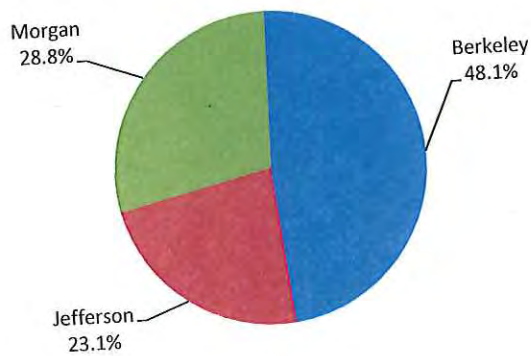


## Questions 1 – 4. Demographics – County of Business Location:

2

- 210 Total Survey Respondents
- 210 Responded to this Question
- 2 Respondents were Outside Region
- 208 Respondents Included in Chart

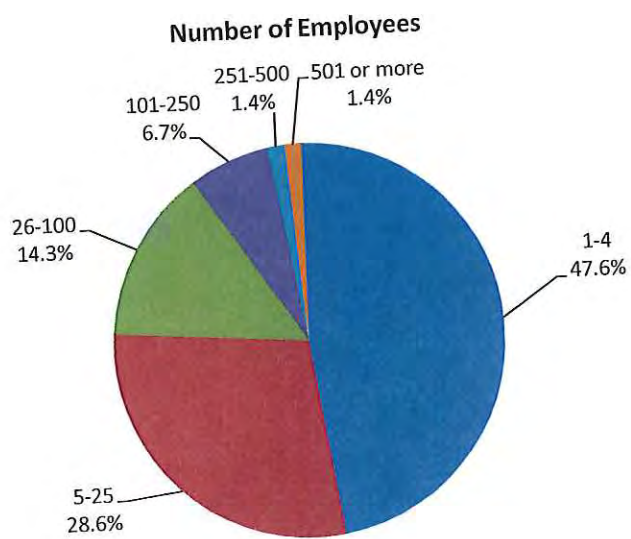
County of Business Location



## Question #5. How many employees work at your location?

3

- 210 Total Survey Respondents
- 210 Responded to this Question
- 210 Respondents Included in Chart

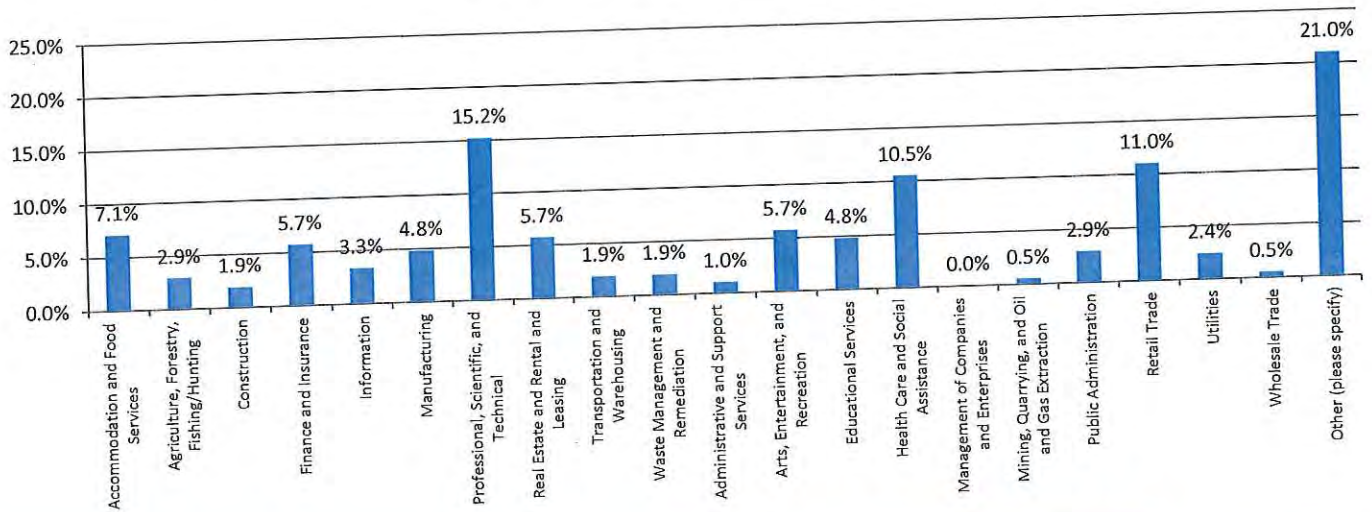


## Question #6. Indicate what national business classification best describes your business:

4

- 210 Total Survey Respondents
- 210 Responded to this Question
- 210 Respondents Included in Chart

**Business Classification**  
(by North American Industry Classification)

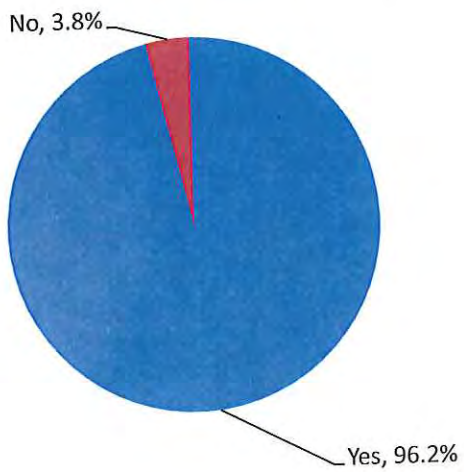


## Question #7. Do you have Internet service at your business?

5

- 210 Total Survey Respondents
- 210 Responded to this Question
- 210 Respondents Included in Chart

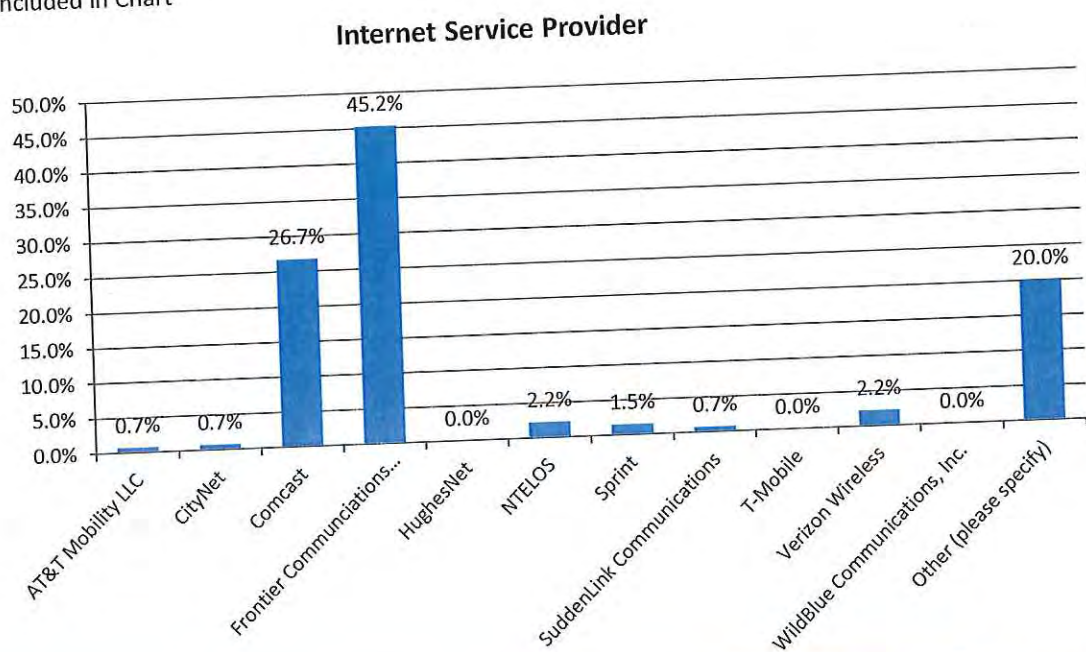
### Does Your Business have Internet Service?



## Question #8. Who is your business' Broadband Internet provider?

6

- 210 Total Survey Respondents
- 135 Responded to this Question
- 135 Respondents Included in Chart

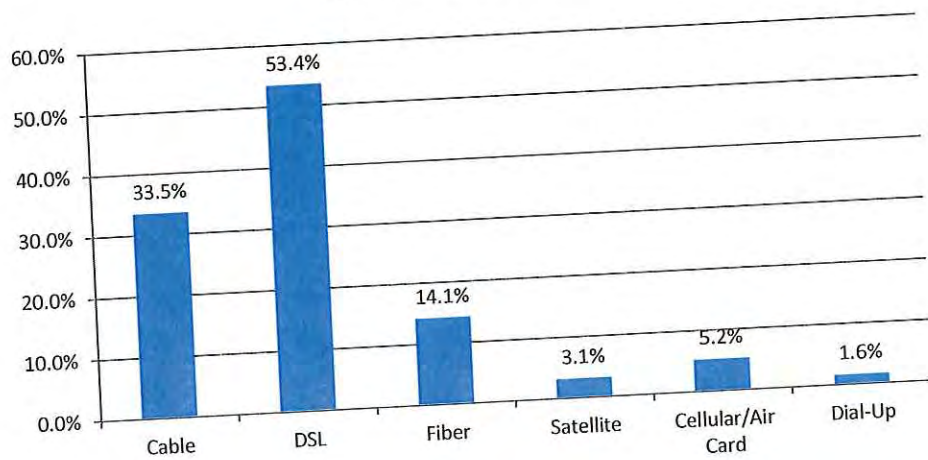


## Question #9. What type(s) of Internet connection do you have?

7

- 210 Total Survey Respondents
- 191 Responded to this Question
- 191 Respondents Included in Chart

Type of Connection



Questions 10-15. For all the types of connections you have, indicate the speed of your connection(s).

8

- Download Speeds (Mbps) – FCC Standard = 4 mbps

	Cable	DSL	Fiber	Satellite	Cellular/Air Card	Other
Total Responses	45	73	13	3	4	6
Less than 4	26.7%	<b>71.2%</b>	<b>38.5%</b>	<b>100.0%</b>	<b>75.0%</b>	<b>83.3%</b>
FCC Standard (4 mbps) → 4-9.9	8.9%	17.8%	23.1%	0.0%	25.0%	16.7%
10-19.9	<b>60.0%</b>	5.5%	23.1%	0.0%	0.0%	0.0%
20 +	4.4%	5.5%	15.4%	0.0%	0.0%	0.0%

Questions 10-15. For all the types of connections you have, indicate the speed of your connection(s).

- Upload Speeds (Mbps) – FCC Standard = 1 mbps

FCC Standard  
(1 mbps) →

	Cable	DSL	Fiber	Satellite	Cellular/Air Card	Other
Total Responses	44	71	13	3	4	6
Less than 1	22.7%	<b>73.2%</b>	23.1%	<b>100.0%</b>	<b>75.0%</b>	<b>50.0%</b>
1-3.9	<b>68.2%</b>	15.5%	<b>46.2%</b>	0.0%	0.0%	33.3%
4-9.9	6.8%	4.2%	7.7%	0.0%	25.0%	16.7%
10-19.9	2.3%	0.0%	7.7%	0.0%	0.0%	0.0%
20 +	0.0%	7.0%	15.4%	0.0%	0.0%	0.0%

**Question #16. Please rate the following aspects of your services by checking the appropriate column.**

10

- Overall Satisfaction – All Respondents

	Cost of Internet	Speed of Connection	Billing Practices	Technical Support	Customer Service	Reliability of Access
# of Respondents	55	85	16	5	8	2
Very Dissatisfied	5.3%	15.3%	3.0%	6.4%	7.0%	8.8%
Dissatisfied	27.2%	30.6%	11.2%	18.7%	16.4%	10.6%
Satisfied	<b>47.9%</b>	<b>40.0%</b>	<b>63.9%</b>	<b>53.2%</b>	<b>55.0%</b>	<b>65.3%</b>
Very Satisfied	10.7%	11.8%	9.5%	10.5%	10.5%	13.5%
Don't Know/NA	8.9%	2.4%	12.4%	11.1%	11.1%	1.8%

**Question #16. Please rate the following aspects of your services by checking the appropriate column.**

• Satisfaction with **Cost of Internet** by User Type

	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up
# of Respondents	55	83	16	5	8	2
Very Dissatisfied	0.0%	6.0%	18.8%	0.0%	12.5%	0.0%
Dissatisfied	18.2%	36.1%	12.5%	<b>40.0%</b>	25.0%	0.0%
Satisfied	<b>52.7%</b>	<b>45.8%</b>	<b>37.5%</b>	<b>40.0%</b>	<b>62.5%</b>	<b>50.0%</b>
Very Satisfied	18.2%	6.0%	12.5%	20.0%	0.0%	0.0%
Don't Know/NA	10.9%	6.0%	18.8%	0.0%	0.0%	<b>50.0%</b>

• Satisfaction with **Speed of Connection** by User Type

	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up
# of Respondents	55	84	16	5	8	2
Very Dissatisfied	1.8%	23.8%	12.5%	20.0%	12.5%	<b>50.0%</b>
Dissatisfied	32.7%	31.0%	18.8%	<b>40.0%</b>	<b>37.5%</b>	0.0%
Satisfied	<b>50.9%</b>	<b>34.5%</b>	<b>37.5%</b>	<b>40.0%</b>	<b>37.5%</b>	0.0%
Very Satisfied	10.9%	8.3%	31.3%	0.0%	12.5%	<b>50.0%</b>
Don't Know/NA	3.6%	2.4%	0.0%	0.0%	0.0%	0.0%

**Question #16. Please rate the following aspects of your services by checking the appropriate column.**

12

• Satisfaction with **Billing Practices** by User Type

	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up
# of Respondents	55	83	16	5	8	2
Very Dissatisfied	0.0%	4.8%	6.3%	0.0%	0.0%	0.0%
Dissatisfied	9.1%	14.5%	0.0%	20.0%	12.5%	0.0%
Satisfied	<b>60.0%</b>	<b>66.3%</b>	<b>62.5%</b>	<b>60.0%</b>	<b>75.0%</b>	<b>50.0%</b>
Very Satisfied	14.5%	6.0%	6.3%	20.0%	12.5%	0.0%
Don't Know/NA	16.4%	8.4%	25.0%	0.0%	0.0%	<b>50.0%</b>

• Satisfaction with **Technical Support** By User Type

	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up
# of Respondents	55	85	16	5	8	2
Very Dissatisfied	1.8%	10.6%	6.3%	0.0%	0.0%	0.0%
Dissatisfied	16.4%	20.0%	<b>31.3%</b>	0.0%	12.5%	0.0%
Satisfied	<b>60.0%</b>	<b>50.6%</b>	<b>31.3%</b>	<b>60.0%</b>	<b>75.0%</b>	<b>50.0%</b>
Very Satisfied	12.7%	7.1%	18.8%	20.0%	12.5%	0.0%
Don't Know/NA	9.1%	11.8%	12.5%	20.0%	0.0%	<b>50.0%</b>

**Question #16. Please rate the following aspects of your services by checking the appropriate column.**

• Satisfaction with **Customer Service** by User Type

	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up
# of Respondents	55	85	16	5	8	2
Very Dissatisfied	1.8%	11.8%	6.3%	0.0%	0.0%	0.0%
Dissatisfied	14.5%	20.0%	12.5%	0.0%	12.5%	0.0%
Satisfied	<b>60.0%</b>	<b>50.6%</b>	<b>50.0%</b>	<b>60.0%</b>	<b>75.0%</b>	<b>50.0%</b>
Very Satisfied	10.9%	8.2%	18.8%	20.0%	12.5%	0.0%
Don't Know/NA	12.7%	9.4%	12.5%	20.0%	0.0%	<b>50.0%</b>

• Satisfaction with **Reliability of Access** by User Type

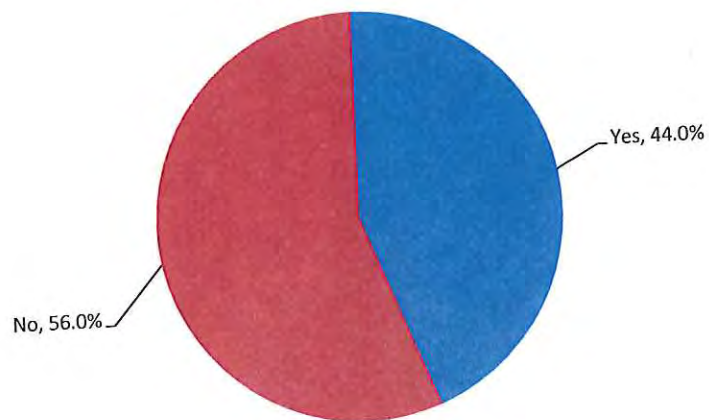
	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up
# of Respondents	55	84	16	5	8	2
Very Dissatisfied	3.6%	13.1%	6.3%	20.0%	0.0%	0.0%
Dissatisfied	5.5%	15.5%	6.3%	20.0%	0.0%	0.0%
Satisfied	<b>69.1%</b>	<b>60.7%</b>	<b>56.3%</b>	<b>60.0%</b>	<b>100.0%</b>	<b>100.0%</b>
Very Satisfied	18.2%	9.5%	31.3%	0.0%	0.0%	0.0%
Don't Know/NA	3.6%	1.2%	0.0%	0.0%	0.0%	0.0%

## Question #17. Does your business allow employees to telecommute?

14

- 210 Total Survey Respondents
- 159 Responded to this Question
- 159 Respondents Included in Chart

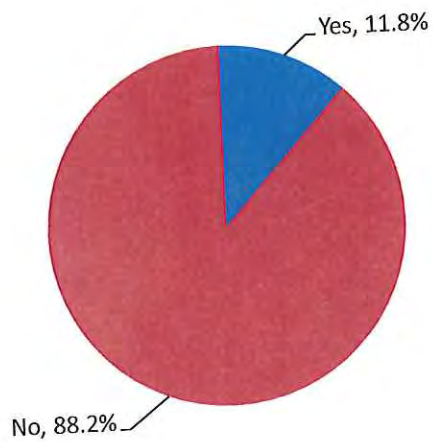
Telecommute Allowed?



**Question #18. If your business does not allow its employees to telecommute, is it due to affordability and/or reliability deficiencies with the Broadband (high-speed) Internet service?**

15

- 210 Total Survey Respondents
- 85 Responded to this Question
- 85 Respondents Included in Chart

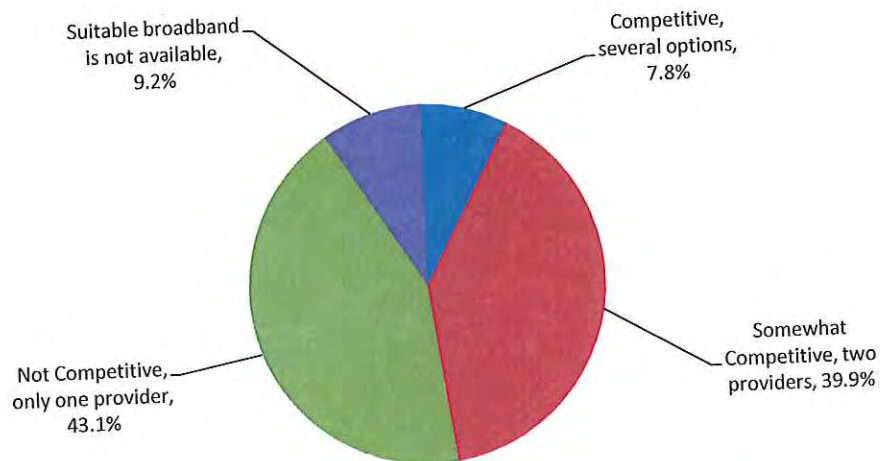


**Question #19. When you sought Broadband (high-speed) Internet services for your business at your location, how would you describe the availability of multiple, competing Broadband options:**

16

- 210 Total Survey Respondents
- 153 Responded to this Question
- 153 Respondents Included in Chart

### Availability of Competitive Broadband Options



**Question #20. What do you currently pay each month for this service? (If you have indicated several services, indicate your total expense for these services.)**

17

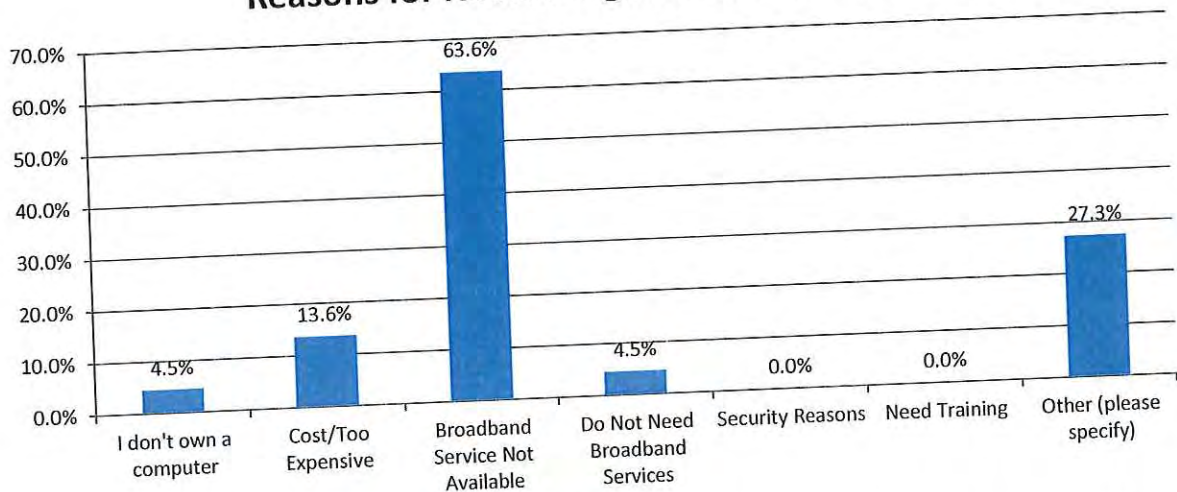
- 210 Total Survey Respondents
- 150 Responded to this Question
- 150 Respondents Included in Chart

Monthly Cost	% of Respondents
<\$50	15.3%
<b>\$50 - \$99</b>	<b>38.7%</b>
\$100 - \$199	17.3%
\$200 - \$299	4.7%
\$300 +	8.0%
Don't Know	13.0%
Other	3.0%

**Question #21. IF you indicated you DO NOT have Broadband (high-speed) Internet service (e.g. none or dial-up), please check all reasons for not having Internet service.**

- 210 Total Survey Respondents
- 22 Responded to this Question
- 22 Respondents Included in Chart

**Reasons for Not Having Broadband Service**



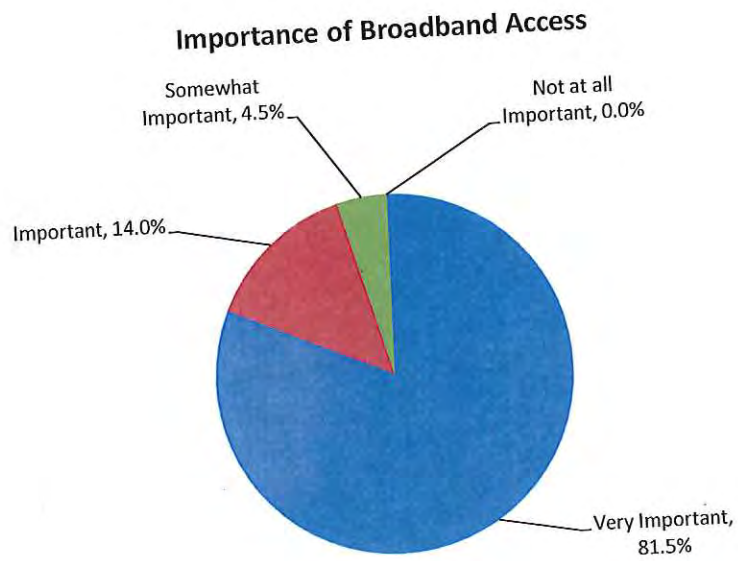
**Question #22. IF concerns in Question #21 were addressed, would you utilize Broadband (high-speed) Internet service?**

93.8% of Respondents said "Yes"

## Question #23. How important is a robust Broadband (high-speed Internet access) connection to the day-to-day operations of your business?

19

- 210 Total Survey Respondents
- 157 Responded to this Question
- 157 Respondents Included in Chart

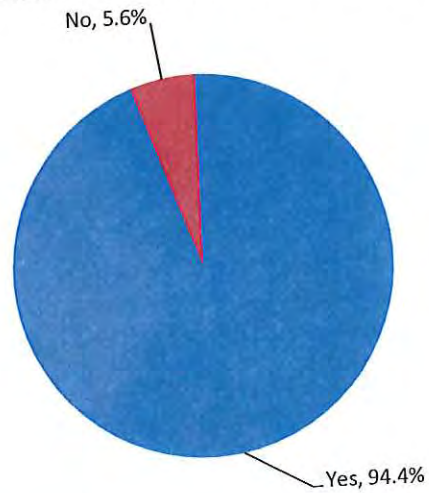


## Question #24. Would it be beneficial to your customers/clients if the Broadband environment in your area was enhanced?

20

- 210 Total Survey Respondents
- 161 Responded to this Question
- 161 Respondents Included in Chart

### Is Enhancement of Broadband Environment Beneficial?

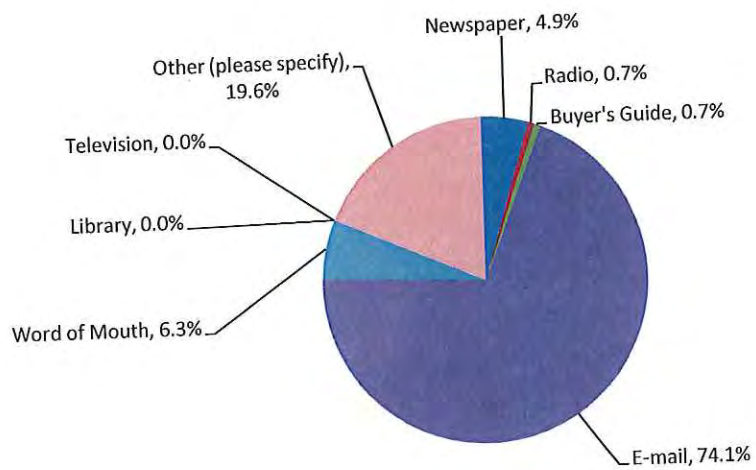


## Question #26. How did you learn about this survey?

21

- 210 Total Survey Respondents
- 143 Responded to this Question
- 143 Respondents Included in Chart

### How Did You Learn About Survey?



# Region 9 Broadband Strategic Plan

1

**RESIDENTIAL SURVEY  
SUMMARY OF RESULTS AS OF SEPTEMBER 2012**

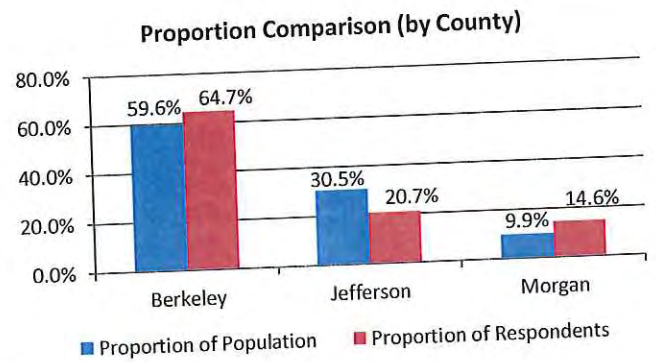
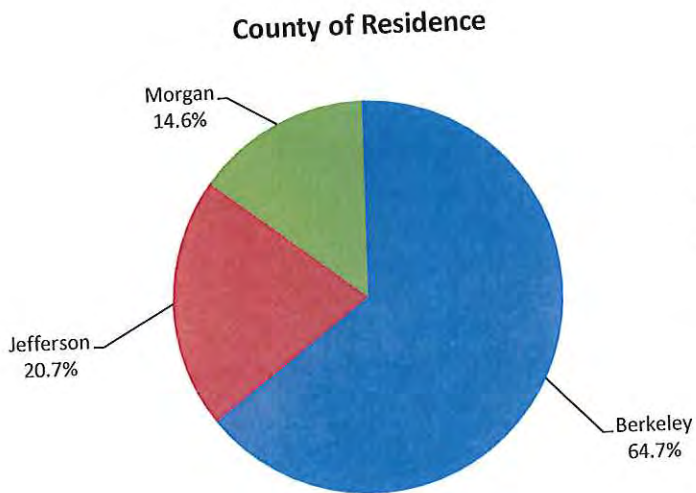
**Region 9**

The logo for Region 9 features a stylized compass rose with eight points, each in a different color (red, orange, yellow, green, blue, purple, pink, and light blue). The number '9' is positioned to the right of the compass rose, and the word 'Region' is written in a sans-serif font to the left of the '9'.

### Question #3. Demographics – County of residence:

2

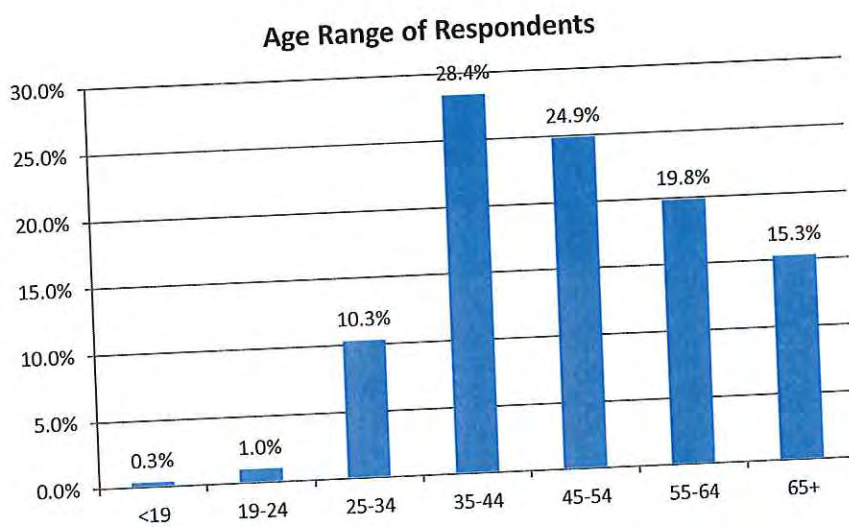
- 1,218 Total Survey Respondents
- 1,217 Responded to this Question
- 4 Respondents Lived in Counties Outside the Region
- 1,213 Respondents Included in Chart



## Question #4. Demographics – How old were you on your last birthday?

3

- 1,218 Total Survey Respondents
- 1,215 Responded to this Question
- 1,215 Respondents Included in Chart

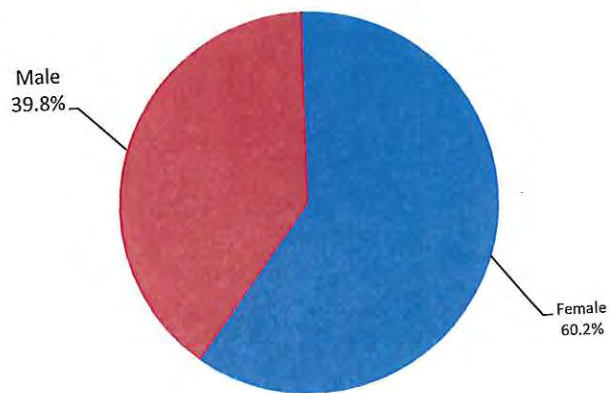


## Question #5. Demographics – Are you... Male or Female?

4

- 1,218 Total Survey Respondents
- 1,214 Responded to this Question
- 1,214 Respondents Included in Chart

Gender

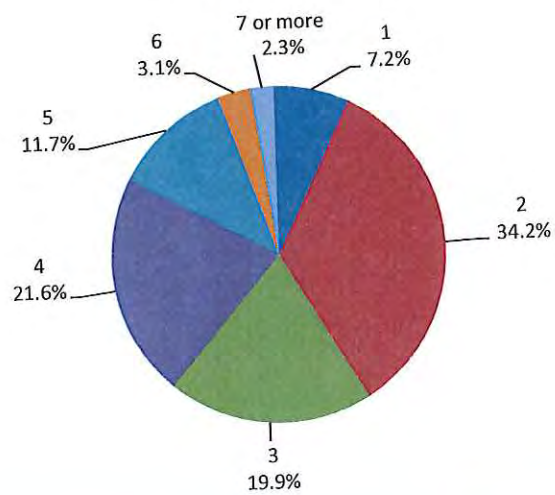


## Question #6. Demographics – Number of household occupants:

5

- 1,218 Total Survey Respondents
- 1,217 Responded to this Question
- 1,217 Respondents Included in Chart

Occupants in Household

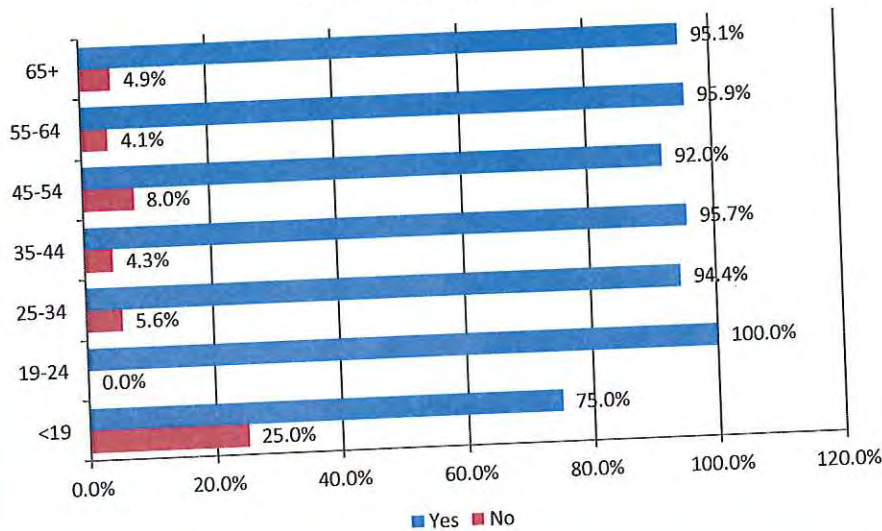


## Question #7. Do you have Internet access in your home?

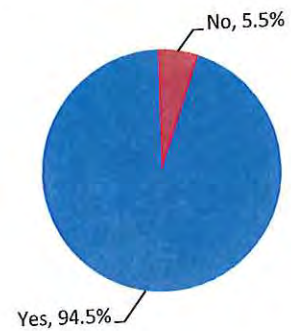
6

- 1,218 Total Survey Respondents
- 1,216 Responded to this Question
- 1,216 Respondents Included in Chart
- 94.5% of Total Respondents Have Internet Access

### Internet Access by Age



### Respondents with Internet Access

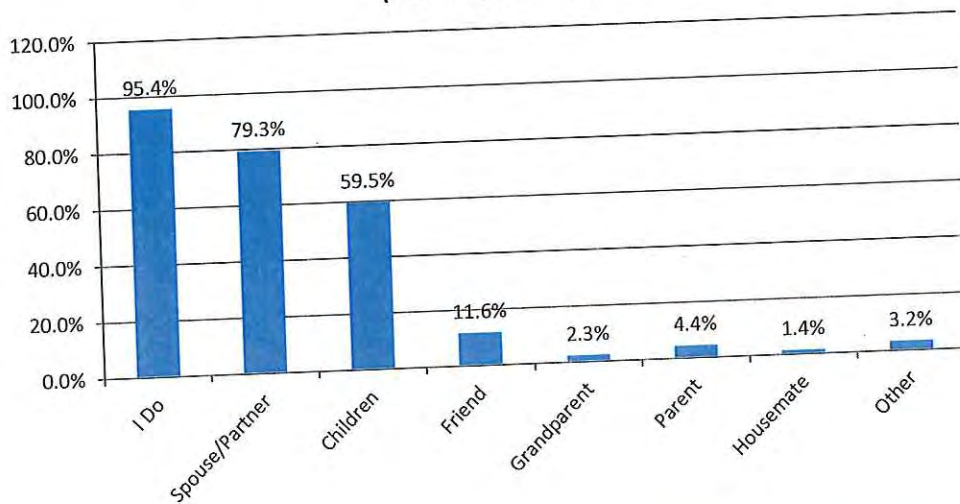


## Question #8. Who uses the Internet at your home?

7

- 1,218 Total Survey Respondents
- 1,110 Responded to this Question
- Multiple Answers were Allowed

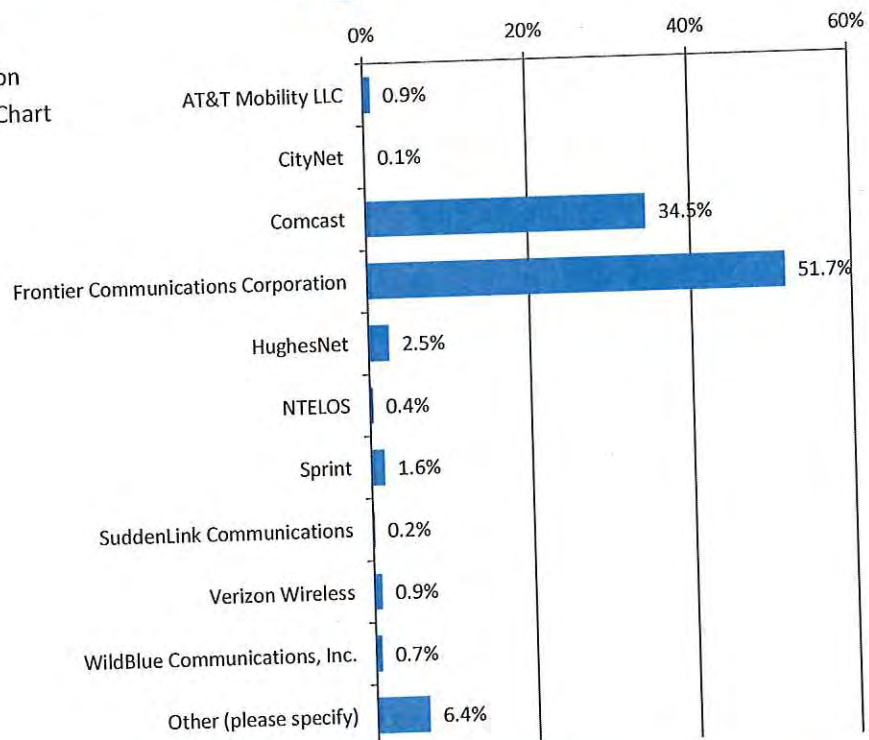
Who Uses Internet at Your Home?  
(% of Respondents)



## Question #9. Who is your Internet service provider?

8

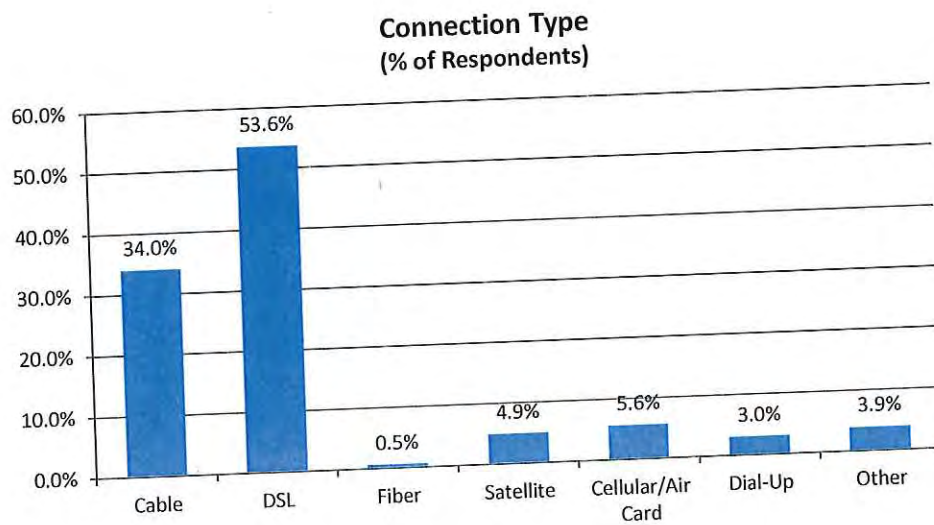
- 1,218 Total Survey Respondents
- 1,104 Responded to this Question
- 1,104 Respondents Included in Chart



## Question #10. What type of connection do you use at home to access the Internet?

9

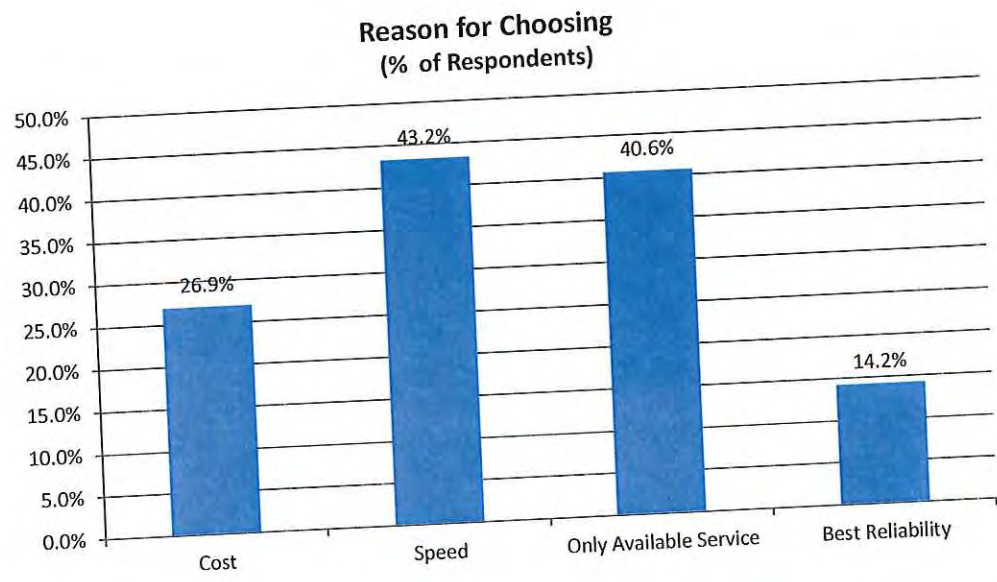
- 1,218 Total Survey Respondents
- 1,110 Responded to this Question
- Multiple Answers were Allowed



## Question #11. Why did you choose this connection type?

10

- 1,218 Total Survey Respondents
- 1,110 Responded to this Question
- Multiple Answers were Allowed



**Question #12. How much do you pay per month for Internet service?**  
**(If you have indicated several services, indicate your total expense for these services.)**

11

- 1,218 Total Survey Respondents
- 1,066 Responded to this Question
- 29 Respondents Indicated that Cost Included Bundled Services Other than Internet
- 1,066 Respondents Included in Chart

Monthly Internet Cost (\$)	% of Total Respondents
\$0-\$19	4.88%
\$20-\$39	25.42%
<b>\$40-\$59</b>	<b>33.86%</b>
\$60-\$79	17.45%
\$80-\$99	6.75%
\$100-\$119	3.94%
\$120+	7.69%

Questions 13 – 18. For all the types of connections you have, indicate the speed of your connection(s).

12

- Download Speeds (Mbps) – FCC Standard = 4 mbps

FCC Standard  
(4 mbps) →

	Cable	DSL	Fiber	Satellite	Cellular/Air Card	Other
Total Responses	214	330	5	18	23	24
Less than 4	18.2%	<b>89.4%</b>	20.0%	<b>83.3%</b>	<b>78.3%</b>	<b>83.3%</b>
4-9.9	20.1%	2.1%	<b>80.0%</b>	11.1%	8.7%	0.0%
10-19.9	<b>53.7%</b>	1.5%	0.0%	5.6%	0.0%	4.2%
20+	7.9%	7.0%	0.0%	0.0%	13.0%	12.5%

Questions 13 – 18. For all the types of connections you have, indicate the speed of your connection(s).

13

- Upload Speeds (Mbps) – FCC Standard = 1 mbps

FCC Standard  
(1 mbps) →

	Cable	DSL	Fiber	Satellite	Cellular/Air Card	Other
Total Responses	210	326	5	18	22	21
Less than 1	14.8%	<b>85.0%</b>	20.0%	<b>94.4%</b>	<b>68.2%</b>	<b>81.0%</b>
1-3.9	<b>64.8%</b>	5.5%	<b>80.0%</b>	5.6%	22.7%	0.0%
4-9.9	17.1%	0.6%	0.0%	0.0%	0.0%	4.8%
10-19.9	1.0%	0.6%	0.0%	0.0%	0.0%	4.8%
20+	2.4%	8.3%	0.0%	0.0%	9.1%	9.5%

## Question #19. How satisfied are you with the following aspects of your Internet service?

14

- Overall Satisfaction – All Respondents

	Speed of Connection	Cost of Internet	Technical Support	Reliability of Access	Customer Service	Number of Providers
# of Respondents	900	896	889	901	886	863
Very Dissatisfied	18.8%	18.8%	13.0%	14.0%	12.4%	<b>33.0%</b>
Dissatisfied	23.2%	<b>38.7%</b>	18.2%	19.2%	19.2%	29.1%
Satisfied	<b>44.7%</b>	35.6%	<b>48.9%</b>	<b>52.3%</b>	<b>50.8%</b>	21.1%
Very Satisfied	13.0%	6.1%	7.6%	14.1%	8.2%	3.0%
Don't Know/NA	0.3%	0.8%	12.1%	0.4%	9.4%	13.8%

## Question #19. How satisfied are you with the following aspects of your Internet service?

15

- Satisfaction with **Speed of Connection** by User Type

	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up	Other
# of Respondents	314	473	5	42	50	26	35
Very Dissatisfied	22.9%	17.3%	20.0%	21.4%	18.0%	7.7%	17.1%
Dissatisfied	21.7%	24.5%	20.0%	14.3%	24.0%	38.5%	20.0%
Satisfied	<b>42.7%</b>	<b>45.5%</b>	20.0%	<b>50.0%</b>	<b>40.0%</b>	<b>42.3%</b>	<b>40.0%</b>
Very Satisfied	12.7%	12.1%	<b>40.0%</b>	14.3%	18.0%	11.5%	22.9%
Don't Know/NA	0.0%	0.6%	0.0%	0.0%	0.0%	0.0%	0.0%

- Satisfaction with **Internet Cost** by User Type

	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up	Other
# of Respondents	310	471	5	43	50	26	34
Very Dissatisfied	13.5%	21.2%	20.0%	30.2%	20.0%	11.5%	23.5%
Dissatisfied	32.9%	<b>42.9%</b>	20.0%	<b>39.5%</b>	32.0%	34.6%	<b>38.2%</b>
Satisfied	<b>42.6%</b>	31.2%	<b>60.0%</b>	23.3%	<b>44.0%</b>	<b>50.0%</b>	32.4%
Very Satisfied	9.4%	4.2%	0.0%	7.0%	4.0%	3.8%	5.9%
Don't Know/NA	1.6%	0.4%	0.0%	0.0%	0.0%	0.0%	0.0%

## Question #19. How satisfied are you with the following aspects of your Internet service?

16

- Satisfaction with **Technical Support** by User Type

	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up	Other
# of Respondents	306	471	5	42	49	25	34
Very Dissatisfied	12.4%	14.9%	20.0%	23.8%	4.1%	0.0%	5.9%
Dissatisfied	17.6%	17.2%	0.0%	19.0%	16.3%	32.0%	17.6%
Satisfied	<b>46.7%</b>	<b>50.3%</b>	<b>80.0%</b>	<b>33.3%</b>	<b>57.1%</b>	<b>60.0%</b>	<b>50.0%</b>
Very Satisfied	8.8%	7.2%	0.0%	7.1%	8.2%	0.0%	11.8%
Don't Know/NA	14.4%	10.4%	0.0%	16.7%	14.3%	8.0%	14.7%

- Satisfaction with **Reliability of Access** by User Type

	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up	Other
# of Respondents	312	476	5	41	50	26	35
Very Dissatisfied	14.1%	14.9%	20.0%	19.5%	14.0%	3.8%	8.6%
Dissatisfied	19.2%	19.1%	20.0%	17.1%	16.0%	30.8%	14.3%
Satisfied	<b>51.0%</b>	<b>53.2%</b>	<b>40.0%</b>	<b>46.3%</b>	<b>48.0%</b>	<b>46.2%</b>	<b>57.1%</b>
Very Satisfied	15.1%	12.6%	20.0%	17.1%	20.0%	19.2%	20.0%
Don't Know/NA	0.6%	0.2%	0.0%	0.0%	2.0%	0.0%	0.0%

## Question #19. How satisfied are you with the following aspects of your Internet service?

17

- Satisfaction with **Customer Service** by User Type

	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up	Other
# of Respondents	306	466	5	42	48	26	34
Very Dissatisfied	10.5%	14.6%	20.0%	19.0%	2.1%	<b>61.5%</b>	14.7%
Dissatisfied	19.6%	18.5%	0.0%	23.8%	20.8%	23.1%	8.8%
Satisfied	<b>49.3%</b>	<b>51.3%</b>	<b>60.0%</b>	<b>40.5%</b>	<b>52.1%</b>	11.5%	<b>55.9%</b>
Very Satisfied	10.1%	7.5%	20.0%	4.8%	8.3%	3.8%	14.7%
Don't Know/NA	10.5%	8.2%	0.0%	11.9%	16.7%	0.0%	5.9%

- Satisfaction with **Number of Providers** by User Type

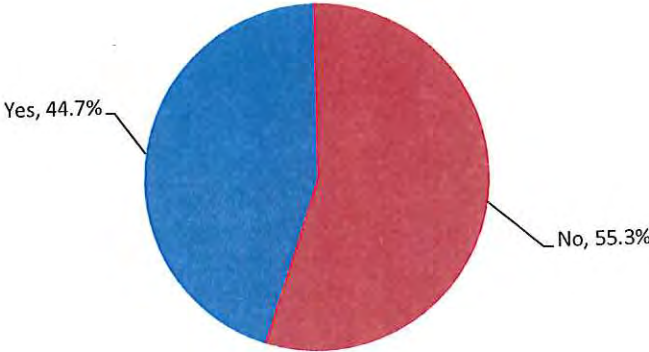
	Cable	DSL	Fiber	Satellite	Cellular/ Air Card	Dial-Up	Other
# of Respondents	295	458	4	41	49	25	33
Very Dissatisfied	<b>30.2%</b>	<b>35.2%</b>	25.0%	29.3%	<b>36.7%</b>	0.0%	21.2%
Dissatisfied	29.5%	29.3%	25.0%	<b>41.5%</b>	20.4%	16.0%	<b>30.3%</b>
Satisfied	21.0%	21.2%	0.0%	9.8%	22.4%	32.0%	21.2%
Very Satisfied	4.1%	1.7%	25.0%	2.4%	4.1%	<b>44.0%</b>	9.1%
Don't Know/NA	15.3%	12.7%	25.0%	17.1%	16.3%	8.0%	18.2%

## Question #20. Does your employer allow employees to telecommute?

18

- 1,218 Total Survey Respondents
- 909 Responded to this Question
- 909 Respondents Included in Chart

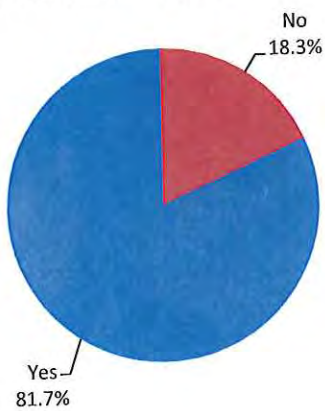
Employer Allows Telecommute



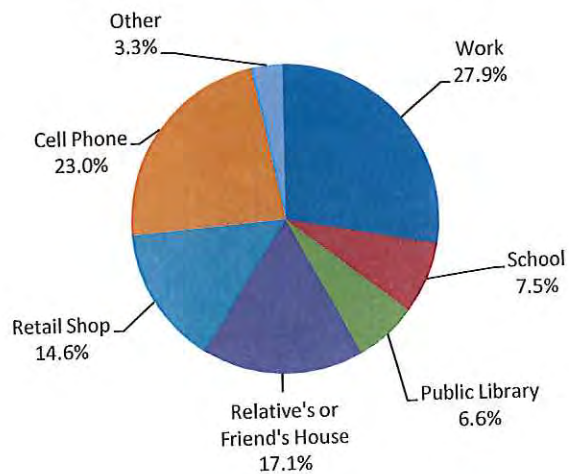
## Questions 21 & 22. Do you use the Internet anywhere else other than your home? If so, where?

- 1,218 Total Survey Respondents
- 977 Responded to this Question
- 798 Respondents to this question (81.7 %) use the Internet in places other than their homes

### Use Internet Away from Home?



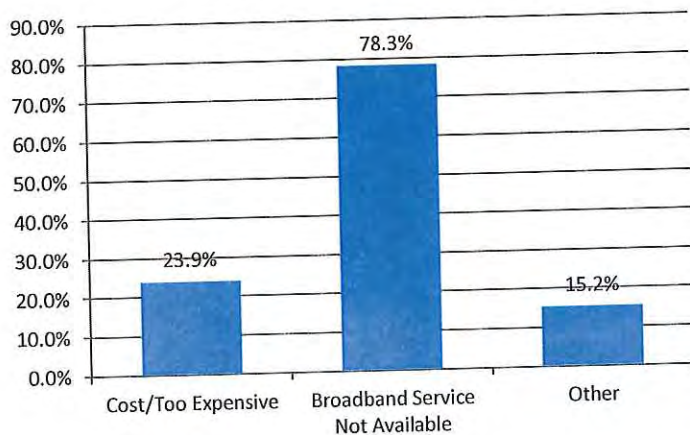
### If So, Where? (% of Respondents Who Answered "Yes")



**Question #23. IF you indicated you DO NOT have Broadband Internet service, please check all reasons for not having Internet service.**

- 1,218 Total Survey Respondents
- 54 Responded to this Question
- 67 Respondents Said They Do Not Have Internet Access

**Reasons for Not Having Internet**



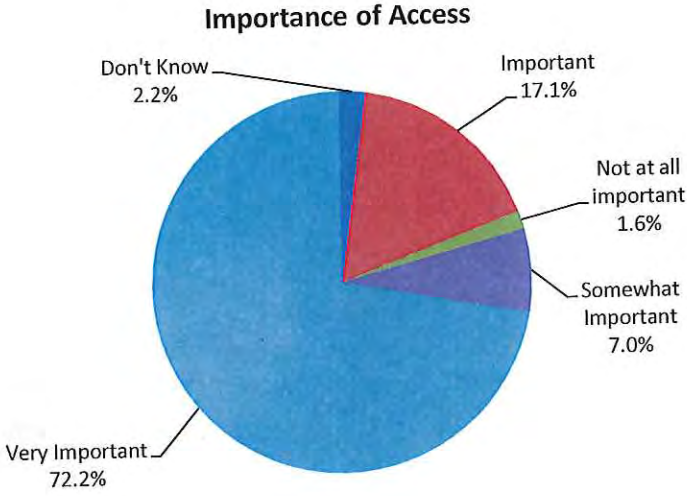
**Question #24. IF concerns in Question #23 were addressed, would you utilize Broadband (high-speed) Internet service?**

85.2% of the 54 Respondents said "Yes"

**Question #25. How important is it for all RESIDENTS of the State of West Virginia to have access to computers and the Internet?**

21

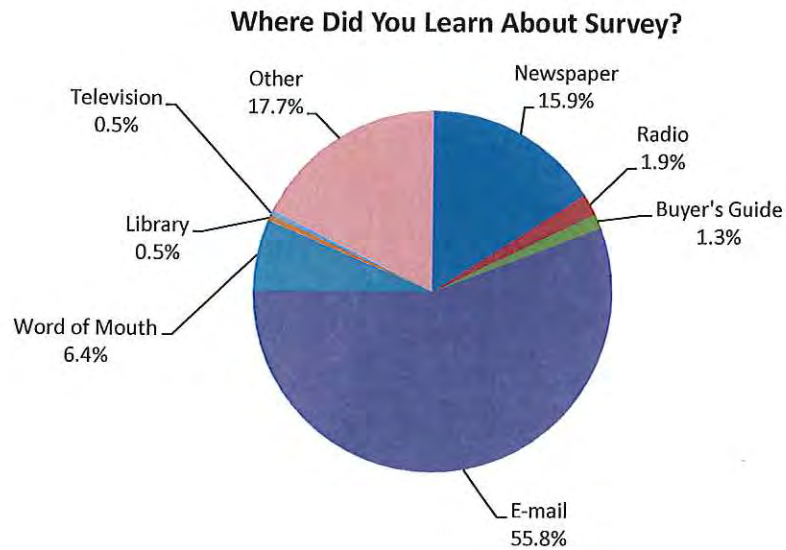
- 1,218 Total Survey Respondents
- 967 Responded to this Question
- 967 Respondents Included in this Chart



## Question #26. How did you learn about this survey?

22

- 1,218 Total Survey Respondents
- 1,048 Responded to this Question
- 1,048 Respondents Included in this Chart



**AGENDA REQUEST FORM**  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)



Name: John Reisenweber

Department or Organization: JCDA

Estimation of amount of time needed for appointment: 20 minutes Executive Session

Date Requested – 1<sup>st</sup> Choice: September 19, 2013

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

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

Subject (Wording to be placed on agenda): Discuss Business Prospect

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):

Are documents attachments? Yes  No

If not, explain:

Is a projector needed? Yes  No

Contact information:

Email address: john@jcda.net

Phone number: 304-728-3255

# Jefferson County GIS/Addressing Office

## DEPARTMENTAL MEMORANDUM



**TO:** Jefferson County Commission  
Debbie Keyser, County Administrator

**FROM:** Todd Fagan, GIS Director

**DATE:** September 26<sup>th</sup>, 2013

**SUBJECT:** GIS Department Quarterly Update Report- 2013, 3<sup>rd</sup> Quarter

### 1. PROJECTS COMPLETED

- a. Content Management System (CMS) and Digital Imaging Services (scanning)
  - i. Vendor demonstrations held in July, Review Committee meetings held in August, follow up site visits and reference checks performed in September.
  - ii. Short list for scanning project has been reduced from 4 to 2 vendor finalists.
  - iii. Jefferson County has begun receiving State Broadband Grant reimbursement funds for expenses related to both capital projects.
- b. Wendy Schutz and Jessica Gormont presented Jefferson County's Address Compliance Program in Berkeley Springs (8/13/13) at the Eastern Panhandle GIS Users Forum. Their presentation was voted most beneficial and interesting by attendees' survey.
  - i. Wendy Schutz has been invited to present our Address Compliance Program at the URISA/NENA national "Locating the Future" Addressing Conference in November.
- c. Upgraded all GIS software from version 10.1 to version 10.2
- d. Hosted/mentored 2 summer internships, one for Planning and another for Historic Landmarks
- e. Coordinated with Ranson, WV DoH and Hollywood Casino on re-route of E. 5<sup>th</sup> Avenue and related addressing issues.

### 2. PROJECTS IN PROGRESS

- a. Address Compliance Project Status – (map attached)
  - i. project overall 81% complete in unincorporated areas (15,323 out of 18,902)
  - ii. 76% compliant on 1<sup>st</sup> field check, raised to 95% or more after letters, communication and violation notices
  - iii. 3,046 homes and businesses newly posted
  - iv. Only 51 properties have reached violation or criminal complaint stage: 40 cases dismissed, 1 fine paid, 10 active cases (1 warrant, 1 bench trial, 8 filed)
  - v. **Overwhelming positive results, <1% of non-compliant owners make it to Magistrate Court. 99% post their address accordingly.**
  - vi. Additional project benefits include GIS address removals (211), businesses and apartments added (40), gates/obstructions mapped (53), illegal signs removed (34), new road names created (22), road signs replaced or repaired (108) and impervious surfaces documented. Field Work has also led to classification of all addressable structures reviewed to date (residential, commercial, industrial, utility, recreational, etc.)

### 3. COMMISSION SHOULD BE AWARE OF:

- a. Capital Outlay Request for Content Management System (CMS)
  - i. CMS and Scanning award recommendations coming soon, anticipate bid award by end of October, 2013
- b. Two position reclassifications remain to be submitted to Compensation Review Committee

# Jefferson County Address Compliance Program - Phase 1 Status

## Initial Grade

(Following First Review)

Overall Compliance Rate = 76%  
(Total Compliant = 11,563)

## Current Grade

(Following Most Recent Review)

Overall Compliance Rate = 95%  
(Total Compliant = 14,609)

NOTE: This number includes the most recent field inspections, many of which are still in 1st Review in areas where the program has been completed. The Compliance Rate = 95%.

Overall Increase = 19% (3,046)

Total Reviewed = 15,323 (81%)  
Total in County = 18,902

### Address Compliance Grades

- Compliant & Non-Compliant Level 1
- Non-Compliant Level 2
- Foreclosures
- Other Grades
- Vacant Parcels
- Towns

#### Definitions:

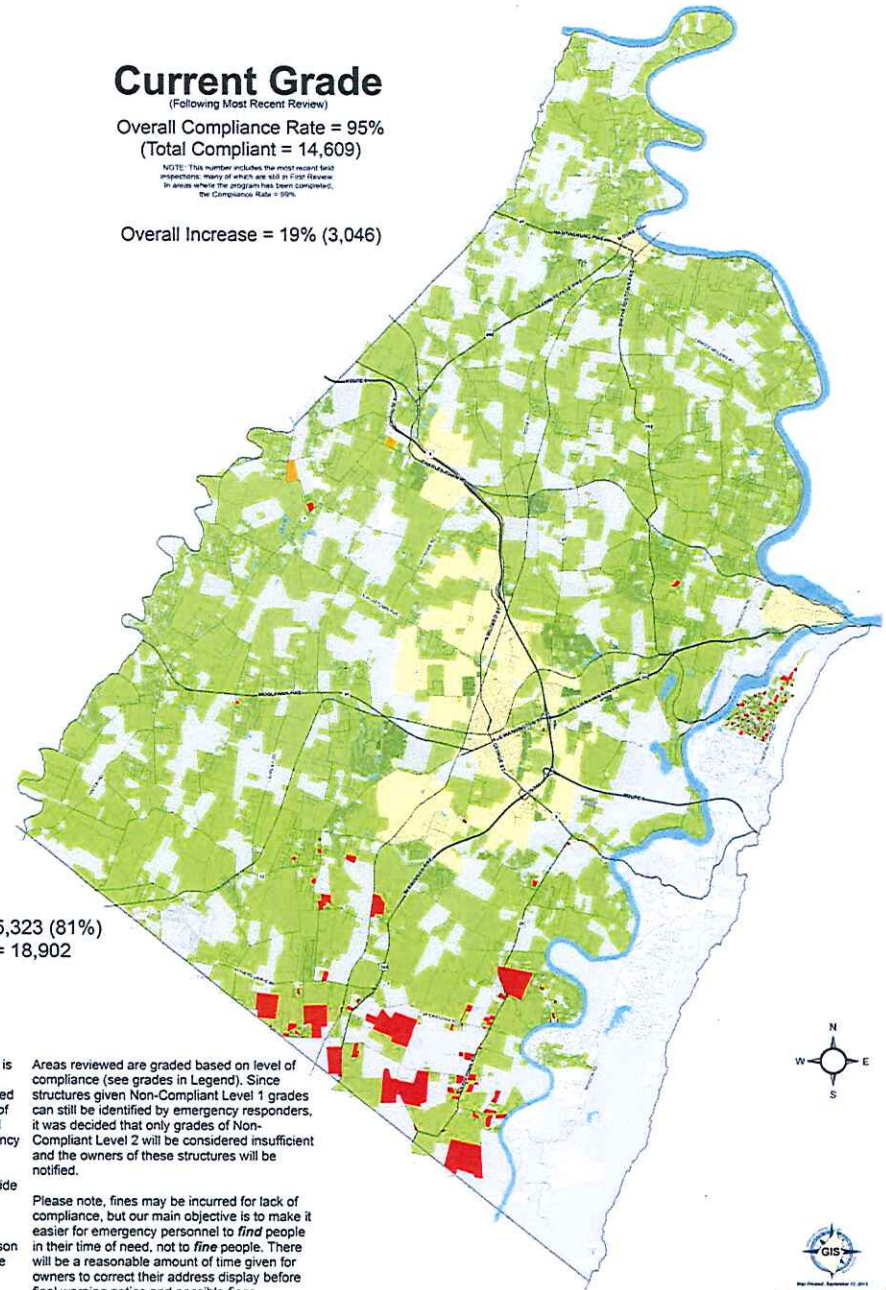
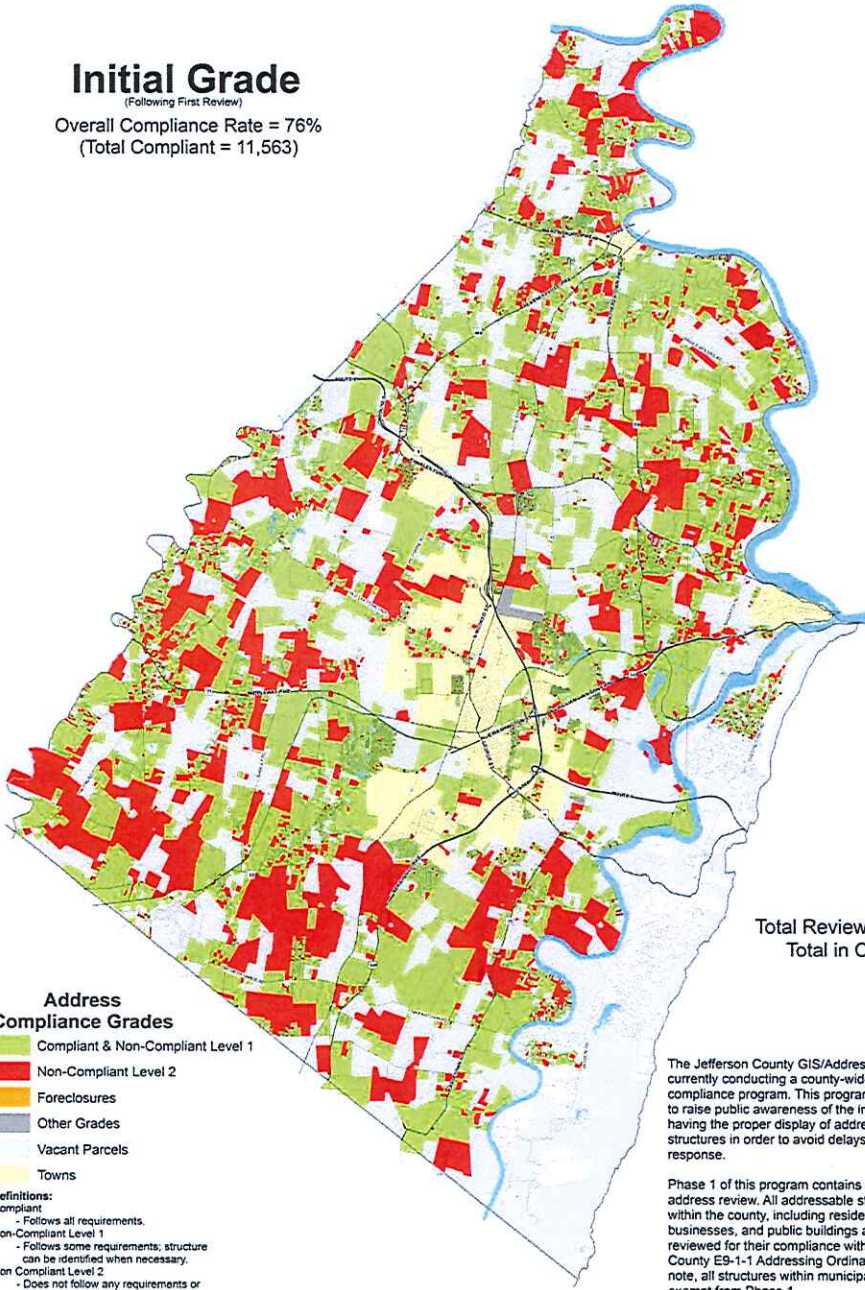
- Compliant
  - Follows all requirements.
- Non-Compliant Level 1
  - Follows some requirements; structure can be identified when necessary.
- Non-Compliant Level 2
  - Does not follow any requirements or displayed address is incorrect.

The Jefferson County GIS/Addressing Office is currently conducting a county-wide address compliance program. This program is designed to raise public awareness of the importance of having the proper display of addresses on all structures in order to avoid delays in emergency response.

Phase 1 of this program contains a county-wide address review. All addressable structures within the county, including residences, businesses, and public buildings are being reviewed for their compliance with the Jefferson County ES-1-1 Addressing Ordinance. Please note, all structures within municipalities are exempt from Phase 1.

Areas reviewed are graded based on level of compliance (see grades in Legend). Since structures given Non-Compliant Level 1 grades can still be identified by emergency responders, it was decided that only grades of Non-Compliant Level 2 will be considered insufficient and the owners of these structures will be notified.

Please note, fines may be incurred for lack of compliance, but our main objective is to make it easier for emergency personnel to find people in their time of need, not to fine people. There will be a reasonable amount of time given for owners to correct their address display before final warning notice and possible fines.



**Maintenance Department  
Quarterly Report  
4<sup>th</sup> Quarter of 2013**

- 121 work orders were completed by the Maintenance Department's auto mechanic.
- 1,387 total work orders were completed.
- 1017 work orders were completed for preventive maintenance.

**Ongoing/Completed Projects:**

- IPC Technologies was selected as the vendor for the new Voice-Over IP telephone system. IPC will be installing the Shortel phone system beginning in July. The install will happen in phases with the Bardane campus first, followed by the Charles Town campus.
- The Court Security Fund grant project is nearing completion. Grant funds were approved to add security cameras in vital locations in the County's court system and to also add a central viewing station to monitor all court security cameras.
- The Maintenance Department continues to promote recycling. We have produced numerous paper bales from the baler that have been taken to Halltown for payment. We have taken over 22,000 tons of paper and cardboard to Halltown to date.
- New flagpoles for the Courthouse have been purchased with grant funds from the Community Participation Grant Program. The flagpoles have been received and should be installed soon at the Courthouse.
- Some renovations were made at the Sheriff's Department to the SWAT, gun and evidence areas.

# *Eastern Panhandle Conservation District Annual Awards & 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 25, 2013 beginning at 6:30 p.m. at the Berkeley County Youth Fairgrounds.

This banquet is our way of thanking you for your participation in the districts' programs to meet our goals. We will also 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 263-4376 no later than Wednesday, September 20, 2013 to confirm the number of attendees.

**Directions:** From I-81 take Exit 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 left and the Regional County Jail is on your right). Follow this road until you come to a stop sign (please be careful, this is a very windy road with lots of curves). At the stop sign take a right onto Golf Course Road. You will crossover a one lane bridge and come to Y in the road (on the left will be Stonebridge Golf Course). Stay left and follow the road around. The Berkeley County Fair Grounds will be on your left.

# South Jefferson Public Library

49 Church Street • Summit Point, WV • 304.725.6227

is sponsoring a

Love Your *Heart* Movement  Walk

**Saturday**  
**September 28, 2013**  
**10:00 am - 2:00 PM**

**THIS IS A 3 MILE CHALLENGE WALK FOR WOMEN TO STRENGTHEN THEIR HEARTS, PLUS HULA HOOP CHALLENGE FOR KIDS. WE WILL ALSO HAVE A STORYWALK FOR KIDS COURTESY OF POTOMAC VALLEY AUDUBON SOCIETY.**

Everyone who  meets the challenge gets a Love Your Heart water bottle!



A program of the National Institutes of Health

The Heart Truth logo is a registered trademark of HHS. Participation by South Jefferson Public Library does not imply endorsement by HHS/NH/NHLBI. Sponsored by a grant from the Foundation for the National Institutes of Health as part of a public-private partnership with the National Heart, Lung, and Blood Institute to promote The Heart Truth®, a women's heart health awareness and action campaign. Funding is provided by individuals and corporations including The Heart Truth® partners Belk Department Stores, Diet Coke, and Swarovski.



Jillian Dillow - age 4

# happy birthday!

**Come Celebrate our  
40th Birthday!**

**Shepherdstown Day Care Center**

531 East German St., Shepherdstown, WV 25443

Monday, September 30th, 2013

4:00-6:00 pm

**Entertainment and Refreshments**

**RSVP: 304-876-6923**



Dak Mznued  
Jefferson County  
Commission  
PO Box 250  
Charles Town, WV 25414



All financial contributions support and help sustain GSIVC in Jefferson County.

*6<sup>th</sup> Annual*

## TASTES FROM AROUND THE WORLD



*Good Shepherd Caregivers' Charity Event!*

You are cordially invited to join us for a fabulous indoor/outdoor event featuring finely prepared international delicacies from four countries and over 15 different complementary wines carefully selected by:

BAVARIAN'S WINE EXPERTS, DAVID & CHRISTIAN ASAM  
& MASTER CHEF WOLFGANG VOMEND

**October 2, 2013 \* 6:30 p.m.**

Bavarian Inn, Shepherdstown, WV

\$60 per person or \$120 per couple

**RSVP today—call (304) 876-3325!**



Association of West Virginia Solid Waste Authorities  
100 Court Street • PO Box 800 • Ripley, WV 25271  
(304) 372-4874 phone • [www.awvswa.com](http://www.awvswa.com)

FY 2013  
Board of Directors

Jeff Palmer,  
Chair

Sherrie Hunter,  
Vice -Chair

Michael Reese,  
Treasurer

R. Glenn Kocher,  
Secretary

Howard Coffield,  
Board of Directors

Roger Frame,  
Board of Directors

Shirley Hyre,  
Board of Directors

Lynne Lashley,  
Board of Directors

Joyce Harris-Thacker,  
Chair Emeritus

August 20, 2013

Dear Colleague:

On behalf of the Association of West Virginia Solid Waste Authorities, I would like to extend an invitation for you to participate in the 2013 Educational Conference on Litter Control and Solid Waste Management, which will take place at Canaan Valley Resort in Davis, West Virginia, October 13-15.

This annual conference brings together representatives from government agencies, solid waste authorities, solid waste haulers, litter control officers, nonprofits, recyclers and businesses that work in the solid waste industry. It is the largest gathering of solid waste management professionals from all 55 West Virginia counties.

To register, please complete the enclosed form and include your check made payable to the Association of WV Solid Waste Authorities and return it to the address listed at the bottom of the form. More information about the conference may be found on our website at [www.awvswa.com](http://www.awvswa.com). Please be sure to make your room reservation at Canaan Valley Resort using the information provided at the top of the form.

If you have any questions regarding the conference or completing your registration form, please contact Diana Haid at 304-926-0499, Extension 1114 or email [diana.k.haid@wv.gov](mailto:diana.k.haid@wv.gov). I hope to see you at the conference.

Sincerely,

Jeff Palmer, Chair  
Association of West Virginia Solid Waste Authorities

## Attendee Registration Form

### 2013 WV Educational Conference on Litter Control & Solid Waste Management

Presented by the Association of WV Solid Waste Authorities and the WV Department of Environmental Protection/REAP

October 13 – 15, 2013 at Canaan Valley Resort and Conference Center, Davis, WV

To make room reservations call 1-800-622-4121 or go online at [www.canaanresort.com](http://www.canaanresort.com)

When making room reservations, please give the conference group number: 14675

The Room Rate is \$118 per night which includes state and local taxes and a resort fee

As a West Virginia State Park, the entire facility is smoke free – Parking is free

**The newly remodeled rooms at Canaan Resort are limited so please make your reservations early!**

Name: \_\_\_\_\_

Name Badge Preference: \_\_\_\_\_

**Name badges are required during all meals**

Affiliation: \_\_\_\_\_ Title: \_\_\_\_\_

Spouse/Guest Name\*: \_\_\_\_\_

(\*Limit ONE per paid registration)

HOME Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Website: \_\_\_\_\_

#### EARLY BIRD Registration before September 16, 2013:

FULL CONFERENCE Includes registration fee, all sessions, & all meals.....\$165

SPOUSE/GUEST Includes registration fee, all sessions, & all meals (\*Limit ONE per paid registration).....\$160

#### Registration after September 16, 2013:

FULL CONFERENCE Includes registration fee, all sessions, & all meals.....\$180

SPOUSE/GUEST Includes registration fee, all sessions, & all meals (\*Limit ONE per paid registration).....\$175

Children under 4 free. Children 5 and up.....\$50

Sunday Night Cookout at the Pavilion ONLY.....\$50

Monday Night Awards Banquet ONLY.....\$75

Personal driving tours: The town of Thomas including the wind turbines, Mountain Made and the Purple Fiddle, the town of Davis including Blackwater Falls State Park, Davis River Front Park, Blackwater Brewing, Sirrani's , Hellbender's Muttley's and Big John's restaurants, Canaan Valley Wildlife Refuge, the Tucker County Landfill and Mount Storm Power Plant. Directions may be obtained from the lodge front desk.

**GRAND TOTAL ENCLOSED WITH THIS FORM**

\$ \_\_\_\_\_

Additional Conference information is available online at: [www.awvswa.com](http://www.awvswa.com)

Make checks payable to: Association of WV Solid Waste Authorities

Mail checks and registration forms to: Diana Haid  
WV Department of Environmental Protection  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304

If you have questions about completing this form please call: Diana Haid 304-926-0499, Extension 1114

A \$15 processing fee will be assessed for all cancellations. No refunds will be made after September 23, 2013

**CHECK HERE IF VEGETARIAN MEAL SELECTIONS ARE REQUESTED \_\_\_\_\_**

# PROOF

Sufficient Emergency Medical  
Personnel ARE NOW available to  
meet the Fire Departments' need.

Submitted by  
Bob Anderson

JCESA Bd. President Williams 8/20/13 mtg #2

With all the politics we've been involved in the last couple weeks I have some comments on my observations. I have been doing this fire and rescue thing for quite a long time. It is 30 years for me. I started back in 1983 in Loudoun County. So I've been around a lot. I've worked in several systems as a volunteer, also as a Fire Fighter paramedic

I have never seen a system in a state of dysfunction as I do now. Not laying blame to a particular person. We need to work to re-establish a working relationship between the ESA, Fire/Rescue and the volunteer fire company's. In developing this ordinance the Board has come under attack at least three times. The opposition has gone so far as to include personal and professional attacks on the ESA staff and board members. Many of these attacks came from the people this ordinance was designed to help.

The fee ordinance isn't perfect. It doesn't give us everything we want or everything we need. But it's a big step forward; most importantly it's a start. It requires an atmosphere of cooperation, unity and understanding. Without the willingness to work together and compromise, we will continue to have nothing. It is my desire to establish a positive working relationship between the ESA, Fire and Rescue Association and the volunteer companies.

Myself, the staff and the ESA board are committed to creating a combination system in Jefferson County that will be a model in West Virginia. My wish is to hold a series of workshops. The ones we had before seemed to be productive. I am hoping through that format we can answer questions and address concerns and come up with solutions which are more than we have now. In an attempt to demonstrate my commitment to this cause I told you all I would be offering an olive branch. Here's my olive branch. I know the use of medic 11 has been a big bone of contention with a number of company's. It's my belief that this program has achieved its goals and desired results. As a gesture of my willingness to work together I will have the Directors begin the process of phasing out the use of medic 11. Keep in mind it transported 2 patients this last weekend. But none the less, I will work to phase this program out. Additionally, with the passage of the Ordinance Fee with the 7 or 9 or however many positions that generates, I will assure you none of those positions will be at station 11. All those positions will go out to the field.

The Commission needs the volunteers, us volunteers, I volunteer. Without the volunteers you're looking at \$27 million dollars to fund all career. There are also volunteers in the ESA so there is no reason we can't work cooperatively and in unity.

Sept. 12, 2013 FOIA Response

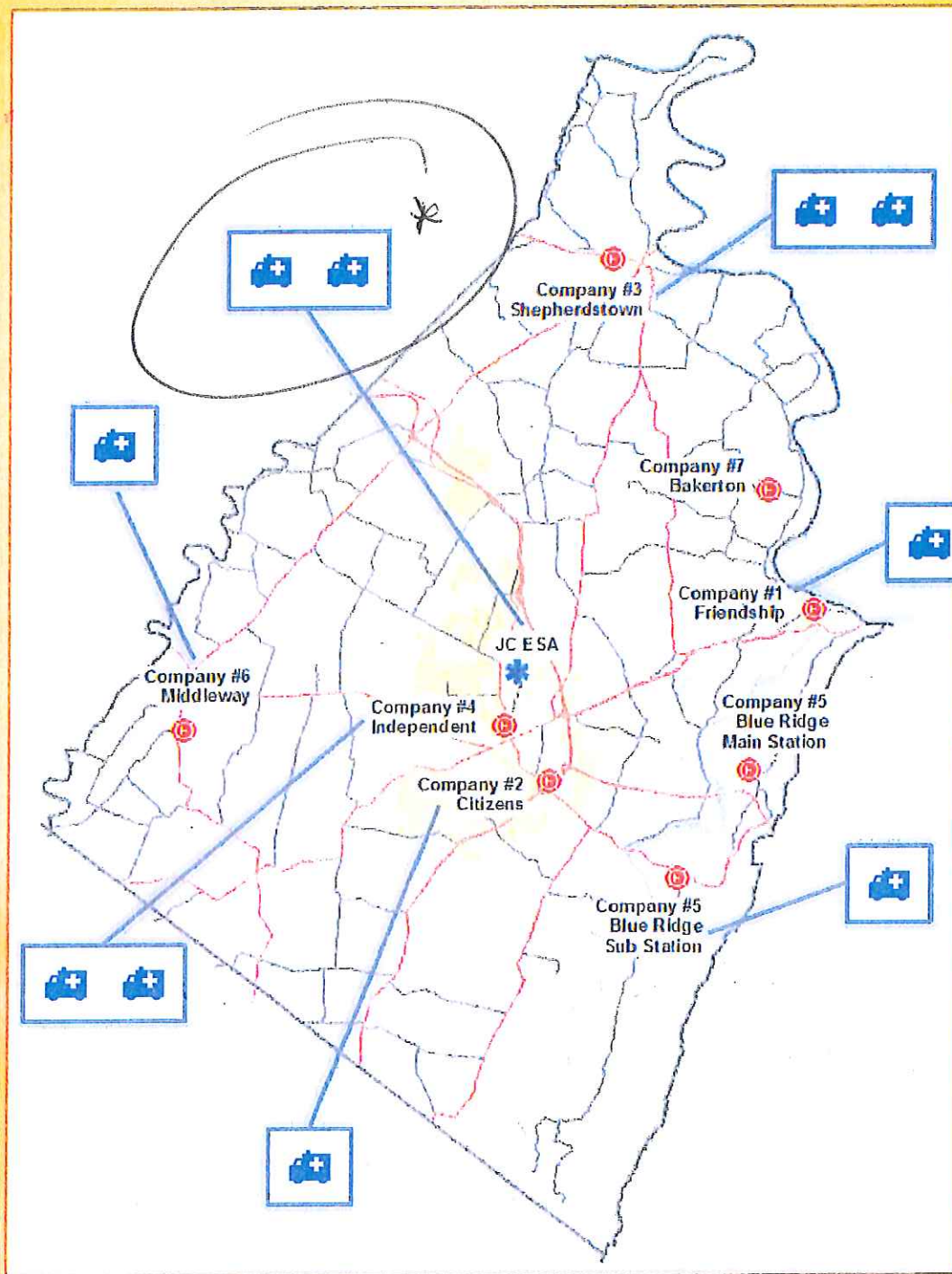
Current Coverage

			Full Time		
			Pos	Hours Per Week	FTE Hrs/40
<b>Monday thru Friday</b>					
Company 1 - Friendship	8a-6p	EMT	1	50	1.25
Thurs-Mon					
Company 2 - Citizens	10p-8a	Med	1	50	1.25
Monday thru Sunday					
Company 5 - Blue Ridge Mtn	8a-6p	EMT	1	50	1.25
Monday thru Friday					
Company 6 - Middleway	6a-4p	EMT	1	50	1.25
Company 7 - Bakerton					
			0		
			Subtotal		
			4	200	5.0
<b>Monday thru Sat/ Sunday</b>					
Station 11 - JCESA	24 hrs	Med	4	168	4.2
		EMT	4	188	4.7
Company 4 - Independent	6a-6p	Med	2	84	2.1
Monday thru Friday					
Company 3 - Shepherdstown	6a-6p	Med	1	84	2.1
			Subtotal		
			11	524	13.1
HDQ-Supervisory/Paramedic			2	80	2
Total			17	804	20.1

8/27/13 JCESA FOIA Response

\* Eight (8) emergency medical personnel now available to be moved to Fire Departments as soon as JCESA BOARD "phases out" Medic 11.

# Ambulance Inventory



\* To be phased out per JCESA 2013 / 2014 Budget  
President of JCESA Bd.  
Williams 8/20/13.

## Examples

To show JCESA ignored the County Commission's request for a "no fails" budget, instead engaging in blatant budget padding.

JCESA May 2013 submission to Co. Comm

## Proposed Increase

Current Location and Staffing	Proposed New Positions	Total by Location
<b>Friendship Fire Company</b> Harpers Ferry 1 EMT M-F 8a-6p	1 Fire Fighter/Paramedic M-F 7a-7p	(2) 1 FF/EMT 1 FF/Paramedic
<b>Citizens Fire Company</b> Charles Town 1 Paramedic Tr-M 10p-8a	1 Fire Fighter/EMT M-F 7a-7p	(2) 1 FF/EMT 1 FF/Paramedic
<b>Shepherdstown Fire Department</b> Shepherdstown 1 Paramedic M-S 6a-6p	2 Fire Fighter/EMT M-S 7a-7p	(3) 2 FF/EMT 1 FF/Paramedic
<b>Independent Fire Company</b> Charles Town 1 Paramedic M-Sun 6a-6p	1 Fire Fighter/EMT M-F 7a-7p	(2) 1 FF/EMT 1 FF/Paramedic
<b>Blue Ridge Mountain Fire Company</b> 1 EMT M-F 8a-6p	1 Fire Fighter/Paramedic M-F 7a-7p	(2) 1 FF/EMT 1 FF/Paramedic
<b>Middleway Volunteer Fire Company</b> 1 EMT M-F 6a-4p		(1) 1 FF/EMT
<b>Bakerton Fire Company</b> None	1 Fire Fighter/EMT M-F 7a-7p	(1) 1 FF/EMT
Station 11, JCESA 1 Paramedic 24/7 1 EMT 24/7 1 EMT 12n-10p S-S	1 Fire Fighter/Paramedic M-Sun 7a-7p 1 Fire Fighter/EMT M-Sun 7a-7p	1 Paramedic 24/7 1 EMT 24/7 1 EMT 12n-10p S-S 1FF/Paramedic & EMT M-Sun 7a-7p

*3 paramedics  
6 EMTs*

Operational Positions 1B

Monday thru Friday

To be determined

	Pos	Hours Per Week	FTE Hrs/40
12 hrs FF/P	1	60	1.5
12 hrs FF/P	1	60	1.5
12 hrs FF/P	1	60	1.5
12 hrs FF/P	1	60	1.5
12 hrs FF/P	1	60	1.5
12 hrs FF/P	1	60	1.5
Subtotal	6	360	9
12 hrs FF/EMT	1	60	1.5
12 hrs FF/EMT	1	60	1.5
12 hrs FF/EMT	1	60	1.5
Subtotal	3	120	4.5
Total	9	60	13.5

To be determined

The number of positions (9) was determined by the Delta Study which recommended one position at each station plus 2 at JCESA. The current allocation of positions by station will be based on response time data and call volume. No additional positions will be assigned to Station 11. Twelve hour a day coverage will be 40 permanent full time and 20 hours part time personnel.

Attachment to "Ordinance Budget"

NOW 6 paramedics (higher pay)  
3 EMTs

## ORDINANCE BUDGET

	Full Time Pos	FTE	Base Salary	Year 1 Total	Year 2 Total	Year 3 Total	Year 4 Total	Year 5 Total
① Operational Positions								
EMT - III/A	3	4.5	35152	158,184	162,930	167,817	172,852	178,037
Paramedic - IV/A	6	9	40997*	368,973	380,042	391,443	403,187	415,282
Part-time - Vacation Coverage				13,517	13,923	14,340	14,770	15,214
Overtime - Unscheduled leave coverage				12,167	12,532	12,908	13,295	13,694
<b>TOTAL SALARY</b>	<b>9</b>	<b>13.5</b>		<b>552,841</b>	<b>569,426</b>	<b>586,509</b>	<b>604,104</b>	<b>622,227</b>
② Benefits:				34,276	35,304	36,364	37,454	38,578
FICA @ .062				8,016	8,257	8,504	8,760	9,022
Medicare @ .0145				38,179	39,324	40,504	41,719	42,971
Pension @ .105				50,585	52,103	53,666	55,276	56,934
Workers Comp Insurance				80,059	82,461	84,935	87,483	90,107
Fitness and Physicals				12,240	12,240	12,240	12,240	12,240
<b>Total Benefits</b>				<b>223,355</b>	<b>229,689</b>	<b>236,212</b>	<b>242,931</b>	<b>249,852</b>
<b>TOTAL SALARY AND BENEFITS</b>				<b>776,196</b>	<b>799,115</b>	<b>822,721</b>	<b>847,036</b>	<b>872,080</b>
③ Other Expenses				34,083	8,100	8,100	8,100	8,100
Employee Equipment				1,080	1,080	1,080	1,080	1,080
Training				70,000	0	0	0	0
Chase Vehicle								
<b>Total Cost Operational Positions</b>				<b>881,359</b>	<b>808,295</b>	<b>831,901</b>	<b>856,216</b>	<b>881,260</b>
④ Collection System Expenses Other than pers				20,000	3,972	3,972	3,972	3,972
Fee Collection System				30,000	0	0	0	0
Contractor Installation on AS400 Include Travel				2,475	0	0	0	0
Data Conversion and VPN access				3,200	0	0	0	0
Hardware				10,000	0	0	0	0
Equipment including files and a Safe				27,742	27,742	27,742	27,742	27,742
Printing and Mailing				93,417	31,714	31,714	31,714	31,714
<b>Total Operational Positions and System</b>				<b>974,776</b>	<b>840,009</b>	<b>863,615</b>	<b>887,930</b>	<b>912,974</b>
⑤ Ambulance Fee Data/Collection				29,286	30,165	31,070	32,002	32,962
Clerk - IIA	1	1	35152	35,152	36,207	37,293	38,412	39,564
Clerk Collections - IIIA	1	1		64,438	66,371	68,362	70,413	72,526
Benefits:				1,816	1,870	1,926	1,984	2,044
FICA @ .062				425	437	451	464	478
Medicare @ .0145				6,766	6,969	7,178	7,393	7,615
Pension @ .105				17,790	18,324	18,873	19,440	20,023
Insurance								
<b>Total Salary and Benefits</b>				<b>91,234</b>	<b>93,971</b>	<b>96,791</b>	<b>99,694</b>	<b>102,685</b>
<b>GRAND TOTAL</b>				<b>1,066,011</b>	<b>933,980</b>	<b>960,406</b>	<b>987,624</b>	<b>1,015,659</b>

This budget does not include the cost of collecting delinquent fees

*\* JCESA Added 3 paramedics and added \$1,000. /yr to their salary! see attached MAY 2013 submission.*

## JCESA FIVE YEAR STRATEGIC PLAN

<u>New Positions</u>	Full Time		Base	Year 1	Year 2	Year 3	Year 4	Year 5
	Pos	FTE	Salary	Total	Total	Total	Total	Total
<b>Operational Positions ①</b>								
FF/EMT	5	8.7	35205	306,284	315,472	324,936	334,684	344,725
FF/Paramedic	2	3	39949	119,847	123,442	127,146	130,960	134,889
<b>ALS11</b>								
FF/EMT	1	2.1	35205	73,931	76,148	78,433	80,786	83,209
FF/Paramedic	1	2.1	39949	83,893	86,410	89,002	91,672	94,422
<b>Subtotal</b>	<b>9</b>	<b>15.9</b>		<b>583,954</b>	<b>601,473</b>	<b>619,517</b>	<b>638,102</b>	<b>657,245</b>
<b>Business Office ②</b>								
Assistant Bus. Manager	1	1	42000	42,000	43,260	44,558	45,895	47,271
Admin	0	2	25000	25,000	25,750	26,523	27,318	28,138
<b>Subtotal Business Office</b>	<b>1</b>	<b>3</b>		<b>67,000</b>	<b>69,010</b>	<b>71,080</b>	<b>73,213</b>	<b>74,677</b>
<b>Overtime ③</b>								
Conv and Step Increase of Current Employees ④				66,056	68,038	70,079	72,181	74,347
Step Increase of New Employees ④				42,322	28,038	28,879	29,746	30,638
				0	20,881	21,507	22,153	22,817
<b>TOTAL SALARY</b>	<b>10</b>	<b>18.9</b>		<b>759,332</b>	<b>787,439</b>	<b>811,062</b>	<b>835,394</b>	<b>859,724</b>
<b>Benefits:</b>								
FICA @ .062				47,079	48,821	50,286	51,794	53,303
Medicare @ .0145				11,010	11,418	11,760	12,113	12,466
Pension ⑤				39,173	39,957	58,464	59,633	59,633
Workers Comp ⑥				64,063	64,063	64,063	64,063	64,063
Insurance ⑦				56,497	56,497	56,497	56,497	56,497
Awards, Fitness and Physicals ⑧				14,490	14,490	14,490	14,490	14,490
<b>Total Benefits</b>				<b>232,312</b>	<b>235,246</b>	<b>255,560</b>	<b>258,591</b>	<b>260,452</b>
<b>TOTAL SALARY AND BENEFITS</b>				<b>991,644</b>	<b>1,022,685</b>	<b>1,066,623</b>	<b>1,093,985</b>	<b>1,120,176</b>
<b>Other Expenses</b>								
Employee Equipment ⑨				34,083	2,700	2,700	2,700	2,700
Training ⑨				37,500	37,500	37,500	37,500	37,500
Operational Equipment ⑨				70,000	0	0	70,000	0
Fire Fighter Equipment ⑨				103,200	2,400	2,400	2,400	2,400
<b>FIRE COMPANY ⑩</b>				<b>343,000</b>	<b>343,000</b>	<b>343,000</b>	<b>343,000</b>	<b>343,000</b>
Business Office Expenses Other than pers ②				92,675	30,972	30,972	30,972	30,972
<b>GRAND TOTAL</b>				<b>1,672,102</b>	<b>1,439,257</b>	<b>1,483,195</b>	<b>1,580,557</b>	<b>1,536,748</b>

8/21/13

# jobs

# The Journal

The Journal

304-596-6446

## REGISTERED DIETICIAN

Local health care provider is looking for a Registered Dietician who will be responsible for planning, organizing, developing and directing the overall operation of the Food & Nutrition Department in accordance with current federal, state and local standards, guidelines and regulations governing the facility.

Those interested in applying may submit their resume to  
P.O. Box 32511,  
207 W. King St.,  
Martinsburg, WV 25401.  
Provider is an E.O.E.



### TEAM LEADER

Pactiv LLC, located in Winchester, Virginia is a leader in the building products industry. We are seeking a Team Leader to provide shift leadership in a fast-paced production environment. This hourly position will promote and foster a safe work environment, monitor production performance, maintain maximum output and quality on scheduled equipment, and develop and supervise hourly employees by setting goals and objectives with accountability for results. Shift schedule is 12 hour fixed nights with a 3 1/2 day work week and overtime as necessary.

#### Qualifications:

- Minimum of a high school diploma or GED.
- Strong leadership skills and problem solving ability.
- Ability to manage multiple priorities.
- Must have effective interpersonal and conflict resolution skills.
- Strong verbal and written communication skills.
- A minimum of five years of plant experience that includes supervisory experience.
- Experience with computer applications--Word, Excel, Outlook, SAP preferred.
- Preferential consideration will be given to candidates with experience in forming/extrusion process and LEAN.

Our excellent benefit package includes medical, dental, life insurance, disability, 401K, vision, holidays and vacation. Starting pay rate is \$23.49/hour plus \$.50 shift differential.

If you are interested in joining our world-class team and meet our qualifications, you can either complete an application at the Virginia Employment Commission, 100 Premier Place, Winchester, Virginia (application must have resume attached) or e-mail resume to [ssperry@pactiv.com](mailto:ssperry@pactiv.com).

Hair collection drug screen, background check that includes verification of education, and health assessment are required.  
EEO/AA Employer

## AWARD BEAUTY SCHOOL

- CAREER TRAINING:
- Cosmetology
  - Nail Technology

Call Now!  
301-733-4520  
[www.AwardBeautySchool.com](http://www.AwardBeautySchool.com)

- Financial Aid Available (to those who qualify)
- Day & Evening Schedules
- Job Placement Assistance

26 E. Antietam Street  
Hagerstown, MD 21740

## FIREFIGHTER/PARAMEDIC'S

JOB POSTING  
BASE Salary  
40 Hrs.  
EMT-I \$ 29,000.00  
EMT-P \$ 32,000.00

The Berkeley County Emergency Ambulance Authority will accept applications for full time Firefighter/Paramedic, for qualified personnel for future employment. The Individuals must have or present valid certification within 60 days of job offer to practice within the State of West Virginia.

We offer a 48 hr. work week plus overtime. A very competitive benefit package which includes medical, dental, eye vision and life insurance, sick leave, vacation, paid holidays and retirement.

Applications and Qualifications may be obtained from the Berkeley County Emergency Ambulance Authority office,  
400 West Stephen Street, Suite 207 Martinsburg, WV 25401  
or by calling (304) 264-1921.

Applications will be accepted through September 09, 2013 testing is required.

EOE

20 Help Wanted | 20 Help Wanted | 20 Help Wanted

10

Workers Comp (2)

Projected Salaries	552,841
Divided by \$100	5,528
Delta Forcasted rate	9.15 *
	50,585

Billings for Workers Comp are based on salaries of all personnel and charged at different rates for operational and administrative. The Delta Study was used to determine a rate/100 of salary.

\* Per Mrs. Freeman to the Board 8/27/13, JCESA pays \$6.-\$7. but she has used the now discredited Delta study anyway!

Ordinance Budget "attachment"

Backgrounds, Physicals and Fitness (2)

Physicals and Background	1000	9	9,000
Fitness	360	9	3,240 *
			<u>12,240</u>

Annual Physicals (\$900) and Backgrounds (\$100) are based on the actual payments for 2012-2013.  
All Employees are required to meet standards of fitness as part of their job performance.  
Gym membership is reimbursed based on meeting a minimum standard of participation.

\* Why pay for what is the personal responsibility of all personnel anyway?

"Ordinance Budget" Attachment

County  
Control + Accountability  
for  
Fees  
(User + Residential)

1. Of the fire calls of 1,788 in FY 2010, 2,123 in FY 2011, 2229 in FY 2012 and 929 through November in FY 2013, how many in each year were actual structure fires? Good intent, false calls and other calls? Actual vehicle fire calls accompanied by an ambulance and resulted in patient transport to a hospital?

These figures are Dispatches from the 911 Center. JCESA totals this information monthly from handwritten reports of summary data. Details of this information are not available. Accordingly, JCESA does not have any documentation responsive to this request

2. Of the EMS calls of 4,863 for FY 2010, 4,764 for FY 2011, 4,727 for FY 2012 and 2,554 for FY 2013 through November, how many by year actually resulted in patient transport to a hospital? Goodwill calls? Were responded to by JCESA employees whether from Station 11, fire departments or elsewhere?

These figures are Dispatches from the 911 Center. JCESA totals this information monthly from handwritten reports of summary data. Details of this information are not available. Accordingly, JCESA does not have any documentation responsive to this request

3. Of the "Fire Co. Response" for EMS of 461 for July, 503 for August, 450 for September, 482 for October and 491 for November as shown on the chart at the bottom of page 1, how many were responded to by JCESA employees from any location? Were "good will" calls? Actually resulted in patient transport to a hospital?

These figures are Dispatches from the 911 Center. JCESA totals this information monthly from handwritten reports of summary data. Details of this information are not available. Accordingly, JCESA does not have any documentation responsive to this request.

4. Of the "Time to Patient" Jan 2012 - November 2012" EMS calls of 3,909, how many were responded to by JCESA employees from any location? Were "good will" calls? Actually resulted in patient transport to a hospital?

Time to patient is derived from actual billing and represents actual transports to the hospital. We reported the following to the Board that JCESA was involved:

Jan	70%	Jul	74%
Feb	77%	Aug	68%
Mar	66%	Sep	67%
Apr	71%	Oct	59%
Jun	74%	Dec	74%

? may →

Nov?

$$\frac{700}{10} = 70\% \text{ avg/mo.}$$

pt. July 24, 2013 FOIA Response

Attached - 7

4

Bakerton Co 7		Total *			
	2010	Diff	2011	2010	Diff
2011		0	<u>951851</u>	<u>883502</u>	68349

\* Does not include user fees billed, collected or received by JCESA or the 10% fee collected (charged) by the collection agency.

**§7-22-9. Authorization to levy special district excise tax.**

(a) General. -- County commissions have no inherent authority to levy taxes and have only that authority expressly granted to them by the Legislature. The Legislature is specifically extended, and intends by this article, to exercise certain relevant powers expressed in section six-a, article X of the Constitution of this state as follows: (1) The Legislature may appropriate state funds for use in matching or maximizing grants-in-aid for public purposes from the United States or any department, bureau, commission or agency thereof, or any other source, to any county, municipality or other political subdivision of the state, under such circumstances and subject to such terms, conditions and restrictions as the Legislature may prescribe by law; and (2) the Legislature may impose a state tax or taxes or dedicate a state tax or taxes or any portion thereof for the benefit of and use by counties, municipalities or other political subdivisions of the state for public purposes, the proceeds of any such imposed or dedicated tax or taxes or portion thereof to be distributed to such counties, municipalities or other political subdivisions of the state under such circumstances and subject to such terms, conditions and restrictions as the Legislature may prescribe.

Because a special district excise tax would have the effect of diverting, for a specified period of years, tax dollars which to the extent, if any, are not essentially incremental to tax dollars currently paid into the General Revenue Fund of the state, the Legislature finds that in order to substantially ensure that such special district excise taxes will not adversely impact the current level of the General Revenue Fund of the state, it is necessary for the Legislature to separately consider and act upon each and every economic development district which is proposed, including the unique characteristics of location, current condition and activity of and within the area included in such proposed economic opportunity development district and that for such reasons a statute more general in ultimate application is not feasible for accomplishment of the intention and purpose of the Legislature in enacting this article. Therefore, no economic opportunity development district excise tax may be levied by a county commission until after the Legislature expressly authorizes the county commission to levy a special district excise tax on sales of tangible personal property and services made within district boundaries approved by the Legislature.

(b) *Authorizations.* -- The Legislature authorizes the following county commissions to levy special district excise taxes on sales of tangible personal property and services made from business locations in the following economic opportunity development districts.

The Ohio County Commission may levy a special district excise tax for the benefit of the "Fort Henry" economic opportunity development project district which comprises three hundred contiguous acres of land.

The Harrison County Commission may levy a special district excise tax for the benefit of the "Charles Pointe Economic Opportunity Development District" which comprises four hundred thirty-seven acres of land.

\* The JCESA is not authorized by law to collect "user" fees because the Co. Comm. has not passed a user fee ordinance per WV Code §7-15-17.

JCESA  
TRANSPARENCY OR  
LACK THEREOF

Budget Worksheet-Expenditures \*  
 General County Fund 001  
 Department #715  
 Contributions-JCESA  
 Fiscal Year Ending June 30, 2013

Grand total		3,016,500.00	2,043,500.00	1,311,000.00	1,380,000.00
Acct No.	Expenditure Classification	Requested FYE 2013	Budgeted FYE 2012	Actual FYE 2011	Actual FYE 2010
715-05-567-000-PS-000	JCESA	2,312,500.00	1,962,500.00	1,311,000.00	1,380,000.00
	Training	20,000.00			
	Equipment <i>Vehicle included</i>	70,000.00			
	EMT / Middleway	70,000.00			
	Paramedic / Citizens	70,000.00			
	* Business Manager <i>position</i>	70,000.00			
	* EMS System <i>software</i>	50,000.00			
	* Fire Contribution	273,000.00			
715-05-567-000-PS-000	Building	81,000.00	81,000.00		

\* fee related

~~XXXXXXXXXXXX~~

\* This is what JCESA submitted to the Co. Comm. as a budget for FY 2013!

NO down in our request

Financial Report and Status of Funds  
08/30/13

General Account Balance \$149,745.80

Payroll Account Balance \$415,342.61

MortgageFund Balance \$93,638.86

Fire Company Account

\$428,026.97  
\$1,086,754.20 on hand as of  
8/30/13!

Sept. 12, 2013 FOIA Response.

Hand-Delivered August 20, 2013

Doug Pittinger  
Director  
JCESA

Re: 2nd FOIA Request

Dear Director Pittinger:

Pursuant to the West Virginia Freedom of Information Act, please provide the following within the statutory response time:

1. All documents setting forth the job descriptions of all JCESA personnel, including the Director, Deputy Director, all administrative staff, Emergency Medical Technicians and Paramedics. If no documentation of job descriptions exist, please describe all job duties for all personnel.

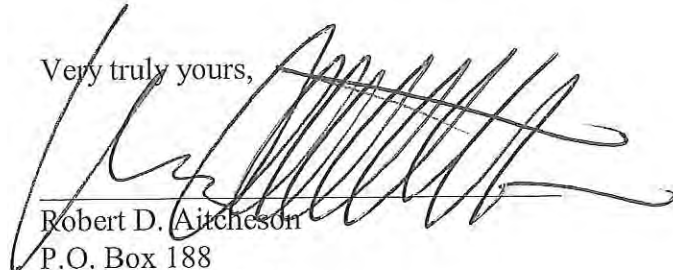
2. All documents describing the duties, salaries, wages and fringe benefits of all JCESA personnel including the Director, Deputy Director, all administrative staff, Emergency Medical Technicians and Paramedics.

\* 3. True, complete and accurate copies of all JCESA budgets for fiscal years 2012, 2013 and 2014 whether prepared for internal use only or for dissemination to persons or entities other than the JCESA.

4. All documents reflecting service, cost of service, and mileage of all JCESA ambulances.

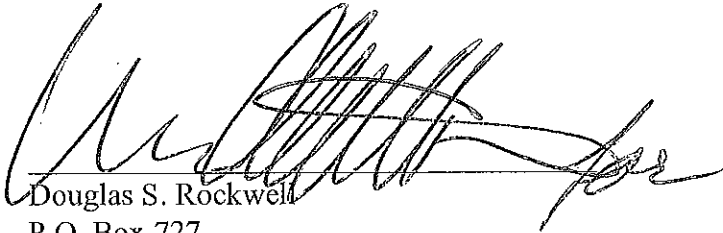
Thank you for your cooperation.

Very truly yours,



Robert D. Aitchison  
P.O. Box 188  
Rippon, WV 25441  
304-725-7639

\* Never provided!

A handwritten signature in black ink, appearing to read 'Douglas S. Rockwell', written over a horizontal line.

Douglas S. Rockwell  
P.O. Box 727  
Charles Town, WV 25414  
304-724-6845

BUDGET \*

	2012	2013	2014	
			YTD	Annualized
Ambulance	\$ 23,812	\$ 75,584	\$ 4,802	\$ 28,809
Interest Earned	\$ 1,962	\$ 1,709	\$ 178	\$ 1,067
Misc:	\$ 28,152	\$ 21,222	\$ 1,161	\$ 6,966
Donations, Ins Claims				
Grants	\$ -	\$ 5,719	\$ -	\$ -
EMS Supplies				
County Commission:				
JCESA	\$ 1,518,763	\$ 1,760,500	\$ 452,363	\$ 1,809,453
Fire Companies	\$ 427,000	\$ 427,000	\$ -	\$ 427,000
Impact Fees	\$ 55,000	\$ -	\$ -	\$ -
Mortgage	\$ 81,000	\$ 81,000	\$ -	\$ 81,000
	<u>\$ 2,135,689</u>	<u>\$ 2,372,734</u>	<u>\$ 458,503</u>	<u>\$ 2,354,295</u>

\* 9/12/13 FOIA Response  
 This is a budget ???  
 What about expenditures?

# Impact Fee Status Report

## August 2013

### Office of Impact Fees

#### Summary

Date Range: Thursday 1 through Saturday 31 August 2013

Report Date: 3 September 2013

Process Number Range: 1310162 - 1310181

Total Applications: 20

Total Non-Exempt: 18

*Of which:*

Commercial: 0

Residential: 18

*Of which:*

County: 8

Municipal: 8

Total Exempt: 2

*Of which:*

Commercial: 0

Residential: 2

*Of which:*

County: 1

Municipal: 1

Tables 1 through 7 summarize impact fee processing for July 2013. Table 8 represents account totals, pending the transfer of fees collected as shown in Table 1, including General Impact Fee Account (3111776) interest which is listed in Table 2.

**Table 1. Form 100 Tallies**

	Exempt	Commercial	Residential	Total
1 – 31 August 2013	0	0	18	18
Fees collected		\$0.00	\$219,048.00	\$219,048.00
<i>Of which</i>				
School Impact Fee			\$192,177.00	\$192,177.00
Law Enforcement Fee		\$0.00	\$2,338.00	\$2,338.00
Parks & Recreation Fee			\$12,723.00	\$12,723.00
Fire & EMS Fee		\$0.00	\$11,810.00	\$11,810.00

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

Description	Amount
Opening Statement Balance (1 July 2013)	\$158,082.77
July Deposits (1 – 31 August 2013)	\$219,048.00
School June Transactions (withdraws via transfer on 19 August 2013)	(\$138,742.40)
Law June Transactions (withdraws via transfer on 19 August 2013)	(\$1,627.70)
Parks & Rec June Transactions (withdraws via transfer on 19 August 2013)	(\$9,186.19)
Fire & EMS June Transactions (withdraws via transfer on 19 August 2013)	(\$8,526.48)
Interest Earned (31 August 2013)	\$60.10
<b>Ending Statement Balance (31 August 2013)</b>	<b>\$219,108.10</b>
<i>Outstanding Credits (deposits through 1 September 2013)</i>	<i>\$0.00</i>

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

Description	Amount
Opening Balance (1 July 2013)	<b>\$388,906.22</b>
July Transactions (deposits via transfer on 19 August 2013)	\$138,742.40
Interest Earned (31 August 2013)	\$132.90
<b>Ending Balance (31 August 2013)</b>	<b>\$527,781.52</b>

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

Description	Amount
Opening Balance (1 July 2013)	\$31,629.65
July Transactions (deposits via transfer on 19 August 2013)	\$1,627.70
Interest Earned (31 August 2013)	\$9.61
<b>Ending Balance (31 August 2013)</b>	<b>\$33,266.96</b>

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

Description	Amount
Opening Balance (1 July 2013)	\$409,370.99
July Transactions (deposits via transfer on 19 August 2013)	\$9,186.19
Interest Earned (31 August 2013)	\$122.83
<b>Ending Balance (31 August 2013)</b>	<b>\$418,680.01</b>

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

Description	Amount
Opening Balance (1 July 2013)	\$231,963.45
July Transactions (deposits via transfer on 19 August 2013)	\$8,526.48
Requisition 13R0091 (CHK 123)	(\$22,913.00)
Interest Earned (31 August 2013)	\$68.70
<b>Ending Balance (31 August 2013)</b>	<b>\$217,645.63</b>

**Table 7. Total Impact Fees as of 1 August 2013 /1**

Description	Amount
Office of Impact Fees General Account	\$219,108.10
School Impact Fee Account	\$527,781.52
Law Enforcement Fee Account	\$33,266.96
Parks & Recreation Impact Fee Account	\$418,680.01
Fire & EMS Impact Fee Account	\$217,645.63
<b>Total Impact Fees</b>	<b>\$1,416,482.22</b>

/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.

**Table 8. Pending August 2013 Fee Transfers /1**

Account	31 August 2013		Pending Impact Fee Transfers	Account Totals
	Account Totals			
School Impact Fee Account	\$527,781.52		\$192,229.89	\$720,011.41
Law Enforcement Fee Account	\$33,266.96		\$2,338.60	\$35,605.56
Parks & Recreation Impact Fee Account	\$418,680.01		\$12,726.61	\$431,406.62
Fire & EMS Impact Fee Account	\$217,645.63		\$11,813.00	\$229,458.63
<b>Total Impact Fees</b>	<b>\$1,197,374.12</b>		<b>\$219,108.10</b>	<b>\$1,416,482.22</b>

/1 This table represents each of the impact fee category account totals as of 31 August 2013 listed in tables 3 – 6. Pending fee transfer amounts, excluding interest and any outstanding credits, collected in July 2013 are listed in table 1 of the General Account (3111776); these transactions will be processed in August 2013. Any outstanding credits, as listed in table 2, will be added to the next month's Impact Fee transfer amounts.



# Form 100 Transaction Summary

## Jefferson County Government – Office of Impact Fees

*Impact Fee Applications Processed between dates Thursday 1 through Saturday 31 August 2013*

Process Number	Date	Case Name	File Name	Doc Type	Doc ID	Impact Fee	Category	Count	Amount	Form
1300178	08/22/2013	Walters	Joseph	08 Ranson Corp	952	405	3	182	\$0.00	Form 200
1300180	08/27/2013	Kable	Carol	06 Kabletown	952	405	6B	9	\$0.00	Form 200

**Category Count: 2**

**Category Total \$0.00**

Process Number	Date	Case Name	File Name	Doc Type	Doc ID	Impact Fee	Category	Count	Amount	Form
1300162	08/01/2013	Julie Duval	Arcadia	03 Charles Town	23	67	12A	145	\$12,808.00	N/A
1300163	08/01/2013	Julie Duval	Arcadia	03 Charles Town	23	67	12A	148	\$12,808.00	N/A
1300164	08/02/2013	Mancilla	Anthony	02 Charles Town	1126	603	21F	5	\$13,070.00	N/A
1300165	08/06/2013	Duane	Kevin	06 Kabletown	1125	316	9	19.27	\$7,711.00	Form 260
1300166	08/07/2013	Dan Ryan		03 Charles Town			11D	83	\$12,808.00	N/A
1300167	08/07/2013	Dan Ryan		04 Harpers Ferry	23	40	9D	92	\$13,070.00	N/A
1300168	08/12/2013	Maslanka	Victor	09 Shepherdstown	1076	358	5C	2	\$13,070.00	N/A
1300169	08/13/2013	Mayrand	Marc	02 Charles Town	1123	90	3	13.2	\$13,070.00	N/A
1300170	08/15/2013	Shoough	Mortaza	07 Middleway	874	709	4	10.6	\$4,313.00	Form 260
1300171	08/21/2013	Julie Duval	Arcadia	03 Charles Town	23	67	12A	144	\$12,808.00	N/A
1300172	08/21/2013	Schrum	David	06 Kabletown	1063	697	23	8.2	\$13,070.00	N/A
1300173	08/22/2013	Dan Ryan		03 Charles Town			11D	68	\$12,808.00	N/A
1300174	08/30/2013	Dan Ryan		03 Charles Town			11D	82	\$12,808.00	N/A
1300176	08/22/2013	Dan Ryan		09 Shepherdstown			7	1.1	\$13,070.00	N/A
1300177	08/22/2013	Dan Ryan		09 Shepherdstown			7	1.29	\$13,070.00	N/A
1300179	08/23/2013	Tyson	James	04 Harpers Ferry	1111	231	230	6	\$13,070.00	N/A

Process Number	Date	Last Name	First Name	Tax District	Book	Page	Tax	Impact Fees	Exemption Reason
								Collection	

Non-Exempt Applications											
1300181	08/30/2013	Julie Duval	Arcadia	03 Charles Town	23	67	12A	91	\$12,808.00	08/30/2013	N/A

Category Count: 18

Category Total \$219,048.00

TOTAL APPLICATIONS: 20

Grand Total \$219,048.00

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

**COPY**

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Debbie Keyser, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Tuesday, 3 September 2013  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Schools Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Schools Impact Fee Account (Bank of Charles Town account 3107582)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of August 2013.

This transfer consists of two components:

- Impact Fee Process Numbers **1300162** through **1300181**, inclusive. Within this range there were 18 non-exempt impact fee payments. This amounts to **\$192,177.00**.
- Interest earned by the Office of Impact Fees General Account in August 2013 amounts to **\$60.10**, of which **\$52.89** is attributed to fees collected for Schools.

**As per the attached invoice, the total amount of this transfer is \$192,229.89.**

**Check # 912**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

**Number:** 13033  
**Date:** 9/3/2013

**Bill To:**

Office of Impact Fees  
116 E. Washington Street  
Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
102 Industrial Blvd.  
Kearneysville, WV 25430

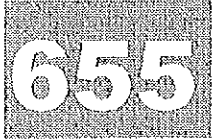
**P.O. Number**

**Vendor Number**

<b>Description</b>	<b>Amount</b>
Impact Fee payments collected for month of August 2013 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County School Impact Fees Bank Account (3107582).	\$192,177.00
Interest earned by the Office of Impact Fees General Account August 2013.	\$52.89
Impact Fee Process Numbers 1300162 through 1300181, inclusive. Within this range, there were 18 non-exempt impact fee payments.	
<b>Total: \$192,229.89</b>	

**Notes/Comments** Transfer of funds into School Impact Fee Account (3107582).

**Check Number:** 912



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Schools

Check Number 912

Trace 20130903:62460.54

Date 9/3/2013

Series 1

Recipient Sheriff of Jefferson County

Account 3107582

Amount \$192,177.00

Signature 1 Dale Manuel

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for School Impact Fees Collected in August 2013.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/2/2013	1300162	2003-3	11/24/2005	\$11,358.00
8/2/2013	1300163	2003-3	11/24/2005	\$11,358.00
8/6/2013	1300164	2003-3	11/24/2005	\$11,358.00
8/7/2013	1300165	2003-3	11/24/2005	\$6,701.00
8/8/2013	1300166	2003-3	11/24/2005	\$11,358.00
8/8/2013	1300167	2003-3	11/24/2005	\$11,358.00
8/13/2013	1300168	2003-3	11/24/2005	\$11,358.00
8/14/2013	1300169	2003-3	11/24/2005	\$11,358.00
8/15/2013	1300170	2003-3	11/24/2005	\$3,748.00
8/22/2013	1300171	2003-3	11/24/2005	\$11,358.00
8/22/2013	1300172	2003-3	11/24/2005	\$11,358.00
8/23/2013	1300173	2003-3	11/24/2005	\$11,358.00
8/23/2013	1300174	2003-3	11/24/2005	\$11,358.00
8/23/2013	1300175	2003-3	11/24/2005	\$11,358.00
8/23/2013	1300176	2003-3	11/24/2005	\$11,358.00
8/23/2013	1300177	2003-3	11/24/2005	\$11,358.00
8/26/2013	1300179	2003-3	11/24/2005	\$11,358.00
8/30/2013	1300181	2003-3	11/24/2005	\$11,358.00

**Total amount for this withdraw \$192,177.00**

**Total amount for this account \$192,177.00**

**Total amount all accounts \$192,177.00**

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

**COPY**

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Debbie Keyser, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Tuesday, 3 September 2013  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Law Enforcement Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Law Enforcement Impact Fee Account (Bank of Charles Town account 3120120)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of August 2013.

This transfer consists of two components:

- Impact Fee Process Numbers **1300162** through **1300181**, inclusive. Within this range there were 10 non-exempt impact fee payments. This amounts to **\$2,338.00**.
- Interest earned by the Office of Impact Fees General Account in August 2013 amounts to **\$60.10**, of which **\$0.60** is attributed to fees collected for Law Enforcement.

**As per the attached invoice, the total amount of this transfer is \$2,338.60.**

**Check # 913**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

**Number:** 13034  
**Date:** 9/3/2013

**Bill To:**

Office of Impact Fees  
116 E. Washington Street  
Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
102 Industrial Blvd.  
Kearneysville, WV 25430

**P.O. Number**

**Vendor Number**

Description	Amount
Impact Fee payments collected for month of August 2013 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Law Enforcement Impact Fees Bank Account (3120120).	\$2,338.00
Interest earned by the Office of Impact Fees General Account August 2013.	\$0.60
Impact Fee Process Numbers 1300162 through 1300181, inclusive. Within this range, there were 10 non-exempt impact fee payments.	
<b>Total:</b>	<b>\$2,338.60</b>

**Notes/Comments** Transfer of funds into Law Enforcement Impact Fee Account (3120120).

**Check Number:** 913



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Law Enforcement

Check Number 913

Trace 20130903:62679.71

Date 9/3/2013 Series 2

Recipient Sheriff of Jefferson County  
Amount \$2,338.00

Account 3120120  
Signature 1 Dale Manuel  
Signature 2 Sheriff Peter Dougherty  
Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for Law Enforcement Impact Fees Collected in August 2013.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/2/2013	1300162	2005-1	3/22/2005	\$0.00
8/2/2013	1300163	2005-1	3/22/2005	\$0.00
8/6/2013	1300164	2005-1	3/22/2005	\$262.00
8/7/2013	1300165	2005-1	3/22/2005	\$155.00
8/8/2013	1300166	2005-1	3/22/2005	\$0.00
8/8/2013	1300167	2005-1	3/22/2005	\$262.00
8/13/2013	1300168	2005-1	3/22/2005	\$262.00
8/14/2013	1300169	2005-1	3/22/2005	\$262.00
8/15/2013	1300170	2005-1	3/22/2005	\$87.00
8/22/2013	1300171	2005-1	3/22/2005	\$0.00
8/22/2013	1300172	2005-1	3/22/2005	\$262.00
8/23/2013	1300173	2005-1	3/22/2005	\$0.00
8/23/2013	1300174	2005-1	3/22/2005	\$0.00
8/23/2013	1300175	2005-1	3/22/2005	\$0.00
8/23/2013	1300176	2005-1	3/22/2005	\$262.00
8/23/2013	1300177	2005-1	3/22/2005	\$262.00
8/26/2013	1300179	2005-1	3/22/2005	\$262.00
8/30/2013	1300181	2005-1	3/22/2005	\$0.00
<b>Total amount for this withdraw</b>				<b>\$2,338.00</b>
<b>Total amount for this account</b>				<b>\$2,338.00</b>
<b>Total amount all accounts</b>				<b>\$2,338.00</b>

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

COPY

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Debbie Keyser, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Tuesday, 3 September 2013  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Parks & Recreation Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Parks & Recreation Impact Fee Account (Bank of Charles Town account 3122808)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of August 2013.

This transfer consists of two components:

- Impact Fee Process Numbers **1300162** through **1300181**, inclusive. Within this range there were 18 non-exempt impact fee payments. This amounts to **\$12,723.00**.
- Interest earned by the Office of Impact Fees General Account in August 2013 amounts to **\$60.10**, of which **\$3.61** is attributed to fees collected for Parks & Recreation.

As per the attached invoice, the total amount of this transfer is **\$12,726.61**.

Check # 914

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

Number: 13035  
Date: 9/3/2013

**Bill To:**

Office of Impact Fees  
116 E. Washington Street  
Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
102 Industrial Blvd.  
Kearneysville, WV 25430

**P.O. Number**

**Vendor Number**

<b>Description</b>	<b>Amount</b>
Impact Fee payments collected for month of August 2013 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Parks & Recreation Impact Fees Bank Account (3122808).	\$12,723.00
Interest earned by the Office of Impact Fees General Account August 2013.	\$3.61
Impact Fee Process Numbers 1300162 through 1300181, inclusive. Within this range, there were 18 non-exempt impact fee payments.	
<b>Total: \$12,726.61</b>	

**Notes/Comments** Transfer of funds into Parks & Recreation Impact Fee Account (3122808).

**Check Number:** 914



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Parks & Rec

Check Number 914

Trace 20130903:62750.77

Date 9/3/2013

Series 3

Recipient Sheriff of Jefferson County

Amount \$12,723.00

Account 3122808

Signature 1 Dale Manuel

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for Parks and Rec Impact Fees Collected in August 2013.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/2/2013	1300162	2005-2	5/12/2005	\$752.00
8/2/2013	1300163	2005-2	5/12/2005	\$752.00
8/6/2013	1300164	2005-2	5/12/2005	\$752.00
8/7/2013	1300165	2005-2	5/12/2005	\$443.00
8/8/2013	1300166	2005-2	5/12/2005	\$752.00
8/8/2013	1300167	2005-2	5/12/2005	\$752.00
8/13/2013	1300168	2005-2	5/12/2005	\$752.00
8/14/2013	1300169	2005-2	5/12/2005	\$752.00
8/15/2013	1300170	2005-2	5/12/2005	\$248.00
8/22/2013	1300171	2005-2	5/12/2005	\$752.00
8/22/2013	1300172	2005-2	5/12/2005	\$752.00
8/23/2013	1300173	2005-2	5/12/2005	\$752.00
8/23/2013	1300174	2005-2	5/12/2005	\$752.00
8/23/2013	1300175	2005-2	5/12/2005	\$752.00
8/23/2013	1300176	2005-2	5/12/2005	\$752.00
8/23/2013	1300177	2005-2	5/12/2005	\$752.00
8/26/2013	1300179	2005-2	5/12/2005	\$752.00
8/30/2013	1300181	2005-2	5/12/2005	\$752.00

**Total amount for this withdraw \$12,723.00**

**Total amount for this account \$12,723.00**

**Total amount all accounts \$12,723.00**

JEFFERSON COUNTY, WEST VIRGINIA  
Engineering Department  
Office of Impact Fees  
116 East Washington Street, P.O. Box 716  
Charles Town, WV 25414

**COPY**

Michelle Mason  
Impact Fee Program Specialist

Phone: (304) 728-3331  
Fax: (304) 728-3953  
mmason@jeffersoncountywv.org

MEMORANDUM

TO: Debbie Keyser, Vivian Fields, and Teresa Hendricks  
FROM: Michelle Mason  
DATE: Tuesday, 3 September 2013  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Fire & EMS Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Fire & EMS Impact Fee Account (Bank of Charles Town account 3122816)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of August 2013.

This transfer consists of two components:

- Impact Fee Process Numbers **1300162** through **1300181**, inclusive. Within this range there were 18 non-exempt impact fee payments. This amounts to **\$11,810.00**.
- Interest earned by the Office of Impact Fees General Account in August 2013 amounts to **\$60.10**, of which **\$3.00** is attributed to fees collected for Fire & EMS.

**As per the attached invoice, the total amount of this transfer is \$11,813.00.**

**Check # 915**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice****Number:** 13036**Date:** 9/3/2013**Bill To:**

Office of Impact Fees  
116 E. Washington Street  
Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
102 Industrial Blvd.  
Kearneysville, WV 25430

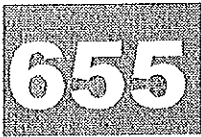
**P.O. Number****Vendor Number****Description****Amount**

Impact Fee payments collected for month of August 2013 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Fire & EMS Impact Fees Bank Account (3122816). \$11,810.00

Interest earned by the Office of Impact Fees General Account August 2013. \$3.00

Impact Fee Process Numbers 1300162 through 1300181, inclusive. Within this range, there were 18 non-exempt impact fee payments.

**Total: \$11,813.00****Notes/Comments** Transfer of funds into Fire & EMS Impact Fee Account (3122816).**Check Number:** 915



**Account Withdraws**  
Office of Impact Fees - Jefferson County Government

Account 3111776

Fire & EMS

Check Number 915

Trace 20130903:62791.21

Date 9/3/2013

Series 4

Recipient Sheriff of Jefferson County

Account 3122816

Amount \$11,810.00

Signature 1 Dale Manuel

Signature 2 Sheriff Peter Dougherty

Signature 3 Jennifer Maghan

Notes: Transfer of Impact Fees From General Account for Fire and EMS Impact Fees Collected in August 2013.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/2/2013	1300162	2005-3	5/12/2005	\$698.00
8/2/2013	1300163	2005-3	5/12/2005	\$698.00
8/6/2013	1300164	2005-3	5/12/2005	\$698.00
8/7/2013	1300165	2005-3	5/12/2005	\$412.00
8/8/2013	1300166	2005-3	5/12/2005	\$698.00
8/8/2013	1300167	2005-3	5/12/2005	\$698.00
8/13/2013	1300168	2005-3	5/12/2005	\$698.00
8/14/2013	1300169	2005-3	5/12/2005	\$698.00
8/15/2013	1300170	2005-3	5/12/2005	\$230.00
8/22/2013	1300171	2005-3	5/12/2005	\$698.00
8/22/2013	1300172	2005-3	5/12/2005	\$698.00
8/23/2013	1300173	2005-3	5/12/2005	\$698.00
8/23/2013	1300174	2005-3	5/12/2005	\$698.00
8/23/2013	1300175	2005-3	5/12/2005	\$698.00
8/23/2013	1300176	2005-3	5/12/2005	\$698.00
8/23/2013	1300177	2005-3	5/12/2005	\$698.00
8/26/2013	1300179	2005-3	5/12/2005	\$698.00
8/30/2013	1300181	2005-3	5/12/2005	\$698.00

**Total amount for this withdraw \$11,810.00**

**Total amount for this account \$11,810.00**

**Total amount all accounts \$11,810.00**

RECEIVED

~~AUG 09 2013~~

Jeff D. Bresee  
614 Strider Road  
Kearneysville, WV 25430

Jefferson County Commission

August 31, 2013

Honorable Dale Manuel, President  
Jefferson County Commission  
P.O. Box 250  
Charles Town, West Virginia 25414

Re: Board of Zoning Appeals Resignation

Dear Commissioner Manuel:

On 19 May, 2003 I had the honor to be appointed by the Jefferson County Commission to the Jefferson County Board of Zoning Appeals. I have served on this board since then, the last few years as president.

I believe I have been on this board for probably as long as I should, more than 10 years, and I am thus tendering my resignation from the BZA effective 31 October, 2013. Three of the other four members of the BZA have served for several years; they are all excellent people so replacing me should not be difficult.

I will assist in bringing to conclusion any zoning or legal matters that may be pending as a result of BZA actions taken during my tenure.

I have found my work on the BZA and my relationship with the other BZA members to be satisfying. I also have to congratulate you and the rest of the Commission members for the excellent Planning, Zoning and Engineering staff that you have, and the same applies to the Prosecuting Attorney's Office for the legal support we have received.

Sincerely,

  
Jeff D. Bresee

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SEP 10 2013

Jefferson County Commission



# State of West Virginia

## Glen B. Gainer III

State Auditor and  
Chief Inspector

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

Toll Free: (877) 982-9148  
Telephone: (304) 558-2540  
Fax: (304) 205-6033  
[www.wvsao.gov](http://www.wvsao.gov)

September 3, 2013

The Honorable Steve Canterbury  
Supreme Court Administrator  
1900 Kanawha Blvd., Building 1, E-100  
Charleston, West Virginia 25305

Dear Mr. Canterbury:

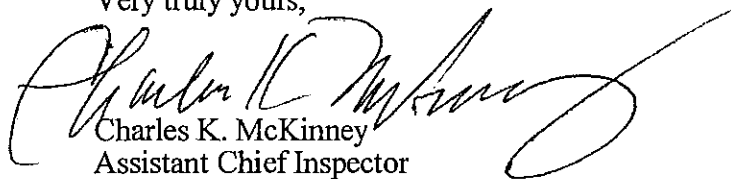
Enclosed is a copy of the Report on Applying Agreed-Upon Procedures of the Jefferson County Magistrate Court for the period ending December 31, 2012.

As the recipient, you are required to notify all members of the magistrate court of the receipt of this report and related correspondence and make the contents available for inspection by all such officers. You are also advised that this report, under the provisions of West Virginia Code § 6-9-9a, is considered public information and must be made available for public inspection.

It is the responsibility of all members of the court to review the report and take the necessary actions to remedy all instances of noncompliance and weaknesses in internal control as listed in the Schedule of Comments.

Your cooperation is most appreciated. If I can be of assistance, please do not hesitate to contact this office.

Very truly yours,

  
Charles K. McKinney  
Assistant Chief Inspector  
Chief Inspector Division

CKM/et  
Enclosure

cc: Hon. Chief Judge  
23<sup>rd</sup> Judicial Circuit

Hon. Dale Manuel, President  
Jefferson County Commission

Bonnie L. Seal, Clerk  
Jefferson County Magistrate Court

**Cindy Schott**

**From:** Todd Metzgar [toddmetzgar@aol.com]  
**Sent:** Friday, September 06, 2013 12:46 PM  
**To:** webmaster@jeffersoncountywv.org; cschott@jeffersoncountywv.org; sandy@jeffersoncountywv.org; chernandez@jeffersoncountywv.org  
**Subject:** Please vote NO to ambulance fee

## **Your submission:**

**Your Name:** Todd Metzgar  
**Your Email Address:** [toddmetzgar@aol.com](mailto:toddmetzgar@aol.com)  
**Subject:** Please vote NO to ambulance fee  
**Message:** To the Jefferson County Commission:  
From reading a newspaper account, it appeared that the county commission is going to be voting on enacting a new \$40 ambulance fee. Please oppose this measure to add an additional fee (tax) on the hard-working families and struggling businesses of Jefferson County! It is evident that this is simply a precedent-setting attempt to get the camel's nose into the tent and that the fee will be increased repeatedly in the future.  
If this additional money is needed from the county budget for emergency services, the county budget should be reworked to give emergency services precedence over amenities and charitable donations. Our county receives millions of additional dollars from gaming and impact fees that other counties in W.Va. do not receive. And, yet the vast majority of W.Va. counties do not impose an additional ambulance or emergency services fee. Why is that?  
There are other means to addressing this issue.  
As Thomas Jefferson said in his first inaugural address, "a wise and frugal government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government."  
Montani Semper Liberi,  
Todd Metzgar  
Harpers Ferry, W.Va.

**FirstEnergy Corp.**  
76 South Main Street  
Akron, OH 44308  
*www.firstenergycorp.com*

**For Release:** September 4, 2013

**News Media Contact:**  
Stephanie Thornton  
(330) 384-2528

**Investor Contact:**  
Irene Prezelj  
(330) 384-3859

## **FirstEnergy Subsidiaries Apply for Authorization to Sell Eleven Hydroelectric Power Stations to Harbor Hydro Holdings, LLC**

Akron, Ohio – FirstEnergy Corp. (NYSE: FE) subsidiaries have applied for authorization from the Federal Energy Regulatory Commission (FERC) to sell 11 hydroelectric power stations in Pennsylvania, Virginia and West Virginia to Harbor Hydro Holdings, LLC, a subsidiary of LS Power Equity Partners II, LP. A sales agreement was reached on August 23, and if approved, the proposed transaction is expected to close in the fourth quarter of 2013. The agreement is subject to customary and other closing conditions, including FERC, the Commonwealth of Virginia's State Corporation Commission and various other approvals.

The hydroelectric power stations included in this proposed sale are owned by FirstEnergy Generation, LLC, Allegheny Energy Supply Company, LLC and Green Valley Hydro, LLC and have a total capacity of 527 megawatts, which represents less than 3 percent of FirstEnergy's generation fleet output. The sale includes: Seneca Pumped Storage (451 MW) in Warren, Pa.; Allegheny Lock & Dam 5 (6 MW) in Schenley, Pa.; Allegheny Lock & Dam 6 (7 MW) in Ford City, Pa.; Lake Lynn (52 MW) in Lake Lynn, Pa.; Millville (3 MW) in Millville, W. Va.; Dam 4 (2 MW) in Shepherdstown, W. Va.; Dam 5 (1.2 MW) in Falling Waters, W. Va.; Warren (750 kW) in Front Royal, Va.; Luray (1.6 MW) in Luray, Va.; and Shenandoah and Newport (860 kW and 1.4 MW, respectively) in Shenandoah, Va. Resolution of a potential competing license application and other claims related to the Seneca facility also is a condition to closing the proposed transaction.

The 35 current employees at these power stations are expected to be retained by the new owner. FirstEnergy subsidiary Allegheny Generating Company will continue to own 1,200 MW of the 3,000 MW Bath County Pumped-Storage Hydro facility in Warm Springs, Va. In addition, FirstEnergy subsidiary Jersey Central Power & Light (JCP&L) will continue to own 200 MW of the 400 MW Yards Creek Pumped-Storage Hydro facility in Blairstown, N.J.

FirstEnergy operates one of the nation's largest, cleanest and most diverse generating fleets, with 60 percent coal, 20 percent nuclear, 11 percent hydro and other renewables, and 9 percent gas/oil.

FirstEnergy is a diversified energy company dedicated to safety, reliability and operational excellence. Its 10 electric distribution companies form one of the nation's largest investor-owned electric systems, serving customers in Ohio, Pennsylvania, New Jersey, West Virginia, Maryland and New York. Its generation subsidiaries currently control more than 20,000 megawatts of capacity from a diversified mix of scrubbed coal, non-emitting nuclear, natural gas, hydro, pumped-storage hydro and other renewables. Follow FirstEnergy on Twitter @FirstEnergyCorp.

LS Power, an employee-owned, independent power company with offices in New York, New Jersey, Missouri and California, is a developer, owner, operator and investor in power generation and electric transmission infrastructure throughout the United States.

**Forward-Looking Statements:** This news release includes forward-looking statements based on information currently available to management. Such statements are subject to certain risks and uncertainties. These statements include declarations regarding management's intents, beliefs and current expectations. These statements typically contain, but are not limited to, the terms "anticipate," "potential," "expect," "believe," "estimate" and similar words. Forward-looking statements involve estimates, assumptions, known and unknown risks, uncertainties and other factors that may cause actual results, performance or achievements to be materially different from any future results, performance or achievements expressed or implied by such forward-looking statements. Actual results may differ materially due to: the speed and nature of increased competition in the electric utility industry, in general, and the retail sales market in particular; the impact of the regulatory process on the pending matters before the Federal Energy Regulatory Commission and in the various states in which we do business including, but not limited to, matters related to rates and pending rate cases; the uncertainties of various cost recovery and cost allocation issues resulting from the realignment of American Transmission Systems, Incorporated into PJM Interconnection LLC; economic or weather conditions affecting future sales and margins; regulatory outcomes associated with storms, including but not limited to Hurricane Sandy, Hurricane Irene and the October snowstorm of 2011; changing energy, capacity and commodity market prices

including, but not limited to, coal, natural gas and oil, and availability and their impact on retail margins; the continued ability of our regulated utilities to recover their costs; costs being higher than anticipated and the success of our policies to control costs and to mitigate low energy, capacity and market prices; other legislative and regulatory changes, and revised environmental requirements, including possible greenhouse gas emission, water discharge, water intake and coal combustion residual regulations, the potential impacts of Cross-State Air Pollution Rule, Clean Air Interstate Rule, or CAIR, and/or any laws, rules or regulations that ultimately replace CAIR, and the effects of the Environmental Protection Agency's Mercury and Air Toxics Standards rules including our estimated costs of compliance; the uncertainty of the timing and amounts of the capital expenditures that may arise in connection with any litigation, including New Source Review litigation or potential regulatory initiatives or rulemakings (including that such expenditures could result in our decision to deactivate or idle certain generating units); the uncertainties associated with the deactivation of certain older regulated and competitive fossil units including the decision to deactivate the Hatfield's Ferry and Mitchell Power Stations, the impact on vendor commitments, and the timing thereof as they relate to, among other things, Reliability Must-Run arrangements and the reliability of the transmission grid; adverse regulatory or legal decisions and outcomes with respect to our nuclear operations (including, but not limited to the revocation or non-renewal of necessary licenses, approvals or operating permits by the Nuclear Regulatory Commission or as a result of the incident at Japan's Fukushima Daiichi Nuclear Plant); adverse legal decisions and outcomes related to Metropolitan Edison Company's and Pennsylvania Electric Company's ability to recover certain transmission costs through their Transmission Service Charge riders; the impact of future changes to the operational status or availability of our generating units; the risks and uncertainties associated with litigation, arbitration, mediation and like proceedings, including, but not limited to, any such proceedings related to vendor commitments; replacement power costs being higher than anticipated or inadequately hedged; the ability to comply with applicable state and federal reliability standards and energy efficiency and peak demand reduction mandates; changes in customers' demand for power, including but not limited to, changes resulting from the implementation of state and federal energy efficiency and peak demand reduction mandates; the ability to accomplish or realize anticipated benefits from strategic and financial goals including, but not limited to, the ability to reduce costs and to successfully complete our announced financial plans designed to improve our credit metrics and strengthen our balance sheet, including but not limited to, proposed capital raising and debt reduction initiatives, the proposed West Virginia asset transfer and potential sale of non-core hydro assets; our ability to improve electric commodity margins and the impact of, among other factors, the increased cost of fuel and fuel transportation on such margins; the ability to experience growth in the Regulated Distribution segment and to continue to successfully implement our direct retail sales strategy in the Competitive Energy Services segment; changing market conditions that could affect the measurement of liabilities and the value of assets held in our nuclear decommissioning trusts, pension trusts and other trust funds, and cause us and our subsidiaries to make additional contributions sooner, or in amounts that are larger than currently anticipated; the impact of changes to material accounting policies; the ability to access the public securities and other capital and credit markets in accordance with our announced financial plan, the cost of such capital and overall condition of the capital and credit markets affecting us and our subsidiaries; actions that may be taken by credit rating agencies that could negatively affect us and our subsidiaries' access to financing, increase the costs thereof, and increase requirements to post additional collateral to support outstanding commodity positions, letters of credit and other financial guarantees; changes in national and regional economic conditions affecting us, our subsidiaries and our major industrial and commercial customers, and other counterparties including fuel suppliers, with which we do business; issues concerning the stability of domestic and foreign financial institutions and counterparties with which we do business; the risks and other factors discussed from time to time in our Securities and Exchange Commission filings, and other similar factors. The foregoing review of factors should not be construed as exhaustive. New factors emerge from time to time, and it is not possible for management to predict all such factors, nor assess the impact of any such factor on FirstEnergy's business or the extent to which any factor, or combination of factors, may cause results to differ materially from those contained in any forward-looking statements. FirstEnergy expressly disclaims any current intention to update, except as required by law, any forward-looking statements contained herein as a result of new information, future events or otherwise.

(090413)

# Jefferson County Public Service District

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AUG 08 2013

## Jefferson County Public Service District Regular Board Meeting August 5, 2013

Jefferson County Commission

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, August 5, 2013 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; District Legal Counsel, Jim Kelsh; from Pentree Engineering, Zane Summerfield; Liaison for the County Commission, Commissioner Jane Tabb; and Customer Liaison, Charles Cheezum.

### CALL TO ORDER

Chairman Jim Cummins called the meeting to order at 7:01PM.

### APPROVAL OF AGENDA

There were no changes made to the agenda.

### PUBLIC COMMENTS

None.

### OLD BUSINESS

#### Review Minutes of July 1 regular board meeting

The minutes of the July 1, 2013 regular board meeting were approved as presented.

**Action:** Motion made by Mr. Appignani and seconded by Mr. Strider to accept the July 1, 2013 minutes as presented. Unanimously approved.

#### Review Minutes of July 23 special board meeting

The minutes of the July 23, 2013 special board meeting were approved as presented.

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to accept the July 23, 2013 minutes as presented. Unanimously approved.

#### Review Minutes of July 31 emergency special board meeting

The minutes of the July 31, 2013 emergency special board meeting were approved as presented.

**Action:** Motion made by Mr. Appignani and seconded by Mr. Strider to accept the July 31, 2013 minutes as presented. Unanimously approved.

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

• Approve contribution of up to \$10,000 from water account for the water systems project  
Ms. Lawton stated that the Board needs to approve the contribution of up to \$10,000 from the water account to cover soft costs for the project to satisfy the Public Service Commission request.

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to approve the \$10,000 contribution from the water account for the water systems project. Unanimously approved.

### NEW BUSINESS

#### Consider approval of the award of contract for pump station 5-3 construction

The bid documents for the pump station 5-3 upgrade were accepted at the Districts office until this afternoon at 2pm. The project would be awarded to the lowest bidder. Mr. Summerfield, representing Pentree, was present at the District's office to open and read the bids publically. Mr. Summerfield informed the Board that four bids were received, two of which were disqualified. Of the two bidders that satisfied the bid criteria, Snyder Environmental Services and Underground Contacting Inc., the lowest bid

went to Snyder Environmental Services for \$315,000 even though both bids exceeded the original budget for the project. Mr. Summerfield will contact Snyder Environmental Services about what can be eliminated from the bid to bring the project cost down.

**Action:** No action taken by the Board.

Consider protesting Charles Town sewer rate ordinance to Public Service Commission

The Utility Boards for both Charles Town and Ranson have passed new rate ordinances that will be adopted on September 1<sup>st</sup> if there isn't a substantial amount of protest. Since the District is a bulk rate customer of Charles Town, the rate increase will be passed down to the District's customers. Mr. Kelsh informed the Board of their option to protest the rate increase; however, he doesn't think the District should object because it could lead to unexpected consequences. Mr. Cheezum questioned what, if anything, could be done to slow down or stop the increase. Mr. Kelsh stated that protesting the increase could delay the implementation and the Public Service Commission could examine the rates which could lead to an increase or decrease. He also stated that this increase in rates was not subject to the Senate Bill 245 funds because the project had been previously submitted, but the next project related increase could utilize the funds.

**Action:** No action taken by the Board.

Consider filing Tariff Rule 30-B pass through sewer rate increase to Public Service Commission

The Board would like Mr. Kelsh to file the tariff Rule 30-B for the pass through sewer rate increase with the Public Service Commission.

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to file a 30-B rate case to increase the District's sewer rate to reflect the Charles Town increase in the bulk rate.

There was a brief discussion by the Board. Mr. Appignani questioned when the Senate Bill 245 funding would be available for Charles Town to utilize. Commissioner Tabb is going to discuss this with Senator Herb Snyder. Mr. Strider suggested getting a drafted commitment from Charles Town stating they will utilize the Senate Bill 245 grants which could help with rates. Mr. Cummins would like Mr. Kelsh to add wording to the 30-B notice to customers giving a better explanation on the reason for the rate case.

**Action:** The motion was approved unanimously.

Update on Statutes of Current Public Service Commission Cases

Mr. Kelsh gave a brief update on the current cases the District is involved in at the Public Service Commission, including the application for Certificate of Convenience and Necessity for the water systems project (13-0865-PWD-PC-CN), the amendment to the Alternate Mainline Extension Agreement with Aspen Greens (12-1567-PSD-PC), Milliron/Parker complaint case (12-1370-PSD-C) and the petition for approval of cross connection and backflow prevention programs (13-0514-PWD-PC).

**Action:** No action taken by the Board.

Discussion of any Expenses over Budget

There were four line items over budget this month; however, the District is still under budget for the year.

**Action:** Motion made by Mr. Appignani and seconded Mr. Strider to approve the line items over budget including General Officer Salaries, Pension and FICA Tax Expense, Miscellaneous General Expense, and Special Expense. Unanimously approved.

Disbursements

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to approve disbursements for Public Service District water expenses in the amount of \$5,281.48. Unanimously approved.

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to approve disbursements for the Public Service District sewer expenses in the amount of \$147,066.93. Unanimously approved.

Approve transfer of \$1,064.92 from Renewal and Replacement Account to Sewer Operating Account for repair at pump station 3-6

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to approve the transfer of \$1,064.92 from renewal and replacement account into sewer operating account for repair at pump station 3-6. Unanimously approved.

Approve transfer of \$2,732.60 from Renewal and Replacement Account to Sewer Operating Account for Omni-site at pump station 2-14

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to approve the transfer of \$2,732.60 from renewal and replacement account into sewer operating account for Omni-site at pump station 2-14. Unanimously approved.

Approve transfer of \$4,493.05 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 \$4,493.05 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.

New Truck – Ms. Lawton informed the Board that the new truck has been ordered, but will not be ready until late August.

Lysimeters – The two lysimeters installed in the drainfields at Deerfield have not produced any samples yet.

**Action:** No action taken by the Board.

Operations Manager's Report

Mr. Freeze was absent for the meeting. The Board had no comments on his report.

**Action:** No action taken by the Board.

Comments from customer liaison

Mr. Cheezum brought up concerns of who selects the executive session agenda items and why some items are listed under that section of the agenda. Mr. Kelsh stated that it was a collaboration of staff and board members for drafting the executive session items which are all items relating to contract negotiations, litigation, or personnel matters.

**Action:** No action taken by the Board.

Public Comment

Ms. Jacquelyn Milliron, Breckenridge resident, complimented PSD staff for being cooperative and pleasant to work with. Ms. Milliron also made the comment that the public would like to know what is going on regarding the Old Standard land issue since it may affect the customers in the future. And lastly, Ms. Milliron questioned the new truck financing, strategic plan, and costs of the pump station 5-3 upgrade as they all relate to the final order of the sewer rate case.

Correspondence

The District received an invitation from the Public Service Commission to participate in discussions with their utility analysts and utility inspectors.

Mr. Cheezum and Mr. Summerfield exited the meeting. Commission Jane Tabb was invited to stay for executive session to participate in the negotiations with Dunn Engineering since she is a member of the selection committee. She left the meeting after that discussion.

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

Mr. Bob Rodecker was called to discuss the Old Standard land issues. Mr. Keish exited the room for that discussion.

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

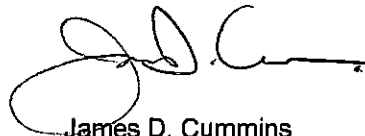
**Action: Motion made by Mr. Appignani and seconded by Mr. Strider to grant Susanne Lawton limited settlement authority for the Lyles/Prescott civil action suit as discussed by the Board in executive session. Unanimously approved.**

**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 9:44PM

The next regular meeting is scheduled for Tuesday, September 3, 2013 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



James D. Cummins  
Chairman



Peter L. Appignani  
Secretary



September, 2013

## Jefferson County Commissioners:

Dale Manuel, President

Walt Pellish, V. President

Patsy Noland

Jane Tabb

Lyn Widmyer

## Jefferson County Homeland Security and Emergency Management Steering Committee:

John Sherwood, Chair

Ed Smith, Vice Chair Fire and Rescue Representative

Jeff Jeffries, Health Representative

Katherine Dunbar, Good Shepherd Inter-Faith Caregivers

Mason Carter, Jefferson County Department of Engineering

Jeffrey Polczynski, ENP, Jefferson County Emergency Communications Center

Jane Tabb, County Commission Representative

Kelly Parsons, Nichols, DeHaven &amp; Associates

Pete Dougherty, Jefferson County Sheriff

Chuck Ellison, Frontier Communications, Utility Representative.

John Reisenwebber, Jefferson County Development Authority

Sanford H. "Sandy" Green, Region 3 Homeland Security Area Liaison

Holly Morgan-Frye, Shepherd University Service Learning Program

## Staff:

Barbara Miller, CEM, CFM Director

Terri Mehling, Planner/Program Manager/Deputy Director

Jessica Owens, Administrative Assistant, Public Information Officer and Volunteer Coordinator

# 10th Anniversary of National Preparedness Month 2003-2013

Barbara J. Miller, CEM; CFM



As the nation proclaims A Decade of Preparedness, 2003-2013, it should be noted that still, not everyone is prepared! In surveys done during events such as the Jefferson County Fair during that same time period, of those who said they were not prepared, the number one answer for not preparing was: "I don't think it will happen here or I don't think it will happen to me." Famous last words!

For ten years, JCHSEM and other agencies, such as the Red Cross, Citizen Corps, Medical Reserve Corps, FEMA, and others have said, "Make a Plan; Build a Kit; Be Informed; and Get Involved." All very important points, but as we enter another Preparedness Month, JCHSEM wants to take you to a higher level of preparedness. In addition to

Make a Plan; Build a Kit; Be Informed; and Get Involved, we want you to examine your insurance policies. Are you prepared to recover from a disaster financially? If your answer is, "I honestly don't know," then call your insurance agent and arrange an appointment to make sure all of the things you love (your property, your family, and your life) are adequately insured. Think also about your livelihood. Does the place you work or the business you own have a business continuity plan? Does your local government have a continuity of government plan? Does the place your worship have a recovery plan? Does your child's school or daycare center have an emergency plan that you helped to develop and/or understand completely? Does the University where your older children study have a Campus Disaster Plan? Have you applied simple mitigation measures to all of your properties after determining the risks you face?

"How much should I prepare?" is a question we get asked from time to time and my standard answer is, "It depends." It depends on how much you are willing to risk. Personally, if I live with it, love it, own it or am responsible for it, then I want to make sure it is protected and that I can take care of it, even when disaster strikes. So, Make a Plan, Build a Kit, Be Informed, and Get Involved. Then take it to a higher level. If not now, when? If not you, who? Happy National Preparedness Month!

**2013 Hurricane Names**

Below you will find the listing of hurricane names for the Atlantic Ocean for the year 2013. For every year, there is a pre-approved list of tropical storm and hurricane names. These lists have been generated by the National Hurricane Center since 1953. At first, the lists consisted of only female names; however, since 1979, the lists alternate between male and female. Hurricanes are named alphabetically from the list in chronological order.

- Andrea
- Barry
- Chantal
- Dorian
- Erin
- Fernand
- Gabrielle
- Humberto
- Ingrid
- Jerry
- Karen
- Lorenzo
- Melissa
- Nestor
- Olga
- Pablo
- Rebekah
- Sebastien
- Tanya
- Van
- Wendy



# Independent Fire Company to Hold 12th Anniversary

## Remembrance of 9/11

The Independent Fire Co. will host its 12th annual 9/11 Remembrance Ceremony at 9:58 a.m. at the fire station, 200 W. Second Ave., Ranson, W.Va. Guest speaker is George Harrison of Jefferson County, W.Va., who was at the World Trade Center that morning with the Secret Service.



Picture from a previous year's ceremony



Picture from a previous year's ceremony

### Social Media for Natural Disaster Response and Recovery to be held in Jefferson County

WV Department of Homeland Security and Emergency Management will sponsor the Social Media for Natural Disaster Response and Recovery Course on October 22, 2013 from 0800-1700 in the Jefferson County Maintenance Department's Meeting Room. This free course will provide participants with the knowledge and skills of social media and its uses, as well as the current tools, methods, and models to properly make use of social media for crisis communication. Participants will take part in facilitator-led activities. Through the use of social media tools, participants will learn and master skills to disseminate information and monitor, track, measure, and analyze social media traffic. The use of social media for disaster preparedness has two components: 1) As an official means for providing updated information about a crisis, proactive steps must be taken prior to disasters in order for effective communications to occur. 2) As a part of crisis observation, managers should be monitoring social media platforms and channels that may be relevant to their organization. Observing can be as simple as conducting regular searches and analyses of media platforms for keywords and phrases that may imply an emerging crisis or disaster. Monitoring of social media should extend into the crisis response and post-crisis phases to check how management efforts are being received. **REQUIREMENTS:** Participants will be required to bring their own laptop or wifi-enabled device to the training session for the hands-on exercises. This course does the Pre-Test, Post-Test, and Course Evaluation Online. [https://ndptc.hawaii.edu/accounts/login/?next=/training/course\\_delivery/248](https://ndptc.hawaii.edu/accounts/login/?next=/training/course_delivery/248) Course Registration Code: 57293. If you do not have an online account prior to the class start date, you may not be able to participate in the class. To register, go to: <http://www.onlinelearning.wv.gov/dmapscm6>. Registration deadline is 1700 hours on 12 October 2013. Space is limited. Registration is prerequisite to admittance.

Questions? Call Christian Fernley at 304-558-2930.

## EOC Operations for All Hazards Course to be taught in Kearneysville by TEEX

The Texas Engineering and Extension (TEEX) will teach its Management-345 Course, EOC Operations for All Hazards on October 15-17 at 128 Industrial Blvd., Kearneysville, WV 25430. This building is the Jefferson County Maintenance Department's Training Room. The EOC Training Course offers the participant insight into and practical experience with emergency management and decision-making skills necessary to effectively manage the overall response to a large scale WMD/Terrorism incident or an All-Hazard event utilizing the Multi-Agency Coordination System (MACS). This course will develop and reinforce emergency management, situational awareness, planning, information management, resource management and decision-making skills for course participants. The course adapts existing emergency management (NIMS/ICS) procedures to the unique requirements of EOC operations. Topics to include: Multi-Agency Coordination Systems (MACS) overview; MACS entities; Interrelationships; Roles and Functions of the EOC; Functional Areas; Organizational Models; Roles; Processes; Direction and Control; Information Management; Operations; Planning and Coordination; Resource Management; and Public Information Audience. This course is designed for supervisory and management personnel from all emergency response disciplines that have duties in the EOC. Participants should come from "Upper and Middle Management", i.e. Emergency Managers; First Line Supervisors; and administrators who will function as emergency coordinators/directors or emergency operations center (EOC) staff members. This course is not intended for basic firefighters, police patrol officers or EMTs. To enroll, go to <http://www.onlinelearning.wv.gov/dmapscm6> and register online. If you have questions about enrolling for the course, please contact Christian Fernley at West Virginia Department of Military Affairs and Public Safety at 304-558-2930. The course is open to Emergency Management Agencies from throughout West Virginia.

## Terri Mehling receives Reaccreditation certificate at SERC Conference

Terri Mehling, Deputy Director at Jefferson County HSEM received her Re-Accreditation as a West Virginia Emergency Manager, Level 3. Ms. Mehling received her original accreditation in 2010. Accreditation in West Virginia is given for period of 3 years before an application must be re-submitted, along with a new project package. Accreditation is determined by the WV Emergency Management Council, based upon training, participation in disaster exercises, planning projects, and public awareness activities. WV Department of Homeland Security and Emergency Management Director, Jimmy J. Gianato presented Terri with her certificate in August at the WV State Emergency Response Commission's annual conference in Charleston.



## Emergency Management Assistance Company for City and County Officials Webinar on October 17



The National Emergency Management Association, with cooperation of the National League of Cities and the International City/County Management Association, will present a webinar on the Emergency Management Assistance Compact, also known as EMAC. The intended audience members are city and county officials. The speakers will discuss what EMAC is, what local officials need to know, the importance of their relationship to the state Emergency Management Agency, and how resources are adjudicated, as well as their potential as a resource provider to other states in a disaster. The main presenter will be Joyce Flinn, current EMAC Executive Task Force Chair and Readiness/Response Bureau Chief at the Iowa Homeland Security and Emergency Management Division.

After the webinar a presentation package will be available for state EMAC Coordinators and other EMA officials to use when presenting the information to local officials as a follow-up to the national webinar. The presentation package gives the states an opportunity to discuss state policies on local and private deployments, local EMA relationships, contact information, etc.

Title: EMAC Overview for City and County Officials  
Date: Thursday, October 17, 2013  
Time 2:00-3:00 p.m., EDT

Space on the webinar is limited. Reserve your Webinar seat now at:

<https://www2.gotomeeting.com/register/236383194>

After registering, you will receive a confirmation email containing information about joining the webinar.



## **Jefferson LEPC to host Mass Fatalities Conference October 29-30, 2013 in Harpers Ferry**

The Jefferson County Local Emergency Planning Committee will host the 2013 Mass Fatalities Conference in beautiful and historic Harpers Ferry, WV on October 29-30, 2013. This conference will bring together various disciplines from across West Virginia and our partners in Virginia, Maryland, and Washington, D.C. to explore past incidents, discuss lessons learned and define best practices to enhance future response and decision-making in these complex disasters. The presentations given during this conference will be led by speakers with extensive disaster response background to include United Flight 93 on 9/11, Pentagon 9/11, Hurricane Katrina, the Sago Mine disaster, the Haiti Earthquake, and the Cameron mine explosion. Registration is \$169 per person. Discounts are offered for Volunteer Emergency Responders, Military, and students. Their registration is \$100. Registration, hotel information, speakers bios and opportunities for both vendors and sponsors can be found on the L.E.P.C.'s conference website at : <http://jclepc.davistrainingsolutions.com/Default.aspx>

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## **West Virginia Homeland Security Region 3 Annual TEPW (Training Exercise Planning Workshop) Planned for November in the Romney/Moorefield Area.**

The creation of effective capabilities-based exercise programs begins with a multi-year training and exercise plan (TEP), which establishes overall exercise program priorities and outlines a multi-year schedule of training and exercise activities designed to address those priorities and validate core capabilities. The Training and Exercise Planning Workshop (TEPW) provides a collaborative workshop environment for Whole Community stakeholders to engage in the creation of the TEP. The TEPW also serves as a forum to coordinate training and exercise activities across organizations in order to maximize the use of resources and prevent duplication of effort. The first task of the TEPW participants is to identify factors for consideration in developing exercise program priorities. The following factors are considered: Threats and hazards, areas for improvement/capability assessments, external sources and requirements, accreditation standards, regulations, or legislative requirements. The group then links the factors to Core Capabilities. This process helps identify the areas most in need of attention. They then establish exercise program priorities that guide the overall exercise program. Finally a multi-year schedule is developed that outlines the exercises and associated training events that will address the exercise program priorities. During this phase, participants will focus on identification of potential exercises for inclusion in the multi-year schedule, identify training opportunities to support specific exercises, address areas for improvement or capability gaps or meet training requirements, and update the exercise schedule. TEPs should reflect a progressive planning approach that improves core capabilities through a series of exercises that involves an increasing level of complexity over time. This year's WV Homeland Security, Region 3 TEPW will be held in November in the area of Romney/Moorefield. Look for further information in next month's newsletter!

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## 2013 Exercises

February 27-Concept and Operations Meeting for the 2013 WV Homeland Security Region 3 Exercises-Ponderosa in Moorefield.

March 25-Tabletop Exercise, Operation Newton, AT the Veteran's Administration in Martinsburg

April 4-Full Scale Exercise, Operation Newton, Veteran's Administration, Martinsburg

April 8-Mini Exercises at the Jefferson County Health Department with School Nurses

April 26-Jefferson County Local Emergency Planning Committee's Tabletop Exercise

June 26 WV Homeland Security Region 3 Tabletop Exercise at James Rumsey in Berkeley County.

August 9-Hampshire County-Augusta, WV-WV Homeland Security Region 3 Functional Exercise

September 14-WV Homeland Security Region 3 Full Scale Exercise

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WV Homeland Security, Region 3 has completed their Tabletop and Functional Exercises for 2013. The Full Scale Exercise will be held on Saturday, September 14 throughout the counties of Region 3. Jefferson County will be testing the Jefferson County Department of Health's new Mass Fatalities Plan, the Jefferson County LEPC's new Hazardous Materials Response Plan, capabilities for medical surge, operation of the Jefferson County EOC, and capabilities to maintain communications throughout the event. All local agencies are invited and encouraged to participate!

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ETEAM Training-WV Homeland Security Region 3 Coordinator, Sandy Green, taught ETEAM training/ refresher course on September 4 for Emergency Operations Center staff from Jefferson, Berkeley, and Morgan Counties at the Jefferson County EOC. Those attending were: Mr. Green, instructor; Barbara Miller, Jessica Owens, Nancy Hatcher, Sallie Edwards, and Kelly Parsons from Jefferson County; Steve and Melissa Allen, and Ashley Petrolino, Berkeley County; and Dave Michael, Morgan County.

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EOC Training-Barbara Miller, Director of Jefferson County Homeland Security and Emergency Management taught an EOC training for new representatives to the Jefferson County EOC and as a refresher course for some of the seasoned representatives. Jefferson County EOC has had a new telephone system installed since its last activation and a short lesson on how to hook up and use the EOC phones was included as part of the training. Those attending included: Director Miller, Jessica Owens, JCHSEM Public Information Officer; Sandy Hite, Jefferson County Health Department's Threat Preparedness Coordinator; Sheriff Pete Dougherty; Debra Palmer and Sandee Niles, American Red Cross; and Sheri Hoff, Jefferson County Schools representative and Operations Chief, Christopher Cross and Jeff Polczynski, Jefferson County Emergency Communications Center.

## Jefferson County Homeland Security and Emergency Management-Committees

### **Steering Committee, John Sherwood, Chair**

The Steering Committee works with the JCHSEM Director to guide the activities of JCHSEM. A fourteen-member Steering Committee is made up of public and private representation. JCHSEM is a Department within the Jefferson County Commission, who has overall responsibility for the department and its employees. The Jefferson County Commission appoints all members to the steering committee. This committee meets on the 4<sup>th</sup> Tuesday of February, March, May, June, August, September and holds a Nov/Dec meeting at 9:00 a.m. in the JCHSEM EOC at 28 Industrial Blvd., Kearneysville, unless otherwise announced. The Quarterly Partnership meetings held in January, April, July, and October also serve as the Steering Committee meetings for those months.

### **Public Awareness, Education and Training Committee, Kelly Parsons, Chair**

Any interested person can serve on this committee. The Public Awareness, Education and Training Committee is responsible to communicate the organization's activities to the public and to build support for JCHSEM's programs. They work with the Director and other staff to keep the entire community focused on the objectives of JCHSEM, the opportunities for additional involvement and support by updating citizens and businesses about what the partners are doing and how the community will and is benefiting from these efforts. Additionally, they are responsible to assist the program manager in setting up speaking engagements and public awareness events. This committee meets on the 2<sup>nd</sup> Wednesday of each month except December at 9:00 a.m. in the EOC at 28 Industrial Blvd., Kearneysville unless otherwise announced.

### **Partnership and Volunteer Development Committee, Holly Morgan-Frye, Chair**

Any interested person can serve on this committee. The Partnership Development committee assists the staff in identification and recruitment of potential partners and what they have to offer in community preparedness. This committee will be responsible for activities to promote partnership or membership development and recruitment of volunteers. This committee meets quarterly in the EOC at 28 Industrial Blvd., Kearneysville, unless otherwise announced. at 8:30 a.m. on the last Monday of January, April, July and October.

### **Risk Assessment and Mitigation Planning Committee, Jeff Jefferies, Chair**

Any interested person may serve on this committee. The Risk Assessment/Mitigation Planning Committee will examine the community's risks and vulnerability to all hazards and assess the community's vulnerability to those risks. Additionally, they will look at specific buildings, infrastructure, etc. to determine which are most susceptible to risks. A Risk Assessment and Mitigation Plan was completed and adopted by the Jefferson County Commission, all Jefferson County municipalities, WVHSEM, and Federal Emergency Management Agency in July, 2003. The plan was updated in 2008. The 2013 Plan was approved by WVDHSEM and FEMA in June, 2013. This committee meets on an "as needed basis". Please call the office at 728-3329 for exact dates and times.

### **Counter Terrorism Committee, Barbara Miller, Director, Chair**

Membership to this sub-committee of the Risk Assessment and Mitigation Planning Committee is limited to members of law enforcement, emergency management, homeland security, emergency communications, Red Cross, schools, health care, fire companies, ambulance authority/EMS, and government, due to sensitive homeland security issues. The committee works on issues of planning and training for counter terrorism or human-caused disasters. Meetings are held on the 2<sup>nd</sup> Tuesday of the month at the EOC at 28 Industrial Blvd., Kearneysville, unless otherwise announced.

If you are interested in joining any of our committees, contact either [bmiller@jeffersoncountywv.org](mailto:bmiller@jeffersoncountywv.org) or [tmehling@jeffersoncountywv.org](mailto:tmehling@jeffersoncountywv.org)

**Jefferson County Homeland  
Security and Emergency  
Management**

28 Industrial Blvd., Suite 101  
Kearneysville, WV 25430

Barbara Miller, Director  
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E-mail: [bmiller@jeffersoncountywv.org](mailto:bmiller@jeffersoncountywv.org)

Terri Mehling, Dep. Director, Planner and  
Program Manager  
Phone 304-728-3329  
Email: [tmehling@jeffersoncountywv.org](mailto:tmehling@jeffersoncountywv.org)

Jessica Owens, Administrative Assistant,  
Public Information Officer and Volunteer  
Coordinator  
Phone 304-724-8914  
Email:

Fax: 304-728-3320

**PUBLIC SAFETY; PUBLIC TRUST**

The Jefferson County Commission's Homeland Security and Emergency Management Department is responsible for the coordination of preparedness, planning, response, recovery and mitigation of disasters and large emergencies in Jefferson County, West Virginia. Volunteer and community participation is encouraged and welcome. We currently have committees on Risk Assessment and Mitigation Planning; Public Awareness, Education and Training; Counter Terrorism; Partnership Development and Retention; and a Steering Committee that acts as an advisory group. We are responsible for the Citizen Corps/CERT, StormReady, Community Rating System, Resilient Neighbor Network and Project Impact programs. JCHSEM is also responsible for the Jefferson County R.A.C.E.S group.



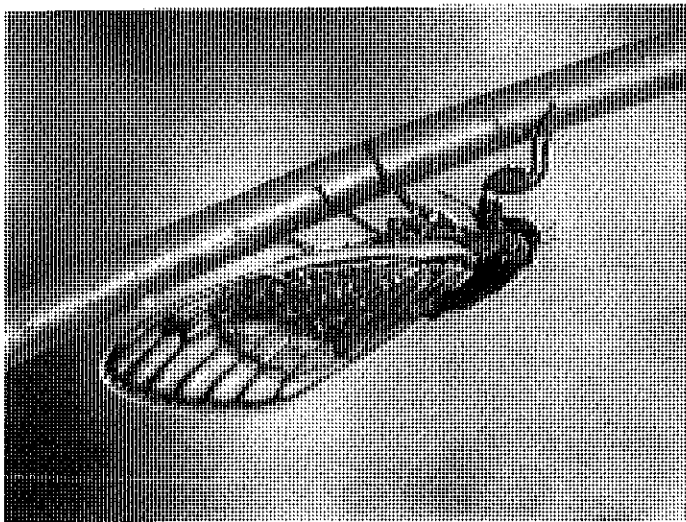
## Meetings & Events

September, 2013 NATIONAL PREPAREDNESS MONTH

- 02—Labor Day Holiday. Office is Closed
- 04-EOC Training at the Jefferson County EOC, 1000 hours
- 04-ETEAM Training at the Jefferson County EOC, 1400 hours
- 05-HAM Radio Testing at the EOC 1700
- 09-JCHSEM Public Awareness, Education & Training Committee, Jefferson County EOC at 0900
- 09-JCHSEM Counter Terrorism Committee at 1400 hours in the Jefferson County Maintenance Department Training Room
- 11-9/11 Remembrance Ceremony at Independent Fire Company, Ranson at 9:58 a.m.
- 11-LEPC Meeting at Noon at the Quality Inn and Conference Center
- 14-WV Homeland Security Region 3, SAT DOWN Full Scale Exercise
- 17-19 FEMA Public Assistance Workshop at Chief Logan State Park-0800-1700 daily
- 26-Hydrology Workshop at the National Weather Service in Sterling, VA 1000 hours

## Mystery of the Missing Cicadas

By Wil Hershberger



Female 17-year cicada laying eggs in a sassafras twig.  
©Wil Hershberger, Nature Images and Sounds, LLC.

Many people have asked, “What happened to the 17-year cicadas this year?” There has been a lot of press this summer about the emergence of these amazing creatures among the major cities of southeastern New York, New Jersey, and the big cities of Maryland.

These unique cicadas, also called Linnaeus’s 17-year Cicadas, are a favorite of everyone who has encountered them. Their black bodies, red eyes and orange wings make them easy to identify. Adults emerge in early summer. Females lay eggs in the twigs of deciduous trees. The eggs develop into nymphs in about 4 to 7 weeks. The tiny nymphs rain down from the trees and burrow into the ground, where they remain and grow for 17 years, feeding on the sap of roots! Amazing! The last molt from nymph to adult is synchronized for all of the cicadas in a particular area (synchronized populations are called “broods”—see maps on next page). Nymphs emerge *en masse*. Tens of thousands molt into adults in just a few days. Their shed exoskeletons litter the bark and leaves of trees.

During the early summer of 2013, 17-year cicadas of Brood II emerged in the general area outlined above, all to the east of our location. Some areas did not experience the same overwhelming numbers that they had during the last emergence in 1996. This

observation is not surprising. These cicadas require woodlands — specifically, mature deciduous trees for successful reproduction. If they had emerged in 1996 in an area that had formerly been wooded and is now a new shopping center, parking lot, office building, or housing development, there would be few if any mature deciduous trees for the females to lay their eggs in or for the new young to feed from the roots of. These smaller populations of the larger brood would perish and not repopulate their kind. So, now in 2013 there would be no 17-year cicadas in these areas to emerge with the rest of the Brood II bunch.

Delineating the different broods is not an exact science. Many amateur volunteers as well as professional entomologists, have scoured the countryside looking and listen for these insects for decades. There is still a lot to be learned about the exact extent and borders of these different broods. It was reported that, during the 2004 emergence of Brood X, singing 17-year cicadas were heard and observed in the areas of Wheeling, WV and Youngstown, Ohio — well outside the known range of Brood X.

Our area, the eastern panhandle of West Virginia, is blessed with three broods, some of which overlap. These are Broods I, X, and XIV. Brood X is by far the biggest, with more individuals emerging than any of the other broods. The next emergence of 17-year cicadas in our area should be June of 2021 when Brood X again emerges and overwhelms the woodlands and our senses with the glorious cacophony of these amazing insects. Farther west in West Virginia, Brood V will emerge in 2016.

Male 17-year cicadas produce two distinct song types. The first is the calling song that the males give to attract females. If you listen carefully you can hear the female giving a sharp wing-flick that sounds like a tick, in response to the males’ song. [http://songsofinsects.com/iframes/cicadas/popup\\_magisept1.html](http://songsofinsects.com/iframes/cicadas/popup_magisept1.html)

The second song type is the mating song, given by males when they approach females. The mating song becomes very animated just before copulation. [http://songsofinsects.com/iframes/cicadas/popup\\_magisept2.html](http://songsofinsects.com/iframes/cicadas/popup_magisept2.html)

Lastly, the chorus of a woodland full of these magnificent insects sounds otherworldly. Even the birds are affected — their songs are drowned out by the din (they seem to sing far less in areas where broods emerge.) [http://songsofinsects.com/iframes/cicadas/popup\\_magisept3.html](http://songsofinsects.com/iframes/cicadas/popup_magisept3.html)

*Potomac Valley Audubon Society is people dedicated to preserving, restoring, and enjoying the natural world through education and action.*

## Director's Report

By Kristin Alexander, PVAS Executive Director

I hope all of our members and friends had an enjoyable summer, full of outdoor adventures and fun.

PVAS experienced quite a busy summer! In addition to a very successful summer camp and lots of great birding trips, classes, hikes and other field experiences, we also were tending to some administrative matters. For a variety of reasons ranging from personal to professional, several Board members resigned over the summer. We'd like to sincerely thank Bob Reynolds, Gary Heichel, Sandy Sagalkin, and Heather McSharry for their hours of service and significant contributions over the last several years. All have promised to stay involved, and I hope they will!

We are fortunate to have found exceptional individuals to fill their shoes, and we'd like to welcome them and thank them for "signing on" for leadership roles within PVAS. Some are "old friends" to PVAS, and some are relatively new to the organization.

Diana Mullis, a founding member and a past president, has agreed to serve as President for a one-year term during this transitional time. Diana has managed our birdseed sale and coordinated wildlife rescue efforts for many years, and has served in nearly every board position that has existed. She has continued to be very actively engaged with board activities, and has generously agreed to serve in this leadership role for the year.

Jane Vanderhook will serve as Vice President of PVAS. Jane served on the Board last year as the chair of the Youth Services Committee after a short hiatus from the board. Previously she had served as the PVAS Treasurer from 2004 to 2008, so is very familiar with the organization's finances and programs.

Mina Goodrich has agreed to serve as Secretary for an additional year to provide consistency on the Executive Committee and to help PVAS through this transition. This was made official at the Board meeting in June.

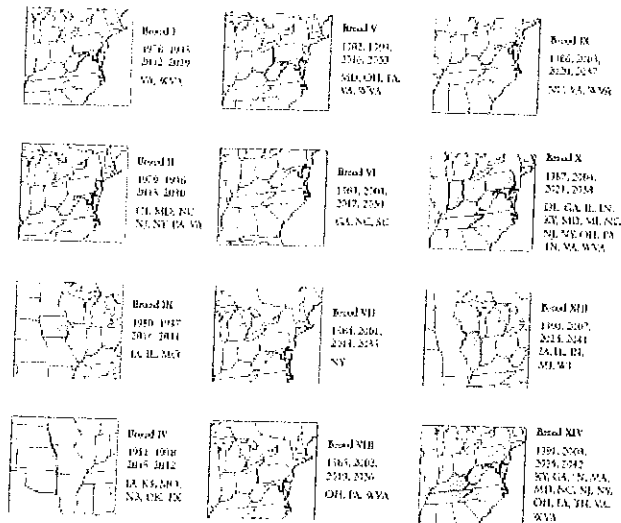
Mike Sullivan will be joining the Conservation and Action Committee. Mike works part time as a consultant with a DC-based environmental engineering firm. He has worked extensively on watershed and water quality projects in the mid-Atlantic area including the Potomac River.

Diana Gaviria will be serving on the Youth Services Committee. Diana is a public health physician with board certification in Family Medicine. She has volunteered for PVAS youth programs and served two years as Race Director for PVAS' annual "Race for the Birds." Her children attended the PVAS Audubon Discovery Camp.

These nominees were approved by the Board of Directors at the August 1 meeting. Complete bios of all board members are available on our website <http://www.potomacaudubon.org/board>.

We sincerely thank all of our departing Board members for their service, and welcome these new members to the PVAS Board.

### Linnaeus' 17-year Cicada Brood Maps—*Magicicada septendecim*



Note: The above twelve broods, designated by roman numerals rather than years in relation to Brood I, are the only broods documented for 17-year cicadas. Some years are 17-year cicada emergence. These maps have been redrawn from maps found on the University of Michigan periodical site Web site: [www.bcmi.umich.edu/Entomologica/Periodicals/index.html](http://www.bcmi.umich.edu/Entomologica/Periodicals/index.html).

Map of the 12 Broods of the 17-year cicada. Note the dates for the emergence of these broods and the states involved. From "The Songs of Insects," with permission of the author.

## President's Perch

By Diana Mullis, PVAS President

Things Change and All Is Well!

We have all heard the phrase that the only things certain in life are change and taxes, and since PVAS is tax exempt, I guess change is what we can count on. Our Executive Board and Nominating Committee have been busy over the summer because, for a variety of reasons that are personal in nature, our President, Vice President, and a couple of our Board Members needed to leave their appointments early. Before leaving, our Vice President, Gary Heichel, called a meeting of our Board Development Committee (which maintains a list of people that have been recommended by the Board & others to fill Board and Committee vacancies) to find people to fill our newly vacated positions - and they did. This resulted in me, Diana Mullis, stepping up to fill the President's position for the coming year (what a surprise ... for you and me both). As a Past President and Founding Member of PVAS, I know many of you and have a pretty good grasp of what we are about, so with that and lots of help from all of you, we are headed into another year with lots of exciting new prospects, field trips, events, and more - as you will see here in *Valley Views*. Thank you for being a member and supporter of PVAS! I am looking forward to seeing you and hearing your thoughts and ideas. There is a lot to do, so come help me and us do good things! Diana Mullis at 304-267-3482, email: [dianamullis@aol.com](mailto:dianamullis@aol.com)

### Birdseed Sale

The Birdseed order form will be sent out in the October Valley Views. Questions? Contact Diana Mullis at [dianamullis@aol.com](mailto:dianamullis@aol.com) or 304-267-3482.

## Annual Meeting and Elections

The PVAS annual meeting was held on June 1 at the Yankauer Nature Preserve. The end of the year was celebrated with a potluck, election of officers and board members, and recognition of volunteers.

After a delicious potluck supper, Gary Heichel called the meeting to order to elect officers and board members. Two new at-large members were elected: Tanner Haid and Amanda Whitmore. Three past board members were elected for additional terms to serve at-large: Clark Dixon, Leigh Jenkins, and Jane Vanderhook.

Following the election, Bob Reynolds and Kathy Stolzenburg were recognized for their service on the board. A grove of native trees and shrubs will be planted in their honor.

The following volunteers were also recognized for outstanding contributions to PVAS over the last year: Rebecca Ayraud, Alice Barkus, Kathy Bilton, Sandra Bloom, Joette Borzik, Susan Brookreson, Larry and Rebecca Carper, Dan Cogswell, Bob Dean, Carol Del-Colle, Joe Gentile, Deb Hale, Steve Hartman, Don Henry, Wil Hershberger, Nan Johnson, Susan Jones, Elliot Kirschbaum, Nancy Kirschbaum, Gretchen Meadows, Diana Mullis, James and Suzi Munnis, Matt Orsie, James Remuzzi, Sandy Sagalkin, Peter Smith, Melanie Snyder, Gary Sylvester, Diane Sylvester, Marie Van Valkenburgh, Jane Vanderhook, Eldon Winston, Virginia Winston, Kelly Wolf, Rodney Woods.

## Winston Gardens Nursery Helping PVAS Again

The Winston Gardens Native Plant Nursery has generously been helping PVAS in recent years. During the month of September this year, it has pledged to donate 15 percent of the proceeds from all its sales to PVAS. The donation will be used to support our Stauffer's Marsh Nature Preserve in Back Creek Valley.

The nursery is located in northeastern Berkeley County, at 1121 Hollida Lane, one mile off Swan Pond Road. It will be open by appointment during September. To schedule a visit call 304-267-6924.

Operated by noted area landscape designer Virginia Winston and her husband Eldon, the nursery specializes in trees and shrubs that are native to this region and typically offers more than two dozen different species for sale. These range from popular favorites like Sugar Maples and Redbuds to hard-to-find species like Fringe Tree, Witch Hazel, and Black Haw Viburnum.

For detailed directions and a full list of the plants available, go to the Nursery's website at [www.winstongardens.com](http://www.winstongardens.com).

## "Wild Time at Wild Goose" October 26<sup>th</sup>!

Cricky and Michelle Shultz have generously agreed to host our fall fundraiser at their wonderful barn at Wild Goose Farm again this year. Please save the date for a "Wild Time" from 1-4pm on October 26<sup>th</sup>. We hope to see you there. More details will be in the October newsletter, but please mark your calendars!

## First Convention For Audubon In 15 Years!

By Jean Neely

"Audubon's first national convention in 15 years was a resounding success. More than 500 leaders from across Audubon came together to celebrate our achievements and our network and to learn from like-minded conservation leaders."

Thus began National Audubon President David Yarnold's enthusiastic report from the Washington state convention site. Moreover, 142 chapter leaders attended from across the flyways. There were 127 Audubon staff members from 27 states, as well as sponsors, donors and international partners. And they signed up 70 new chapters at the convention alone.

Some of us remember the last convention. Held in 1998 in Estes Park, CO, it was the final chapter in these biennial gatherings, although we did not know it then. I had gone to my first one in 1981, and attended many more thereafter. The cessation of the conventions—as well as alternate year regional conferences—was laid at the doorstep of "saving money." I put it at the feet of the culprit—John Flicker, the then NAS president. He just didn't get it somehow. To him, the weeklong series of workshops, plenary sessions, field trips and schmoozing was a waste of his time and NAS money. To us attending, however, it was an instructive and energizing experience. Just think: At one such event, PVAS got national attention drawn to the long struggle to get a National Wildlife Refuge in West Virginia's Canaan Valley, and we were able to announce the successful launching at the next one.

But let's get back to the just-completed July convention. Yarnold says: "We tackled some difficult topics and we all came away energized and empowered to take on our next big challenges. At the closing session I asked folks what their biggest takeaway was from the convention. One of our chapter leaders said, 'I've learned that if it can't be done, someone in Audubon has probably already done it.' It's hard not to love that spirit."

To which I would like to add: Please bring back also the regional conferences on the 'even years'. Furthermore, in 2015, get the national event back to Estes Park, CO at the YMCA of the Rockies. (Washington is a nearly 3000-mile trek for us East Coasters.) What a glorious setting Estes Park it is—at the entrance to the Rocky Mountain National Park! As for 2015, if NAS does this again, I hope PVAS will be budgeting to send at least two members as well our Executive Director, Kristin Alexander, to attend.

If you'd like further info, convention highlights, etc., go to <http://wa.audubon.org/documents/national-audubon-society-convention-2013>



*What's the height of that tree?*

## Jean Nealy Receives Award

PVAS members who are familiar with the chapter's history probably know that founding member Jean Neely led efforts to establish our organization, including serving as its first president. But did you know that Jean played similar roles with the League of Women's Voters in Jefferson County and Shepherdstown Area Independent Living (SAIL)? Or that she represented us all when she served on the Resource Conservation and Development Council (RC&D) and the Air Quality Board (AQB), rising to the level of Chair of each organization?

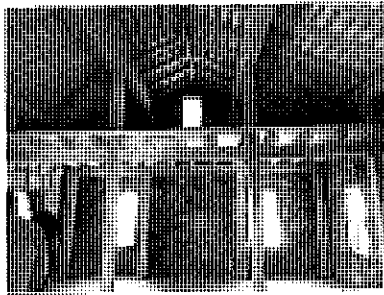
For these reasons and many more, Girl Scout Council of the Nation's Capital selected Jean as one of three Women of Distinction recipients from the Eastern Panhandle for 2013. The prestigious award is based on distinguished service, excellent leadership, and the capacity to serve as role models for girls.

PVAS is 30 years old now and Jean has been involved in its growth every step of the way. She is currently active as Board Member *Emerita* and a member of the Birding Committee. Please congratulate Jean on her award when you see her, and thank her for everything she's done to make PVAS such a vital part of our communities!

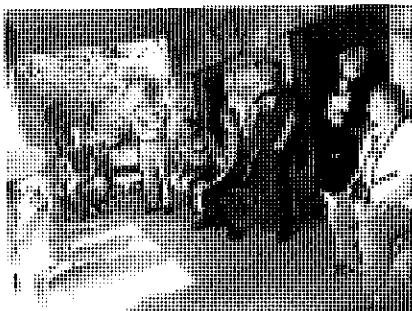
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## Eidolon Event Held June 15

PVAS held an event at the Eidolon Nature Preserve June 15 to mark the restoration of the preserve's old stone cottage and to thank the contractor who did the work, Duane Householder of Hedgesville. About 30 people turned out for the occasion.

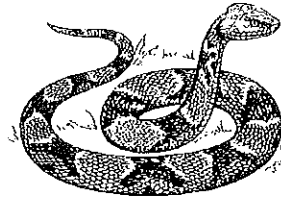


One special guest was a member of the family that donated the Eidolon property: Victor Bonilla, of Bethesda, MD. Victor is a grandnephew of Louis Zapoleon. Three other special guests were Marcie, Anne, and Gavin Beyersdorfer. They are the grown children of the late Margaret Beyersdorfer, of Bethesda, who was the god-daughter of Louis's wife, Marguerite. Victor, Anne, Marcie and Gavin all visited Eidolon when they were children, and they shared their recollections of their experiences there and their memories of the Zapoleons.



Also attending were volunteers who have helped develop Eidolon as a nature preserve, community members who have been supportive of the preserve, and PVAS staff and Board members.

## Eidolon Caution



Several times this summer, young copperhead snakes have been found around the east side of the stone cottage at Eidolon. On each of these occasions, the snakes have been curled up against the base of the cottage's exterior walls or along the sides and base of the stone steps to the porch—no doubt seeking the warmth of the stones.

Copperheads have never been sighted there before, and we are theorizing that a female may have had a litter somewhere nearby last fall.

Accordingly, visitors to the preserve are asked to be vigilant and to watch where they place their feet and hands when they are in the vicinity of the cottage during snake season.

In our area, snakes are typically active each year from about mid-April to mid- to late October.

Although copperhead bites are rarely fatal, they can be serious and painful. Anyone who is bitten should seek medical attention immediately.

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## Monthly Program in September Will Focus on National Audubon Agenda

Our September program at the National Conservation Training Center will feature a presentation by Connie Mahan, the National Audubon Society's Grassroots Outreach Director. The program will be held at 7:00 p.m. Wednesday, September 11 in Room 151 of the Instructional West Building. Admission is free and everyone is welcome to attend.

Connie will review the ways in which local Audubon chapters fit in with the National Society's overall conservation and action goals. She will also cover Audubon's big-picture conservation campaigns, feature a few success stories and offer a policy road map for achieving the National Society's bird goals. She says her presentation "will help everyone rethink what it means to be an advocate for birds and habitat and offer some insights on how everyone can more effectively hone their messages."

Connie has actively worked with national grassroots, Audubon chapters and a number of smaller conservation organizations since 1981. In her current position, she works to engage Audubon's 470 chapters, coalition partners, and activists in national conservation campaigns that focus on climate change, migratory bird conservation, a Mississippi River Initiative, and other issues. Her own focus is on advocacy training, policy education and engagement.

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## Sign Up Now For October Cape May Hawk-Watch Trip

PVAS is sponsoring a hawk-watching trip to Cape May, NJ the weekend of October 11-14. Anyone with an interest is welcome to participate and there will be no fee, but participants will be expected furnish their own transportation and arrange for their own accommodations. Hotel and motel reservations should be made

now, because Cape May is a very popular destination in October. Those planning to use the Lewes-Cape May Ferry also need to make reservations early for the same reason.

The trip will be led by local birding expert Sandy Sagalkin and will focus on several hawk-watching sites in the Cape May area. It will offer good opportunities to see Peregrine Falcons, Merlins, American Kestrels, Sharp-shinned Hawks, Coopers Hawks, Bald Eagles, Northern Harriers, and other raptors.

Those who participate will also be able to take advantage of a variety of free educational opportunities offered by the Cape May Bird Observatory and the New Jersey Audubon Society. Their offerings include such events as a Mini-Hawk ID workshop for beginners, a Hawk-banding demonstration, a Monarch tagging demonstration, and bird walks that are open to the public.

The Cape May Bird Observatory website ([www.birdcapemay.org](http://www.birdcapemay.org)) contains a list of Cape May hotels and motels which offer discounts to birders who are members of the Observatory. The savings can be significant enough that trip participants who are not already members may wish to join. Joining can be done easily online.

Sandy will be staying at Leith Hall, a Victorian B&B in Cape May that offers discounts to members of the Cape May Bird Observatory. You can make a reservation by calling them at 609-884-1934 or through their website at [www.leithhall.com](http://www.leithhall.com). If you call, mention Sandy's name to the proprietors, Elon or Susan.

Those who wish to participate should pre-register by contacting Sandy by phone at 240-291-6465. For more information, contact him by email at [monsansagalkin@myactv.net](mailto:monsansagalkin@myactv.net).

## September Local Birding Trips

PVAS has scheduled three local birding trips for September. All the trips will focus on migrating birds. All are free, and any interested person, regardless of skill level, is welcome to come along. Children are welcome. No pre-registration is required, unless otherwise noted.

For each trip, participants should wear sturdy footwear, dress appropriately for prevailing weather conditions, and bring along water and bug spray. Binoculars will be available for anyone who needs them. Trips may be cancelled in the event of bad weather. Various trip details could also change depending on weather or recent bird sightings.

Full details can be found on the Society's website at [www.potomacaudubon.org](http://www.potomacaudubon.org).

The specific dates, destinations and details are as follows:

### **Saturday, September 7: Birding trip to Altona Marsh.**

Trip will begin at 7:30 a.m. Because this is a protected site and there are access issues, participants must pre-register and sign a waiver. To do this, contact Jim Farley at [jamesfarley@frontiernet.net](mailto:jamesfarley@frontiernet.net) or 540-686-2056.

**Tuesday, September 10: Birding field trip to the historic Claymont property outside Charles Town.** Meet at 7:30 a.m. on the Claymont entrance road at 667 Huyett Road. The trip will involve about three miles of moderate hiking. It should offer

opportunities to see a good variety of birds, including raptors, grassland birds, and early fall migrants. For more info, contact trip leader Joette Borzik, at 240-440-4221 or [pep4223@comcast.net](mailto:pep4223@comcast.net).

**Wednesday, September 18: Hawk-watching trip to the Washington Monument on South Mountain just outside Boonsboro, MD.** The annual Broad-winged hawk migration is usually at its peak at this time, and this trip should provide excellent opportunities to view these magnificent birds as they soar over the region's ridge tops. The trip will begin at 8:30 a.m. Space constraints at the viewing site will limit participation to just eight people so pre-registration is essential. This trip will be definitely be cancelled in case of rain because hawks do not fly in such weather. To pre-register and get specific directions, contact Sandy Sagalkin at 240-291-6465 or [monsansagalkin@myactv.net](mailto:monsansagalkin@myactv.net).

**Thursday, September 19: Bird walk in the Bolivar Heights section of the Harpers Ferry National Historical Park.** Various species may be seen, including migrating hawks and warblers. Meet at 8:00 a.m. at the Bolivar Heights parking area. From the Route 340 traffic light at the entrance to the National Park, turn north onto Washington Street and follow it for about 1/4 mile, then turn north again (left) onto Whitman Avenue; the parking area is at the top of the hill. For more info contact Deb Hale at [debhale72@gmail.com](mailto:debhale72@gmail.com) or 304-535-2346.

## Berkeley Springs Birding Festival Set for September 20-23

The Sixth Annual Berkeley Springs Fall Birding Festival will be held in and around Berkeley Springs the weekend of September 20-22. PVAS is once again the lead festival sponsor. Most of the festival's events will be free and everyone is invited to attend any or all of them. No pre-registration is required.

The festival is timed to coincide with the annual fall bird migration. It will include Friday and Saturday evening programs at the Ice House in Berkeley Springs, bird walks, and workshops during the day Saturday, and a bird walk Sunday morning.

This year's featured evening speaker will be noted West Virginia naturalist and nature photographer Wil Hershberger. Other speakers will be Virginia raptor expert Liam McGranaghan; Smithsonian Institution forensic ornithologist Marcy Heacker; and Desiree Narango, a research associate at the Smithsonian's Migratory Bird Center.

The first event will be a reception and program at the Ice House the evening of Friday, September 20. The reception will begin at 6:00 p.m., and the program at 7:00 p.m. with a presentation by Wil Hershberger entitled "A Celebration of Bird Song." At 8:00 p.m. Liam McGranaghan will give a presentation about the fall hawk migration. The Ice House is located downtown at 138 Independence Street.

Saturday's events will begin with a free morning bird walk starting at 8:00 a.m. at the scenic Panorama Overlook on Route 9 west of Berkeley Springs and then will move on to favorite ripar-

ian sites near the junction of the Cacapon and Potomac rivers. At 10:00 a.m. those interested in looking for migrating hawks can join Liam McGranaghan for a free hawk watch on the top of Cacapon Mountain in Cacapon State Park.

Saturday afternoon, there will be two free events. The first will be a 1:30 p.m. "Beginning Birding" workshop at the Warm Springs Middle School Library, led by Marcy Heacker and local naturalists Judy Webb and Helen Herlocker. The workshop will be aimed at children but open to beginning birders of all ages. It will cover such topics as identification basics, birding manners, and using guidebooks and equipment.

The second Saturday afternoon event will be a 2:00 p.m. birding and general nature hike at the Eidolon Nature Preserve on Sideling Hill Mountain. The hike will be led by preserve caretaker and naturalist Joe Gentile.

Saturday evening will feature two presentations at the Ice House. At 7:00 p.m., Marcy Heacker, who has participated in the festival for the past two years, will give a talk entitled "Feathers 101; The Basic Anatomy and Function of Feathers." At 8:15 p.m., Desiree Narango will discuss "Bird Banding for Science and Education."

The festival will wrap up the morning of Sunday, September 22, with a free 8:30 a.m. bird walk at Sleepy Creek Retreat, a mountain-side property off Route 522 south of Berkeley Springs. The property offers sweeping views and a rich variety of habitats. The walk will provide good opportunities to see migrating raptors, blue jays, and warblers. This year this event will also include a bird-banding demonstration by Desiree Narango. The bird walk will be led by local birding experts Jon Boone and Janet Ardam.

To help cover festival expenses, a \$10 ticket will be sold for the evening programs. This ticket will be good for admission to both those programs.

Advance tickets will be available at the Nature Niche store at 168 North Washington Street in Berkeley Springs (304-258-0992 or [natureniche@earthlink.net](mailto:natureniche@earthlink.net)). Tickets will also be available at the door for both evening programs.



2012 Berkeley Springs Bird Fest Group

## PVAS visits the Delaware Shore

By Matt Orsie

Potomac Valley Audubon held its annual birding trip to Delaware for migrating shorebirds during the weekend of July 27. Nine participants with all levels of experience had a great time during our two days in the field. Even though shorebirds were the primary target we did not ignore other birds. A total of 106 species graced our spotting scopes and binoculars. Notable for the trip were twenty-one shorebird species, eleven different types of Gulls/Terns/Skimmers and eight species of Bitterns/Herons.

Some of the group got together Friday evening for a nice dinner at the Olive Garden in Dover, DE and then headed out to Bombay Hook NWR for the evening heron show. Toward dusk herons and egrets started gathering at the Raymond Pool impoundment of the refuge. They trickled in at first and by sunset were coming in by the 10's, 20's and more. By the time we left there were approximately 300+ gathered. Great Egrets, Snowy Egrets, Little Blue Herons, and even a Tricolored Heron came in. As our cars pulled away a Great Horned Owl called. What a wonderful way to start the trip!

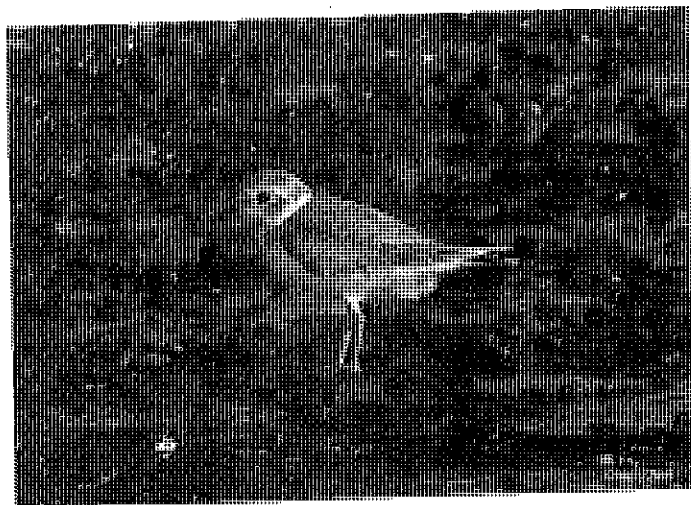
The next morning it was down to Cape Henlopen State Park to look for endangered Piping Plovers. In order to protect newly hatched Piping Plover chicks, a stretch of beach at "The Point" is closed to vehicular and pedestrian traffic starting in early July. This practice has been going on for over 10 years. The closure remains in effect until the last plover chick is able to fly. Fledging usually occurs in late August. Piping Plovers are listed as Threatened on the Federal Endangered Species List, which is administered by the U.S. Fish and Wildlife Service.

Also at Henlopen we were treated to a couple of bonus ducks, namely Surf and Black Scoters which are rare in that area during the summer. All of us were happy campers and this was only the first stop. (:> We proceeded to bird a couple of locations at Prime Hook NWR and then it was on to Fowler Beach. New shorebirds were found including a pair of uncommon Whimbrels.

The rest of the birding on Saturday afternoon and early Sunday was spent doing a more thorough search of Bombay Hook NWR followed by the Woodland Beach Wildlife Area affectionately known as "Taylor's Gut". The group saw thousands of Semipalmated Sandpipers and spent time learning how to tell the peeps (Least, Western, Semipalmated Sandpipers) apart. In addition to the peeps hundreds of Short-billed Dowitchers and Avocets were seen. The complete list of shorebird species can be seen below.

If you've never gone on one of these trips all we can say is you're missing out on an exciting experience. It's only three hours away from the eastern panhandle. The weather was spectacular and we got only a few sprinkles on Sunday.

Shorebirds seen included: Black-bellied Plover, Semipalmated Plover, Piping Plover, Killdeer, American Oystercatcher, Black-necked Stilt, American Avocet, Spotted Sandpiper, Greater Yellowlegs, Willet, Lesser Yellowlegs, Whimbrel, Ruddy Turnstone, Sanderling, Semipalmated Sandpiper, Western Sandpiper, Least Sandpiper, Dunlin, Stilt sandpiper, Short-billed Dowitcher, and Long-billed Dowitcher.



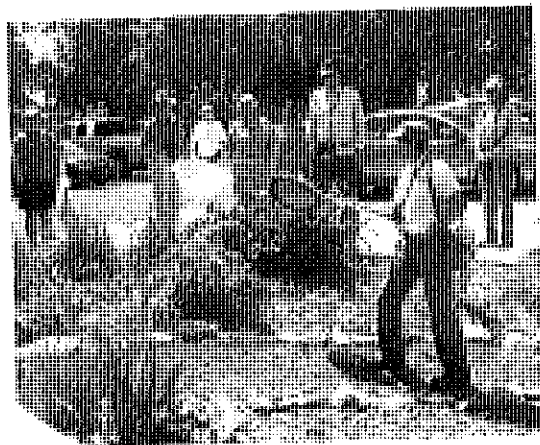
Piping Plover

Photo by Matt Orsie

## Natural History Workshops Open To All

Persons interested in learning more about the natural history of our area will want to check out the Natural History Workshops that are listed on the PVAS website. In September you can explore the Geology of Hardy County and in November learn more about the natural history of fish. New workshops are posted periodically on the PVAS website, so check back frequently. All workshops are open to the public and feature some formal instruction and a field component so that participants can readily apply what they have just learned in class. Registration is open now at [www.PotomacAudubon.org](http://www.PotomacAudubon.org).

Master Naturalist Classes are also available now on an individual basis! Adults and teens, over age 16, may register for any or all of the classes that interest them without committing to the entire program. Classes cost \$15-20 each, depending on the number of hours. These classes are a great way to get your "feet wet" with the Master Naturalist program, and any classes taken will count if you decide to formally enter the program. There are a few classes still being offered in 2013 and new ones will be added early next year. All classes can be found at [www.PotomacAudubon.org](http://www.PotomacAudubon.org) under the Events Calendar.



Dragonfly workshop

## Yankauer Progress

Yankauer Preserve has been a very busy place this summer! In addition to summer camp, several land management efforts have been underway.

First, in June, 15 high school students enrolled in NCTC's Student Climate and Conservation Congress (SC3) volunteered at the preserve. The work crew spent three hours learning about stilt grass and other problematic invasive species, then pulling up stilt grass along the trails. We are grateful that NCTC included us in this volunteer day! The students had some adult helpers. One SC3 teacher from the program, NCTC staff person Georgia Jeppesen, and two Master Naturalists, Tracy McCleaf and Wanda Miller, all helped the students in their volunteer efforts.

Secondly, volunteer Eldon Winston has been leading the charge on battling autumn olive at the preserve. On several dates through the summer, several "Weed Warriors" joined Eldon in cutting, digging, and poisoning autumn olive by painting the stumps of recently cut shoots. The difference they've made is clearly visible! Eldon led another anti-autumn olive workday with incoming freshmen as part of Shepherd University's "Day of Service" on August 20<sup>th</sup>. We can't thank him enough for his leadership on this effort!

Additionally, volunteers have begun to construct the shed extension at Yankauer under Bob Dean's expert guidance. The much-needed addition will house tables, chairs, and program supplies that are used for PVAS' outreach programs, and free up space in the original structure for camp and other Yankauer-based program supplies.

Finally, after a long wait, we will be able to begin work on the composting toilet and well-drilling project at the Yankauer Preserve this fall! We will have two years to complete the project. Lou Scavnicky, the PVAS Board member that chairs the Land Management Committee, is spearheading the project. Lou is an experienced construction manager, so the project is in excellent hands.

Shepherd University Day of Service at Yankauer  
Photo by Emily Gross

## Stauffer's Marsh

The marsh will be the location for an Eagle Scout project beginning this fall. Shawn Hogbin of Hedgesville will be mulching a trail, building a kiosk and bench at the parking lot, and building wood duck boxes for the marsh as part of his project. We'll keep you posted as his project progresses, but we are excited that he chose Stauffer's as the location of his project and look forward to working with him!

## Fall Program Preview

Now that September is here, PVAS has plenty of programs planned for children, families, and adults! There are organized birding programs at Claymont Mansion and Bolivar Heights, a trip to Cape May NJ, and the Berkeley Springs Birding Festival. Geology workshops and hikes are scheduled for September and October. A Natural History Workshop in November will focus on fish. The Potomac Valley Nature Photographers are resuming their meetings on the second Friday night of each month. The monthly PVAS programs will be held on the second Wednesday at NCTC. The Potomac Valley Nature Writers will continue to meet monthly.

Our popular Wee Naturalists programs will be held on one Monday each month through November. This program is designed to help preschoolers, ages 3-5 with a caring adult, to explore Yankauer Preserve. Each month has a different nature focus with age appropriate activities, circle time, books, and hikes. Suzi Taylor is once again leading these programs.

Last year, we started a Saturday program for younger elementary children called *Outdoor Explore!* The program returns this fall, but has expanded to include families, introducing them to different natural areas around the Eastern WV Panhandle through unstructured exploration. We hope to offer *Outdoor Explore!* events on a monthly basis beginning in late September or early October. Program locations this year include Shannondale Springs and Sleepy Creek Wildlife Management Areas, Devil's Nose, Yankauer and Eidolon Nature Preserves, and others.

School programs are beginning again as well. Students from Burke Street Elementary School will be participating in a special, grant-funded cooperative program with PVAS. Each class, kindergarten through third grade will have two classroom visits from a PVAS instructor and enjoy a day exploring Yankauer Nature Preserve. Other classes are making plans to visit Yankauer or invite PVAS into their classroom. Generous grants from Ecolab and the Eastern West Virginia Community Foundation make it possible for us to provide programs to Title 1 Schools at reduced or no cost. Teachers that would like to learn more or schedule a program should contact Ellen Murphy at [Ellen@PotomacAudubon.org](mailto:Ellen@PotomacAudubon.org).

All these programs and registration information can be found on the PVAS website under Events Calendar. The website is updated

frequently so check back on a regular basis to see what's new with PVAS. Our website [www.PotomacAudubon.org](http://www.PotomacAudubon.org) can be your best source of nature programs in this area!

## Audubon Discovery Camp's 11<sup>th</sup> Year is a Huge Success

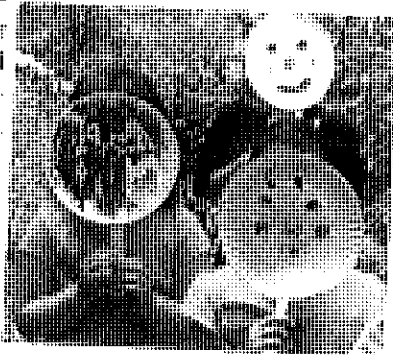
This year's Audubon Discovery Camp may have been one of the coolest ever, even though we may have had more rainy days than sunny ones this year! Our 11<sup>th</sup> season saw an increase in enrollment and many new faces. There were 217 campers attending sessions at Yankauer Nature Preserve or the Peter Burr Farm, and an additional 10 campers at our Digital Nature Photo Camp and 16 junior staff brought the total to 243!

Campers began the summer with *Do You Like Spiders and Snakes?* and discovered that they did! A special treat was the day that our "resident" black rat snake at Yankauer came out of the storage shed to see what was going on. Other sessions included the ever popular *Camp Survivor* and *Bugs-A-Billion*. All campers had the opportunity to build forts in the woods, hike the trails, try out some new and tried-and-true arts and crafts, and play numerous games of Ranger Rick.

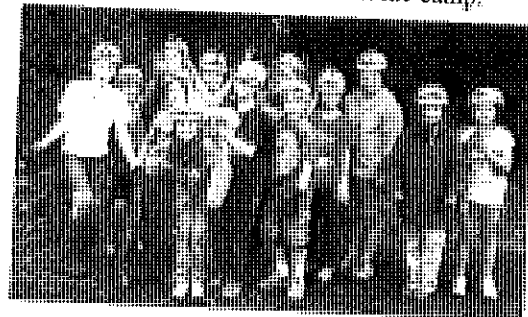
Teen campers spent an afternoon exploring Whiting's Neck Cave, discovered how to break open their own geodes, and spent much of the week with Walter Duke, who shared many rocks and minerals with the group. Another group of older campers hiked the C & O Canal and canoed part of the Shenandoah River.

Among the most popular sessions this summer were those at the Peter Burr Farm. Campers discovered an amazing assortment of bugs and butterflies there during *Bugs-A-Billion* including June Bugs, Harlequin Bugs, Red and Black Stinkbugs (not destructive to crops), Painted Ladies, Cabbage Whites, Sulphur butterflies, and the occasional caterpillar. *Ol' Time Arts* week found the campers making hobby horses from socks, experimenting with invisible ink and homemade lip gloss, and making their own butter and bread, which they ate on Friday.

Our camp staff was awesome, but we could not have done all that we did without the help of volunteers. Some came for just a day and others for a week or more! A huge thank you goes to Wayne Braunstein, Bland Campbell, Sheri Cooper, Linda DeGraf, Walter Duke, Susan and Scot Fluharty, Wanda Miller, Diana Pavlik, Deborah Rochefort, and Melanie Snyder. Special thanks also go to the Shepherdstown Community Club for their last-minute assistance on a day of truly threatening weather. Their support allowed us to move our campers "under roof" and continue camp.



Critters!



Cavers

## Sign Up for Fall Wee Naturalists Sessions

PVAS is now accepting enrollments for our fall "Wee Naturalists" sessions for preschoolers. The sessions will be held on Mondays once a month from September through November. They are designed to provide opportunities for children ages 3-5 to explore nature together safely under the guidance of an experienced PVAS instructor. All sessions will be held at the Yankauer Nature Preserve.

Each session will last from 9:30 a.m. to 11:00 a.m. and will include walks, crafts, and other activities that focus on something different in nature, related to the season. The specific session dates will be September 23, October 21, and November 18.

PVAS's Wee Naturalists program is led by Suzi Taylor, of Sharpsburg, MD, a veteran Audubon camp director who has a degree in environmental education.

At each session, children must be accompanied by a parent, grandparent, other adult relative, or guardian.

To ensure that everyone receives close, personal attention, enrollment will be limited and pre-registration is required. Easy on-line registration is available on the PVAS website. Families may register for any or all of the months. The fee is \$5 per child/adult team per session.

For more information, contact Suzi at 301-432-1908 or [tomand-suzi506@cs.com](mailto:tomand-suzi506@cs.com).

The Wee Naturalists program was established in 2009 with support from the Eastern West Virginia Community Foundation's Two Rivers Giving Circle.

## Our Backyard Naturalist Program is Growing

Have you wondered why we don't have massive numbers of cicadas in our area this year? Do you wish you knew what might be going on underground in the fall? Are you still trying to figure out which species migrate in the winter and which don't? PVAS can help! These questions, and others, will be addressed in a new regular column in The Observer newspaper, distributed to all households in Jefferson County each month. (It's also available online at [www.wvobserver.com](http://www.wvobserver.com))

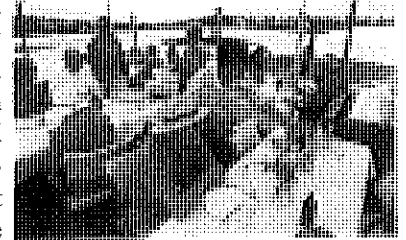
This *Backyard Naturalist* column will be written by Wil Hershberger and others who are members of the Backyard Naturalist Committee, the Potomac Valley Nature Writers, and Potomac Valley Master Naturalists. All the columns will deal with various natural history topics that are common to the Eastern Panhandle area and will be seasonal-specific. If you'd like to contribute to this effort by writing a column, contact Kathryn Henry at [dhenny@myexcel.com](mailto:dhenny@myexcel.com).

The Backyard Naturalist program is a new PVAS effort to help adults and families discover the wonders in their backyards and learn ways to provide habitat for native animals and birds. It doesn't matter if you have acreage, a small yard, or a window box in a condominium or apartment; you can do your part! There is a

Backyard Naturalist page on the PVAS website that can help you with lots of resources. From selecting field guides to purchasing binoculars to finding native plants, we've provided tips and resource links: [www.potomacaudubon.org/naturehome](http://www.potomacaudubon.org/naturehome).

## June 8 Fundraiser

The Champagne Garden Party on June 8<sup>th</sup> was by all measures a wonderful success. Alice and Neal Barkus graciously opened the grounds of their Shepherdstown home to host our spring fundraiser. The weather was glorious and the gardens were beautiful. The "Blue Giving Tree" had to be seen to be believed!



Because of the loyal support of so many people, we were able to exceed our goal, nearly doubling it. The proceeds of this event – an impressive \$8,400 – will benefit our youth education programs.

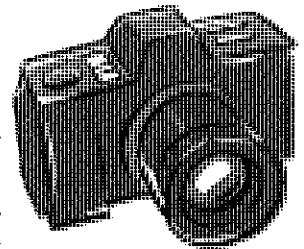
An enormous thank you goes to Diane and Gary Sylvester, Jim Vanderhook, Neal Barkus, Jeff Feldman, Eleanor Finn, Mina Goodrich, Jennifer Jones, Sean McGowan and to the Special Events Committee that includes Alice Barkus, Diana Mullis, Gretchen Meadows, Susan Brookreson and Jane Vanderhook.

No PVAS event could be successful without the continuing support of our dedicated members and friends, so our biggest thanks goes to them. Your generosity is always inspirational. We hope you can join us at our next event on October 28<sup>th</sup>.



## Photo Camp Returns

PVAS was excited to offer our Digital Nature Photography Camp again this year. The week long session for high school students was held at Shepherd University's Center for Contemporary Arts. Campers spent the morning in the computer lab, learning the basics of digital photography and then most afternoons exploring the local



area for subjects to photograph. Each camper had use of a Nikon SLR digital camera for the week. A field trip to Trego Mountain Sanctuary in Keedysville provided some great opportunities for wildlife and landscape photography. Each camper chose one photograph to enlarge and print and these images will be on display at The Bridge Gallery in Shepherdstown later this year. Reports from

parents indicate that many of the students now have digital cameras on their Christmas or birthday wish lists!

Our photography instructor for the week was Hannah Swindoll, a graduate of the Shepherd University Visual Arts Department. She found the experience an exciting one and we hope she will return! She was assisted by a wonderful volunteer, Sarah Butt. The support and assistance of Shepherd University made the program a breeze this year and Asbury United Methodist Church provided us with a van for the field trip. Special thanks also go to Stephanie Robbins-Thulin of the Department of Contemporary Art and Theater, who made it all so easy!

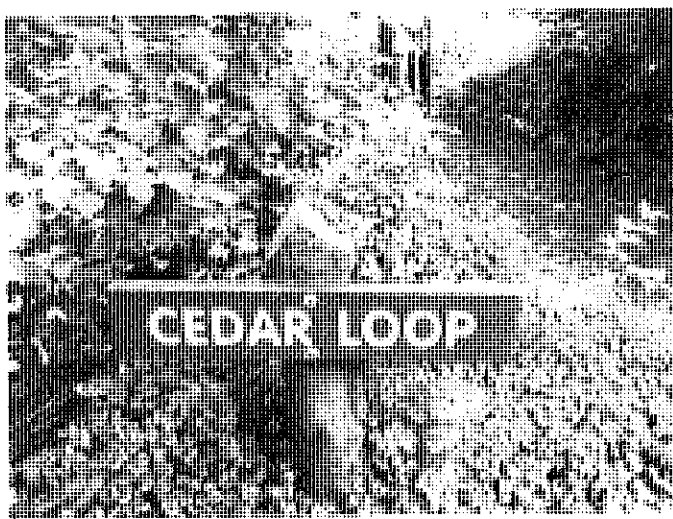
## Day of Caring On September 10

This year's Day of Caring will be held Tuesday, September 10. The day's events will kick off with a 7:30 a.m. breakfast in Berkeley County at War Memorial Park in Martinsburg and in Jefferson County at the Inn at Charles Town.

This year PVAS is spearheading projects at the Yankauer Preserve from 8:00 a.m.-4:00 p.m. You may join the PVAS group there to work on invasive removal (like ailanthus, autumn olive and stilt grass), cleaning up the butterfly garden, trimming the trails and parking lot, and other cleaning-up tasks. Lots of work AND fun to be had by all. We'll provide a delicious hot lunch (around 12) if you provide the labor! To pre-register to help at Yankauer, contact Nan Johnson at 304-274-0493 or gabbyvanv@frontier.com.

The United Way is also collecting food for the MEGA food drive as part of this year's Day of Caring. We will be collecting canned goods and other non-perishable food items at the preserve on September 10, so we encourage any and all participants to bring some along. All donated foods will be given to local food pantries.

Afterwards, enjoy dinner at the Clarion in Shepherdstown from 4:00-6:00 p.m. where you can celebrate the day of hard work for a good cause with fellow community members. Please pre-register to ensure enough food and t-shirts for all volunteers!



## United Way/CFC Fund Drives Coming Up

The annual fundraising campaigns of the United Way of the Eastern Panhandle and the Combined Federal Campaign (CFC) get underway this month. Both campaigns will last into the winter. PVAS receives funds from both agencies and encourages its members to give to their campaigns. Because PVAS is an IRS-qualified non-profit agency, individuals who contribute to either United Way or CFC can designate all or part of those contributions to PVAS, if they wish.

To designate United Way contributions to PVAS, look for the section of the United Way contribution form that asks how you want your donation invested and indicate that you want to make a "Restricted Contribution" to "Potomac Valley Audubon Society, PO Box 578, Shepherdstown, WV."



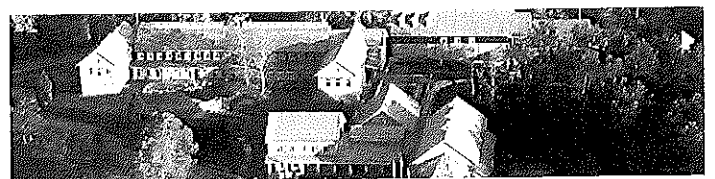
To designate CFC contributions to PVAS, enter PVAS's CFC number (29061) on the CFC form that you file with your employing agency.

Please note that United Way and CFC deduct a percentage from all designated contributions to cover their administrative costs.

If you have any questions, please contact Kristin Alexander at 304-676-3397 or [Kristin@PotomacAudubon.org](mailto:Kristin@PotomacAudubon.org).

## Friends of NCTC Annual Social Event

The Friends of the National Conservation Training Center will host their annual social event on September 15, including a tour of the beautiful wooded campus (off Shepherd Grade Road north of Shepherdstown) starting at 2 p.m. and a wine and cheese tasting in the NCTC Commons Area from 3 to 5 p.m. Information will also be available about the Friends Kayaking and Bicycling Program and volunteer opportunities. At 4:30 p.m. join them for a sneak preview of student films submitted to the 2013 American Conservation Film Festival held in Shepherdstown. For more information about the event, go to <http://friendsofnctc.org>.



## We Have a Job For You!

PVAS is an active organization, but everything depends on volunteers. If you, or anyone you know, are interested in volunteering for PVAS, we have a job to please just about anyone! We need people to:

- Represent us at contact booths at local fairs and festivals.
- Weed the gardens at Yankauer Preserve.
- Trim and repair trails at Yankauer, Eidolon, and Stauffer's Marsh.
- Lead nature and birding walks at locations all around the Eastern Panhandle.
- Help with PVAS events like the Wildflower Festival and Race For The Birds.
- Present workshop programs to Master Naturalists.
- Support Fundraisers by stuffing envelopes, providing refreshments, or helping to plan the events.
- and especially, help with educational programs at Yankauer Preserve!

We offer training for every job. Please contact us via phone, email, Facebook, snail mail, smoke signal, carrier pigeon, or in person. We will be happy to hear from you.



## PVAS Positions Available!

You may have noticed that we recently announced an employment opportunity with PVAS. With the growth of our adult services and increased program attendance, we are seeking a coordinator of adult programs to help us keep up with the details of these offerings and provide the participants the attention they deserve. We hope to hire this part-time person in September, and will look forward to introducing the new "Adult Program Coordinator" in the next newsletter!

We also hope to have another position open in the late fall. Depending on funding, we are hoping to recruit a full time VISTA volunteer to help us build our capacity to serve additional youth. We'll know about this opportunity in September, so stay tuned! If the position is funded, this person will help us with grant research and writing, fundraising efforts, volunteer recruitment and management, membership recruitment and services, and other administrative tasks that ultimately support our youth programs. We will announce the opportunity through the PVAS "Heads up" e-mail list, newsletter, Facebook, colleges, other partner organizations and professional networks. We hope you'll help us spread the word!

## JOIN PVAS TODAY!

ALL of your dues will stay here to support local PVAS efforts and help us grow! And here's what you'll get:

- Access to a wide variety of PVAS programs and events for adults and children, including field trips, special events, workshops and courses, and environmental projects.
- A subscription to Valley Views, the PVAS newsletter
- E-mail alerts about events and programs of special interest
- Satisfaction of supporting conservation efforts, youth and adult nature education, individual and family recreation, and a wide array of programs in your community.

To become a local member, send in the form below and enclose a check for \$20 (\$15 for seniors and students). Make the check out to "PVAS." This fee covers membership for everyone in your household for one year.

### Membership Form

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_  
 Phone (optional): \_\_\_\_\_  
 E-mail: \_\_\_\_\_

*To save postage costs, PVAS regularly sends its newsletter by e-mail. You can be assured that we do not share email addresses with anyone. If you would prefer to receive the newsletter by U.S. mail check here: \_\_\_\_\_*

Clip and mail this form to:

**Membership Chair, PVAS**  
**PO Box 578**  
**Shepherdstown, WV 25443**

**Thank you for your support!**



## If you'd rather join the National Audubon Society:

Some people prefer National Audubon Society membership, which includes a subscription to the Society's Audubon magazine. To become a National member, go to the Society's website at [www.audubon.org](http://www.audubon.org) and click on "join." If you join National Audubon and reside in Berkeley, Jefferson or Morgan counties in West Virginia, or in Washington County Maryland, you will automatically become a member of PVAS and have access to our events, an e-mail copy of newsletter and e-mail alerts. However almost all of your dues payments will go to the National Audubon Society; only a small percentage will go to PVAS.

### RED TEXT - DOT ALERT

**T** If red text or a red dot appears on your mailing label, your membership may have expired and this could be your last issue of Valley Views. Take action to renew your Local membership. If you are a National Audubon Society member, the National Society will notify you directly when your membership is up for renewal.



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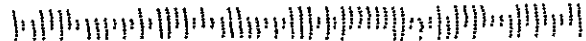
A proud partner of the United Way of the Eastern Panhandle and the Combined Federal Campaign.



MAIL TO:

Jefferson County Commission  
 100 E Washington Street  
 Charles Town, WV 25414

25414#1072 C001



September 2013

Volume 32, Issue 1

The Potomac Valley Audubon Society meets at 7:00 p.m. on the second Wednesday of each month, September through April. Programs are free and open to the public. For additional information about PVAS or its programs and activities, please contact any of the board members listed here or see <http://www.potomacaudubon.org>. PVAS serves the Eastern Panhandle of West Virginia and neighboring Washington County, Maryland.

**PVAS BOARD**  
 The PVAS Board meets every other month on the first Thursday of the month (Sept.-June). Meeting location and time will be announced prior to meetings. These meetings are open to all PVAS members.

**PVAS Officers and Board Members**

- President: Diana Mullis (2014).....DianaMullis@aol.com
- Vice President: Jane Vanderhook (2015)..... janehook@frontiernet.net
- Secretary: Mina Goodrich (2014) ..... larrymina@peoplepc.com
- Treasurer: Lex Miller (2014).....pamandlxx@frontiernet.net
- Board Members-at-Large:
  - Don Briggs (2015) ..... 1donaldbriggs@gmail.com
  - Clark Dixon (2013)..... dixonconsultants@aol.com
  - Diana Gaviria (2014) ..... jpikester@comcast.net
  - Tanner Haid (2016)..... Tanner.Haid@gmail.com
  - Leigh Jenkins (2013)..... jenkinsleigh@hotmail.com
  - Lou Scavnicky (2015)..... captainlou@comcast.net
  - Michael Sullivan (2014)..... msullivan@limno.com
  - Amanda Whitnorc (2016)..... Tremba01@gmail.com

**Ex Officio Board Member:** Peter Smith (past president)..... pvsmith@frontiernet.net

**Emerita Board Member:** Jean Neely .....jeaneely@comcast.net

**Special Contacts**

- Executive Director: Kristin Alexander (304-676-3397) .....Kristin@PotomacAudubon.org
- Program Director: Ellen Murphy (304-676-8739)..... Ellen@PotomacAudubon.org
- Web Master: Kathy Bilton.....kathy@fred.net
- PVAS Wildlife Rescuc Coord: Diana Mullis (304-267-3482)..... dianamullis@aol.com



## Potomac Valley Audubon Society

[www.potomacaudubon.org](http://www.potomacaudubon.org)

### Calendar of Pending Events

**September 10: Birding trip to the historic Claymont mansion property outside Charles Town.** Meet at 7:30 a.m. on the entrance road to the property, which is located at 667 Huyett Road. Free and no pre-registration required. For more info contact Joette Borzik at 240-440-4221 or [pep4223@comcast.net](mailto:pep4223@comcast.net).

**September 11: PVAS program at the National Conservation Training Center.** 7:00 p.m. in Room 151 of the Instructional West Building. The speaker will be Connie Mahan, the National Audubon Society's Grassroots Outreach Director.

**September 18: Hawk watch at Washington Monument State Park on South Mountain near Boonsboro, MD.** Meet at 8:30 a.m. at the park. Free and open to anyone interested but space very limited and pre-registration essential. To register and get detailed directions, contact Sandy Sagalkin at 240-291-6465 or [monsansagalkin@myactv.net](mailto:monsansagalkin@myactv.net).

**September 19: Birding trip to the Bolivar Heights section of Harpers Ferry National Historical Park.** Meet at 8:00 a.m. in the Bolivar Heights parking area. Free. No pre-registration required. For more info, contact Deb Hale at 304-535-2346 or [debhale72@gmail.com](mailto:debhale72@gmail.com).

**September 20-22: Sixth Annual Berkeley Springs Fall Birding Festival.** Events will include walks, workshops and evening presentations for beginning and intermediate birders and families with children. All daytime events will be free; to help cover festival expenses, a \$10 fee will be charged for the evening programs. See the PVAS website for full details.

**September 21: Natural History Workshop—Geology tour of Hardy County WV.** 8:30 a.m.-1:00 p.m. An exploration of easily accessible roadside sites, led by geologist Mike O'Donnell, of Lord Fairfax Community College. Open to the public on a space-available basis. Fee. Space is limited and pre-registration is essential. See the PVAS webpage for details and pre-register there.

**September 21: Master Naturalist Class—Soils. Held at National Conservation Training Center.** Learn about soil strata, how to determine whether the "dirt" is soil, silt, and mud, and how vital soil is to other living things. This class is a Master Naturalist elective class, but it is open to the public. \$20 per person. See the PVAS webpage for details and pre-register there.

**September 21: Master Naturalist Class—Mammals. Held at National Conservation Training Center.** Get an overview of West Virginia mammals their diversity, classification, status, behavior and adaptations. This class is a Master Naturalist core class, but it is open to the public. \$15 per person. See the PVAS webpage for details and pre-register there.

**September 22: Master Naturalist Class—Trees, Shrubs, and Woody Vines. Held at National Conservation Training Center.** Explore the classification, diversity, ecology, and importance of woody plants in West Virginia. This class is a Master Naturalist core class, but it is open to the public. \$20 per person. See the PVAS webpage for details and pre-register there.

**September 22: Master Naturalist Class—Terrestrial Habitats. Held at National Conservation Training Center.** Learn about the major types of terrestrial habitats in West Virginia with an emphasis

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

<b>Week Ending Date</b>	<b>Week Ending</b>
	August 31, 2013
	FY14
<b>To be Deposited on:</b>	September 9, 2013
<b>Amount Played</b>	<b>61,831,210.96</b>
<b>Amount Won</b>	<b>55,452,814.11</b>
<b>Amount Promo</b>	<b>238,313.00</b>
<b>MWAP Contribution</b>	<b><u>3,293.77</u></b>
<b>Adjusted Gross Terminal Revenue</b>	<b><u>6,136,790.08</u></b>
<b>Administrative Costs @ 4%</b>	<b>245,471.61</b>
<b>Excess Lottery Fund @ 4%</b>	<b><u>0.00</u></b>
<b>Net Terminal Revenue</b>	<b><u>5,891,318.47</u></b>
<b>Surcharge @ 10%</b>	<b>0.00</b>
<b>State Share Excess @ 58%</b>	<b>0.00</b>
<b>Track Share of Capital Reinvestment @ 42%</b>	<b>0.00</b>
<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>
<b>Adjusted Net Terminal Revenue</b>	<b><u>5,891,318.47</u></b>
<b>Racetrack @ 46.50% / 42%</b>	<b>2,739,463.09</b>
<b>Lottery Fund @ 30% / 0%</b>	<b>1,767,395.58</b>
<b>Excess Lottery Fund @ 0% / 41%</b>	<b>0.00</b>
<b>Race Track Purses @ 7% / 14% / 8%</b>	<b>412,392.29</b>
<b>Workers' Compensation Debt Reduction @ 7% / 0%</b>	<b>412,392.29</b>
<b>Employee Pension Fund @ 1% / .5%</b>	<b>58,913.18</b>
<b>Greyhound Development @ .75%</b>	<b>44,184.89</b>
<b>Thoroughbred Development @ .75%</b>	<b>44,184.89</b>
<b>Racing Commission @ 1%</b>	<b>58,913.18</b>
<b>County/Municipality @ 2%</b>	<b>117,826.36</b>
<b>3% Funds:</b>	
<b>Tourism Promotion Fund @ 1.375%</b>	<b>81,005.63</b>
<b>Development Office Promotion Fund @ .375%</b>	<b>22,092.44</b>
<b>Research Challenge Fund @ .5%</b>	<b>29,456.59</b>
<b>Capitol Renovation and Improvement Fund @ .6875%</b>	<b>40,502.81</b>
<b>2004 Capitol Complex Parking Garage Fund @ .0625%</b>	<b>3,682.07</b>
<b>1% Funds:</b>	
<b>State Capitol Complex Parking Garage @ 1%</b>	<b>0.00</b>
<b>Cultural Facilities and Capitol Resources @ .5%</b>	<b>29,456.59</b>
<b>Capitol Dome and Capitol Improvements @ .5% / 1%</b>	<b><u>29,456.59</u></b>
	<b><u>5,891,318.47</u></b>

WEST VIRGINIA LOTTERY  
 First Benchmark  
 Charles Town  
 County / City Split  
 Fiscal Year 2014

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 7.93%	CHARLES TOWN 39.90%	HARPERS FERRY 2.17%	RANSON 33.68%	SHEPHERDS TOWN 16.32%
6 days ending: 07/06/13	\$ 123,196.88	\$ 123,196.88	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending: 07/13/13	\$ 128,060.40	\$ 128,060.40	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/20/13	\$ 115,128.84	\$ 115,128.84	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/27/13	\$ 123,049.56	\$ 123,049.56	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/03/13	\$ 116,180.80	\$ 116,180.80	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/10/13	\$ 120,078.64	\$ 120,078.64	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/17/13	\$ 124,888.56	\$ 124,888.56	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/24/13	\$ 118,284.44	\$ 89,882.12	\$ 28,402.32	\$ 2,252.30	\$ 11,332.53	\$ 616.33	\$ 9,565.90	\$ 4,635.28
08/31/13	\$ 117,826.36	\$ 58,913.18	\$ 58,913.18	\$ 4,671.61	\$ 23,506.36	\$ 1,278.42	\$ 19,841.96	\$ 9,614.63
Subtotal	\$ 1,086,694.48	\$ 999,378.98	\$ 87,315.50	\$ 6,924.11	\$ 34,838.89	\$ 1,894.75	\$ 29,407.86	\$ 14,249.89

Benchmark Goal @ 2%         \$   912,063.48

Remainder until 1% / 1% Split     \$           -

**VIDEO LOTTERY REPORT**

FY 2010		FY 2011		FY 2012		FY 2013		FY 2014	
Date	Amount	Date	Amount	Date	Amount	Date	Amount	Date	Amount
07/04/2009 *	128,262.42	07/03/2010	115,402.58	7/1-2/2011	69,824.12	07/07/2012	161,637.92	07/06/2013	123,196.88
07/11/2009	168,815.08	07/10/2010	205,731.64	07/09/2011	171,717.28	07/14/2012	129,458.04	07/13/2013	128,060.40
07/18/2009	160,652.98	07/17/2010	161,386.76	07/16/2011	143,019.52	07/21/2012	130,037.00	07/20/2013	115,128.84
07/25/2009	158,869.08	07/24/2010	160,368.28	07/23/2011	146,508.00	07/28/2012	137,164.44	07/27/2013	123,049.56
08/01/2009	174,493.08	07/31/2010	157,802.08	07/30/2011	144,510.28	08/04/2012	132,931.16	08/03/2013	116,180.80
08/08/2009	138,408.80	08/07/2010	136,494.98	08/06/2011	151,495.28	08/11/2012	134,212.88	08/10/2013	120,078.64
08/15/2009	81,222.14	08/14/2010	78,376.68	08/13/2011	117,350.38	08/18/2012	110,241.90	08/17/2013	124,888.56
08/22/2009	76,260.31	08/21/2010	76,199.02	08/20/2011	71,614.12	08/25/2012	66,209.90	08/24/2013	89,882.12
08/29/2009	80,472.92	08/28/2010	72,460.03	08/27/2011	63,432.14	09/01/2012	67,133.42	08/31/2013	58,913.18
09/05/2009	80,798.15	09/04/2010	76,362.84	09/03/2011	80,837.76	09/08/2012	74,029.40		
09/12/2009	86,286.92	09/11/2010	82,969.36	09/10/2011	84,845.80	09/15/2012	61,838.04		
09/19/2009	70,010.15	09/18/2010	67,638.78	09/17/2011	66,748.62	09/22/2012	56,996.90		
09/26/2009	69,316.87	09/25/2010	70,435.06	09/24/2011	68,929.80	09/29/2012	61,611.40		
10/03/2009	72,286.04	10/02/2010	71,013.86	10/01/2011	68,871.64	10/06/2012	62,715.20		
10/10/2009	69,650.63	10/09/2010	69,311.50	10/08/2011	70,866.90	10/13/2012	60,710.18		
10/17/2009	73,560.21	10/16/2010	75,234.62	10/15/2011	75,262.66	10/20/2012	62,333.08		
10/24/2009	67,581.66	10/23/2010	70,290.80	10/22/2011	68,757.72	10/27/2012	58,073.54		
10/31/2009	64,528.30	10/30/2010	65,615.04	10/29/2011	60,507.98	11/03/2012	56,545.30		
11/07/2009	63,741.59	11/06/2010	61,337.62	11/05/2011	70,673.88	11/10/2012	56,110.96		
11/14/2009	65,959.64	11/13/2010	64,595.28	11/12/2011	67,627.10	11/17/2012	57,432.36		
11/21/2009	59,547.05	11/20/2010	56,010.08	11/19/2011	60,690.60	11/24/2012	65,888.86		
11/28/2009	72,399.98	11/27/2010	71,170.90	11/26/2011	74,140.54	12/01/2012	50,243.34		
12/05/2009	51,006.51	12/04/2010	53,215.08	12/03/2011	59,429.94	12/08/2012	50,770.96		
12/12/2009	52,460.58	12/11/2010	46,944.00	12/10/2011	51,395.44	12/15/2012	47,022.38		
12/19/2009	32,834.39	12/18/2010	42,076.76	12/17/2011	55,981.32	12/22/2012	46,838.96		
12/26/2009	53,406.34	12/25/2010	50,450.28	12/24/2011	54,248.62	12/29/2012	59,697.22		
01/02/2010	92,980.40	01/01/2011	85,152.12	12/31/2011	94,661.00	01/05/2013	71,673.52		
01/09/2010	55,020.46	01/08/2011	54,301.30	01/07/2012	74,863.40	01/12/2013	50,416.30		
01/16/2010	60,551.28	01/15/2011	54,005.90	01/14/2012	58,901.92	01/19/2013	51,211.88		
01/23/2010	69,943.53	01/22/2011	60,924.74	01/21/2012	61,819.92	01/26/2013	46,966.26		
01/30/2010	48,527.75	01/29/2011	48,036.94	01/28/2012	62,898.78	02/02/2013	52,067.92		
02/06/2010	37,155.14	02/05/2011	60,777.44	02/04/2012	72,154.66	02/09/2013	52,222.20		
02/13/2010	44,334.00	02/12/2011	67,471.84	02/11/2012	66,429.04	02/16/2013	64,243.52		
02/20/2010	76,946.12	02/19/2011	72,018.54	02/18/2012	77,455.88	02/23/2013	64,115.70		
02/27/2010	72,024.40	02/26/2011	75,544.02	02/25/2012	77,611.78	03/02/2013	62,602.74		

03/06/2010	76,936.85	03/05/2011	74,535.34	03/03/2012	75,963.86	03/09/2013	59,213.26
03/13/2010	71,007.37	03/12/2011	66,979.48	03/10/2012	76,808.62	03/16/2013	62,366.36
03/20/2010	74,335.38	03/19/2011	73,113.26	03/17/2012	76,883.92	03/23/2013	59,841.02
03/27/2010	69,941.88	03/26/2011	68,490.80	03/24/2012	72,108.36	03/30/2013	57,567.98
04/03/2010	70,636.28	04/02/2011	70,846.58	03/31/2012	74,244.22	04/06/2013	63,108.84
04/10/2010	69,692.79	04/09/2011	67,076.78	04/07/2012	75,382.98	04/13/2013	56,849.30
04/17/2010	69,335.92	04/16/2011	64,698.56	04/14/2012	71,065.34	04/20/2013	55,432.12
04/24/2010	68,714.11	04/23/2011	67,674.14	04/21/2012	68,055.08	04/27/2013	58,612.74
05/01/2010	68,799.06	04/30/2011	66,807.50	04/28/2012	72,880.66	05/04/2013	61,102.92
05/08/2010	67,403.54	05/07/2011	66,379.74	05/05/2012	71,582.30	05/11/2013	57,428.70
05/15/2010	70,186.32	05/14/2011	66,699.76	05/12/2012	63,357.92	05/18/2013	61,172.80
05/22/2010	64,695.71	05/21/2011	63,210.44	05/19/2012	78,984.36	05/25/2013	57,131.24
05/29/2010	67,157.40	05/28/2011	64,724.06	05/26/2012	67,396.24	06/01/2013	65,920.66
06/05/2010	77,371.80	06/04/2011	74,952.34	06/02/2012	76,959.44	06/08/2013	55,233.74
06/12/2010	66,106.29	06/11/2011	62,203.12	06/09/2012	63,584.86	06/15/2013	54,067.52
06/19/2010	64,888.48	06/18/2011	61,200.76	06/16/2012	59,436.12	06/22/2013	54,690.28
06/26/2010	63,950.29	06/25/2011	65,470.44	06/23/2012	55,921.30	06/29/2013	55,991.38
06/30/2010	29,667.19	06/30/2011	34,351.16	06/30/2012	58,207.40	06/30/2013	11,509.54

TOTALS 4041141.56

4016541.01

4124906.8

3580645.18

999379

**Table Game Revenue**

<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>
July/August, 2010	154,185.68	July, 2011	141,718.01	July, 2012	138,663.64	July, 2013	99,274.36
September, 2010	94,247.84	August, 2011	137,473.92	August, 2012	133,245.83		
October, 2010	105,903.60	September, 2011	110,375.25	September, 2012	127,532.40		
November, 2010	108,717.67	October, 2011	124,273.94	October, 2012	126,482.02		
December, 2010	118,721.11	November, 2011	121,118.87	November, 2012	134,443.93		
January, 2011	106,189.21	December, 2011	140,509.93	December, 2012	146,677.92		
February, 2011	105,776.45	January, 2012	137,812.68	January, 2013	132,650.35		
March, 2011	120,927.10	February, 2012	142,770.01	February, 2013	121,636.62		
April, 2011	130,654.61	March, 2012	151,845.46	March, 2013	149,033.62		
May, 2011	130,492.02	April, 2012	127,862.26	April, 2013	105,545.23		
June, 2011	121,576.41	May, 2012	137,905.13	May, 2013	109,747.38		
		June, 2012	129,235.38	June, 2013	104,803.37		
<b>Total 2010-2011</b>	<b>1297391.7</b>	<b>Total 2011-2012</b>	<b>1602900.84</b>	<b>Total 2012-2013</b>	<b>1530462.31</b>	<b>Total 2013-2014</b>	<b>99274.36</b>

**Table Game Revenue Distribution - Jefferson County School Board**

<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>
July, 2011	425,154.03	July, 2012	415,990.92	July, 2013	297,823.08
August, 2011	412,421.76	August, 2012	399,737.49		
September, 2011	331,125.75	September, 2012	382,597.20		
October, 2011	372,821.82	October, 2012	379,446.06		
November, 2011	363,356.61	November, 2012	403,331.79		
December, 2011	421,529.79	December, 2012	440,033.75		
January, 2012	413,438.04	January, 2013	397,951.05		
February, 2012	428,310.03	February, 2013	381,857.07		
March, 2012	455,536.38	March, 2013	447,100.86		
April, 2012	383,586.78	April, 2013	316,635.69		
May, 2012	413,715.39	May, 2013	329,242.14		
June, 2012	387,706.12	June, 2013	314,410.11		
<b>Total 2011-2012</b>	<b>4,808,702.50</b>	<b>Total 2012-2013</b>	<b>4,608,334.13</b>	<b>Total 2013-2014</b>	<b>297,823.08</b>

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

<b>Week Ending Date</b>	<b>Week Ending</b>
	September 7, 2013
	FY14
<b>To be Deposited on:</b>	September 13, 2013
Amount Played	69,411,630.43
Amount Won	62,081,988.42
Amount Promo	267,783.00
MWAP Contribution	<u>3,657.68</u>
<b>Adjusted Gross Terminal Revenue</b>	<b><u>7,058,201.33</u></b>
Administrative Costs @ 4%	282,328.07
Excess Lottery Fund @ 4%	<u>0.00</u>
<b>Net Terminal Revenue</b>	<b><u>6,775,873.26</u></b>
Surcharge @ 10%	0.00
State Share Excess @ 58%	0.00
Track Share of Capital Reinvestment @ 42%	0.00
<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>
<b>Adjusted Net Terminal Revenue</b>	<b><u>6,775,873.26</u></b>
Racetrack @ 46.50% / 42%	3,150,781.07
Lottery Fund @ 30% / 0%	2,032,761.93
Excess Lottery Fund @ 0% / 41%	0.00
Race Track Purses @ 7% / 14% / 8%	474,311.13
Workers' Compensation Debt Reduction @ 7% / 0%	474,311.13
Employee Pension Fund @ 1% / .5%	67,758.74
Greyhound Development @ .75%	50,819.05
Thoroughbred Development @ .75%	50,819.05
Racing Commission @ 1%	67,758.74
County/Municipality @ 2%	135,517.48
<b>3% Funds:</b>	
Tourism Promotion Fund @ 1.375%	93,168.26
Development Office Promotion Fund @ .375%	25,409.52
Research Challenge Fund @ .5%	33,879.37
Capitol Renovation and Improvement Fund @ .6875%	46,584.13
2004 Capitol Complex Parking Garage Fund @ .0625%	4,234.92
<b>1% Funds:</b>	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	33,879.37
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>33,879.37</u>
	<b><u>6,775,873.26</u></b>

WEST VIRGINIA LOTTERY  
 First Benchmark  
 Charles Town  
 County / City Split  
 Fiscal Year 2014

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 7.93%	CHARLES TOWN 39.90%	HARPERS FERRY 2.17%	RANSON 33.68%	SHEPHERDS TOWN 16.32%
6 days ending: 07/08/13	\$ 123,196.88	\$ 123,196.88	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending: 07/13/13	\$ 128,060.40	\$ 128,060.40	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/20/13	\$ 115,128.84	\$ 115,128.84	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/27/13	\$ 123,049.56	\$ 123,049.56	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/03/13	\$ 116,180.80	\$ 116,180.80	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/10/13	\$ 120,078.64	\$ 120,078.64	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/17/13	\$ 124,888.56	\$ 124,888.56	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/24/13	\$ 118,284.44	\$ 89,882.12	\$ 28,402.32	\$ 2,252.30	\$ 11,332.53	\$ 616.33	\$ 9,565.90	\$ 4,835.26
08/31/13	\$ 117,826.36	\$ 58,913.18	\$ 58,913.18	\$ 4,671.81	\$ 23,506.36	\$ 1,278.42	\$ 19,841.96	\$ 9,614.63
09/07/13	\$ 135,517.48	\$ 67,758.74	\$ 67,758.74	\$ 5,373.27	\$ 27,035.74	\$ 1,470.36	\$ 22,821.14	\$ 11,058.23
Subtotal	\$ 1,222,211.96	\$ 1,067,137.72	\$ 155,074.24	\$ 12,297.38	\$ 61,874.63	\$ 3,365.11	\$ 52,229.00	\$ 25,308.12

Benchmark Goal @ 2%     \$    912,063.48

Remainder until 1% / 1% Split     \$                    -

**VIDEO LOTTERY REPORT**

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07/04/2009 *	128,262.42	07/03/2010	115,402.58	7/1-2/2011	69,824.12	07/07/2012	161,637.92	07/06/2013	123,196.88
07/11/2009	168,815.08	07/10/2010	205,731.64	07/09/2011	171,717.28	07/14/2012	129,458.04	07/13/2013	128,060.40
07/18/2009	160,652.98	07/17/2010	161,386.76	07/16/2011	143,019.52	07/21/2012	130,037.00	07/20/2013	115,128.84
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08/08/2009	138,408.80	08/07/2010	136,494.98	08/06/2011	151,495.28	08/11/2012	134,212.88	08/10/2013	120,078.64
08/15/2009	81,222.14	08/14/2010	78,376.68	08/13/2011	117,350.38	08/18/2012	110,241.90	08/17/2013	124,888.56
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09/19/2009	70,010.15	09/18/2010	67,638.78	09/17/2011	66,748.62	09/22/2012	56,996.90		
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04/03/2010	70,636.28	04/02/2011	70,846.58	03/31/2012	74,244.22	04/06/2013	63,108.84
04/10/2010	69,692.79	04/09/2011	67,076.78	04/07/2012	75,382.98	04/13/2013	56,849.30
04/17/2010	69,335.92	04/16/2011	64,698.56	04/14/2012	71,065.34	04/20/2013	55,432.12
04/24/2010	68,714.11	04/23/2011	67,674.14	04/21/2012	68,055.08	04/27/2013	58,612.74
05/01/2010	68,799.06	04/30/2011	66,807.50	04/28/2012	72,880.66	05/04/2013	61,102.92
05/08/2010	67,403.54	05/07/2011	66,379.74	05/05/2012	71,582.30	05/11/2013	57,428.70
05/15/2010	70,186.32	05/14/2011	66,699.76	05/12/2012	63,357.92	05/18/2013	61,172.80
05/22/2010	64,695.71	05/21/2011	63,210.44	05/19/2012	78,984.36	05/25/2013	57,131.24
05/29/2010	67,157.40	05/28/2011	64,724.06	05/26/2012	67,396.24	06/01/2013	65,920.66
06/05/2010	77,371.80	06/04/2011	74,952.34	06/02/2012	76,959.44	06/08/2013	55,233.74
06/12/2010	66,106.29	06/11/2011	62,203.12	06/09/2012	63,584.86	06/15/2013	54,067.52
06/19/2010	64,888.48	06/18/2011	61,200.76	06/16/2012	59,436.12	06/22/2013	54,690.28
06/26/2010	63,950.29	06/25/2011	65,470.44	06/23/2012	55,921.30	06/29/2013	55,991.38
06/30/2010	29,667.19	06/30/2011	34,351.16	06/30/2012	58,207.40	06/30/2013	11,509.54

TOTALS 4041141.56 4016541.01 4124906.8 3580645.18 1067138

**Table Game Revenue**

<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>
July/August, 2010	154,185.68	July, 2011	141,718.01	July, 2012	138,663.64	July, 2013	99,274.36
September, 2010	94,247.84	August, 2011	137,473.92	August, 2012	133,245.83		
October, 2010	105,903.60	September, 2011	110,375.25	September, 2012	127,532.40		
November, 2010	108,717.67	October, 2011	124,273.94	October, 2012	126,482.02		
December, 2010	118,721.11	November, 2011	121,118.87	November, 2012	134,443.93		
January, 2011	106,189.21	December, 2011	140,509.93	December, 2012	146,677.92		
February, 2011	105,776.45	January, 2012	137,812.68	January, 2013	132,650.35		
March, 2011	120,927.10	February, 2012	142,770.01	February, 2013	121,636.62		
April, 2011	130,654.61	March, 2012	151,845.46	March, 2013	149,033.62		
May, 2011	130,492.02	April, 2012	127,862.26	April, 2013	105,545.23		
June, 2011	121,576.41	May, 2012	137,905.13	May, 2013	109,747.38		
		June, 2012	129,235.38	June, 2013	104,803.37		
<b>Total 2010-2011</b>	<b>1297391.7</b>	<b>Total 2011-2012</b>	<b>1602900.84</b>	<b>Total 2012-2013</b>	<b>1530462.31</b>	<b>Total 2013-2014</b>	<b>99274.36</b>

**Table Game Revenue Distribution - Jefferson County School Board**

<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>
July, 2011	425,154.03	July, 2012	415,990.92	July, 2013	297,823.08
August, 2011	412,421.76	August, 2012	399,737.49		
September, 2011	331,125.75	September, 2012	382,597.20		
October, 2011	372,821.82	October, 2012	379,446.06		
November, 2011	363,356.61	November, 2012	403,331.79		
December, 2011	421,529.79	December, 2012	440,033.75		
January, 2012	413,438.04	January, 2013	397,951.05		
February, 2012	428,310.03	February, 2013	381,857.07		
March, 2012	455,536.38	March, 2013	447,100.86		
April, 2012	383,586.78	April, 2013	316,635.69		
May, 2012	413,715.39	May, 2013	329,242.14		
June, 2012	387,706.12	June, 2013	314,410.11		
<b>Total 2011-2012</b>	<b>4,808,702.50</b>	<b>Total 2012-2013</b>	<b>4,608,334.13</b>	<b>Total 2013-2014</b>	<b>297,823.08</b>