

JEFFERSON COUNTY, WEST VIRGINIA

Department of Planning

116 East Washington Street, 2nd Floor

P.O. Box 338

Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Fax: (304) 728-8126

July 14, 2010

Executive Director Kelley Goes
West Virginia Development Office
West Virginia Department of Commerce
Capitol Complex, Bldg. 6, Room 525
Charleston, WV 25305-0311

Dear Ms. Goes:

This is a request under the West Virginia Freedom of Information Act, West Virginia Code Section 29B-1-1, *et seq.*

As we are sure you are aware, West Virginia Code Section 5B-2-6a authorized the creation of Brownfield Economic Development Districts that are administered by your agency. We are informed that pursuant to that enactment, an entity known as Old Standard LLC applied for and created such a District for the approximately 400-acre Old Standard Quarry property in Jefferson County and, on or about July 13, 2010, filed a "plat" with the Jefferson County Clerk subdividing said property for commercial and industrial development.

With regard to this designation, we request that your agency provide the following:

1. All records of communications by and between your agency and any person or entity seeking to formulate legislation exempting Brownfield Economic Development Districts from the provisions of West Virginia Code Chapter eight-a (as presently enacted in West Virginia Code Section 5B-2-6a), or leading to the adoption of rules implementing such Districts pursuant to 145 CSR 11.
2. All records of communications by and between your agency and any person or entity seeking to formulate or influence the contents or provisions of 145 CSR 11.
3. All records, including without limitation, applications, summaries, exhibits, addenda, contracts, letters of support, and agreements relating to the designation or creation of the Old Standard Brownfield Economic Development District in Jefferson County.

This request includes all responsive records whether in electronic or hard copy form including, but not limited to, letters, emails, reports, applications, memoranda, notes and any other record that is reasonably responsive to the categories of records requested.

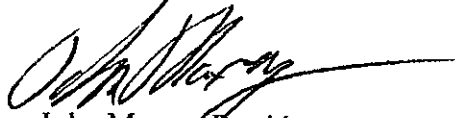
In addition, we are requesting all records, whether in electronic or hard copy form, including but not limited to, letters, emails, reports, applications, memoranda, or notes relating to 145 CSR 11 or to any proposed or requested Brownfield Economic Development District in Jefferson County.

Time is of the essence with respect to this request and, thus, as required by Section 29B-1-3(4) of the Act, we will expect your response within five (5) days. Should your agency deem that an entire record, or a portion of any record, is exempt from disclosure under the West Virginia Freedom of Information Act, or any other statute or regulation, we request that you cite the specific exemption upon which you are relying in each such case and provide an index of all such records in a way that they can be clearly identified.

As a public agency we believe that we are exempt from the provisions of Section 29B-1-3(5) that allow an agency to establish fees for the cost of making copies of records. Should you disagree we respectfully request that you so inform us.

Please let us know how we may assist you in responding to this request. Should you have any questions you may contact our Director of Planning & Zoning, Jennifer Brockman, at (304) 728-3228. We thank you in advance for your cooperation and assistance.

Sincerely,



John Maxey, President
Jefferson County Planning Commission

CC: Lynn Widmyer, President, Jefferson County Commission
Tim Boyde, Jefferson County Administrator



Kelley Goes, Secretary
Department of Commerce
State Capitol
Building 6, Room 525
Charleston, WV 25305-0311

State of West Virginia
Joe Manchin III
Governor

Telephone: (304) 558-2234
Toll Free: (800) 982-3386
Fax: (304) 558-1189
Email: Kelley.M.Goes@wv.gov
www.wvcommerce.org

July 20, 2010

Mr. John Maxey
President
Jefferson County Planning Commission
116 East Washington Street, 2nd Floor
P.O. Box 338
Charles Town, West Virginia 25414

Dear Mr. Maxey:

I am writing in response to your Freedom of Information Act request dated July 14, 2010, wherein you requested copies of any or all documents pertaining to the Old Standard LLC's brownfield district.

Our file on this particular project is approximately 2,000 pages or four reams of paper. Therefore, I wanted to advise you that our office charges 25 cents to copy each page. However, you are most welcome to visit our office at your convenience to review the documents of interest at no charge.

The West Virginia Code provides that a response to a Freedom of Information Act request be supplied within five (5) business days, not to include weekends or legal holidays. Please note that this response is timely under the Act.

Sincerely,

Jon Amores
Deputy Secretary/General Counsel

JA/db

RECEIVED
JUL 21 2010
JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

JEFFERSON COUNTY, WEST VIRGINIA

Department of Planning
116 East Washington Street, 2nd Floor
P.O. Box 338
Charles Town, West Virginia 25414

Phone: (304) 728-3228
Fax: (304) 728-8126

Email: planningdepartment@jeffersoncountywv.org

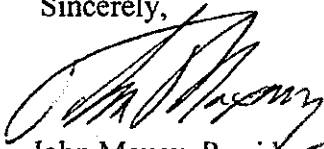
July 22, 2010

Mr. Jon Amores, Deputy Secretary/General Counsel
West Virginia Department of Commerce
State Capitol
Bldg. 6, Room 525
Charleston, WV 25305-0311

Dear Mr. Amores:

In response to your letter agreeing to supply the information requested in the Freedom of Information Act Request with a charge of \$0.25 per page, please proceed. Advise our office as soon as possible as to the total number of pages and total dollar amount required. We will issue a check and send it via mail as soon as possible. If at all possible we would prefer to receive the information requested in scanned electronic format, rather than paper. If you should need any additional information, please contact Julie Quodala, Office Manager at (304) 724-6291.

Sincerely,



John Maxey, President
Jefferson County Planning Commission

From: Origin ID: CRWA (304) 558-2234
 JOAN KNIGHT
 WV DEVELOPMENT OFFICE
 1900 KANAWHA BLVD. EAST
 STATE CAPITOL COMPLEX, BLDG6 RM 525
 CHARLESTON, WV 25305



Ship Date: 23JUL10
 ActWgt: 5.0 LB
 CAD: 3960586/INET3060

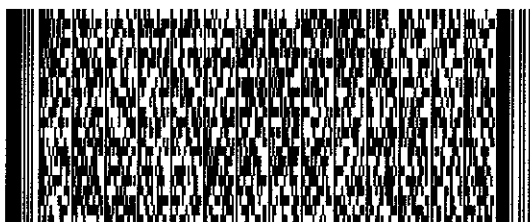
SHIP TO: (304) 728-3228 BILL SENDER
John Maxey
 Jefferson County Planning Commissio
 116 E WASHINGTON ST

 CHARLES TOWN, WV 25414

Delivery Address Bar Code



Ref #
 Invoice #
 PO #
 Dept #



TRK# 7937 5434 3897
 0201

MON - 26 JUL A2
 STANDARD OVERNIGHT

25414
 WV-US
 IAD

XC WDBA



60617907/BA24

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

West Virginia Development Office

INVOICE

State Capitol Complex

Building 6, Room 525
Charleston, West Virginia 25305-0311

DATE: July 23, 2010
INVOICE #
FOR: *Old Standard LLC*
Brownfield

Bill To:

John Maxey
President
Jefferson County Planning Commission
116 East Washington Street, 2nd Floor
P.O. Box 338
Charles Town, WV 25414

DESCRIPTION	AMOUNT
658 pages @ .25 per page	\$164.50
TOTAL	\$ 164.50

Make all checks payable to West Virginia Development Office

THANK YOU FOR YOUR BUSINESS!