

**NOTICE OF PUBLIC HEARING
COUNTY COMMISSION OF JEFFERSON COUNTY
PETITION TO INCORPORATE
MANNINGS, WEST VIRGINIA as a CLASS IV TOWN**

The County Commission of Jefferson County will hold a public hearing on Wednesday, February 4th, 2009 at 7:00 PM at the Blue Ridge Elementary School located 18666 Charles Town Road, Harpers Ferry, WV 25425. The purpose of the public hearing is to hear evidence for and against the proposed incorporation of Mannings, West Virginia as a Class IV Town and to determine whether the requirements of West Virginia Code sections 8-2-1 and 8-2-2 have been met. The petition for incorporation is filed under West Virginia Code 8-2-1 et seq.

The Petition for Incorporation and map of the territory to be incorporated may be reviewed during normal business hours at the following locations, Blue Ridge Grocery, 18619 Charles Town Road, Harpers Ferry, WV, the Office of the Jefferson County Commission, 124 E. Washington Street, Charles Town, WV, the Office of Jefferson County Clerk, Jefferson County Courthouse, 100 E Washington Street, Charles Town, WV, South Jefferson Public Library, Shepherdstown Public Library, Harpers Ferry-Bolivar Public Library and the Old Charles Town Library. Information may also be found at the Jefferson County Commission website at jeffersoncountywv.org.

Written comment may also be provided to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414 or by email at info@jeffersoncountywv.org.

In the event Jefferson County Schools are cancelled due to inclement weather, the meeting will be held at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Please call the County Commission office at 304.728.3284 if you have any questions regarding the location of the Public Hearing.

No decisions will be made at the public hearing.

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

To the County Commission of Jefferson County, West Virginia
PETITION TO INCORPORATE
MANNINGS, WEST VIRGINIA as a CLASS IV TOWN

Page One of Thirteen

WHEREAS, we, the undersigned, at least thirty percent of the freeholders of properties in the hereinafter-described Territory, said Territory entirely within Jefferson County, West Virginia, and entirely outside of any incorporated municipality, seek incorporation to obtain the advantages of municipal self-rule and protection by our own local government and police, to establish a post office, a municipal fire and rescue company, to obtain municipal water and sewerage, to acquire a community library, and other municipal and cultural amenities, we respectfully petition to incorporate the said Territory:

All that combination of adjacent tracts of land situated in and about the heretofore unincorporated village of **MANNINGS**, all heretofore within the Charles Town Magisterial District, except one straddling into the Harpers Ferry Magisterial District of Jefferson County, West Virginia, crossed by West Virginia BOUNDED as shown on the accompanying map with metes and bounds of the "TERRITORY PROPOSED FOR INCORPORATION AS **MANNINGS**, certified by Merle Saville, West Virginia Registered Professional Engineer No. 12303, the said map having been on public display in the Mannings general store for more than ten days prior to this submittal, and hereinafter made a part of this Petition, the said

TERRITORY QUALIFIES FOR INCORPORATION as defined by:

WV Code Chapter 8, Art. 2, 8-2-1::

- a) It is not within any municipality, but is urban in character,
- b) It contains at least and, in fact, much more than 100 inhabitants, and
- c) It contains at least, and more than required minimum density of 500 inhabitants per square mile:

$(710.5 \text{ acres} / 640 \text{ acs./sq. mile}) \times 500 \text{ persons} = 555 \text{ inhabitants required,}$

and consists of the following parcels of land shown on Tax District 02 adjacent Tax Maps 20, 20A, 20-1, 21, 21A, 21B, and 21C.

ACCORDINGLY, we respectfully petition the Honorable Commissioners of the Jefferson County Court, compliant with WV Code Chapter 8-2-, to schedule a public hearing for between more ten and thirty days hereafter, and publish notification as a Class II legal advertisement.

Rec 1/9/09
llc

**Statement for Plans regarding municipal services
for the proposed municipality of Mannings**

Pursuant to Section §8-2-1 of the West Virginia Code, this statement sets forth the plans of the proposed municipality of Mannings for:

A. The provision of municipal services.

1. Police protection shall be provided through intergovernmental agreement with the Jefferson County Sheriff's Office in which said protection shall be provided with funding from Mannings commensurate with the services to be provided.
2. Fire protection shall be provided through intergovernmental agreement with existing fire companies in which said protection shall be provided with funding from Mannings commensurate with the services to be provided.
3. Solid waste collection shall not be provided by the proposed municipality of Mannings at this time. Solid waste collection shall be provided by the existing private entity which services the inhabitants within the confines of the proposed municipality.
4. Public water services shall not be provided by the proposed municipality of Mannings at this time. Public water services shall be provided by the existing Jefferson County Public Water District which presently serves the inhabitants within the confines of the proposed municipality, or through any future extension line agreements.
5. Public sewer services shall not be provided by the proposed municipality of Mannings at this time. Public sewer services shall be provided by the existing Jefferson County Public Sewer Service District which presently serves the inhabitants within the confines of the proposed municipality, or through any future extension line agreements.
6. Street maintenance services shall not be provided by the proposed municipality of Mannings at this time. The existing streets within the proposed municipality of Mannings are maintained by the West Virginia Division of Transportation.

B. The impact of the incorporation on rural fire departments providing service in the proposed municipality and the impact on fire protection and insurance rates.

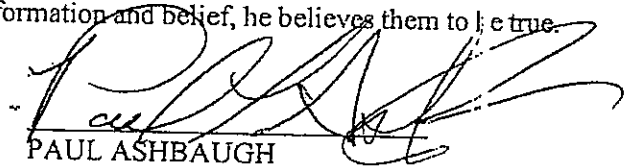
1. The impact of incorporating the proposed municipality of Mannings will result in increased funds to existing fire departments in a sufficient proportion to increase the ability to provide fire protection to the inhabitant of the proposed municipality and to reduce emergency response times. See "A. 2." above.
2. The impact of incorporating the proposed municipality of Mannings upon fire insurance rates will result in a reduction of fire insurance rates by approximately twenty percent (20%).

C. **The impact of incorporation on the proposed municipality's finances and services.**

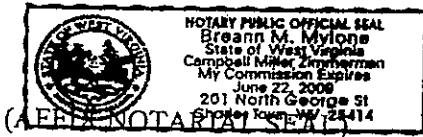
As stated above, only fire and police protection will be provided initially by the municipality through intergovernmental agreements with the corresponding public entities which provide said services. The effect of those agreements will be to provide increased services to the inhabitants while having little effect on the finances of the proposed municipality. Furthermore, upon the incorporation of the proposed municipality, Mannings will then be eligible for various federal grants which would allow for providing additional municipal services in the near future.

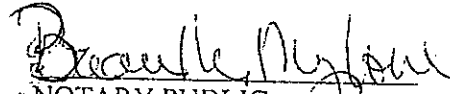
STATE OF WEST VIRGINIA
COUNTY OF BERKELEY, to-wit:

Personally appeared before the undersigned authority, PAUL ASHBAUGH, who being first duly sworn, deposes and says that he is the Petitioner in the heretofore filed PETITION TO INCORPORATE THE MUNICIPALITY OF MANNINGS and that the facts and allegations contained therein are true, except insofar as they are stated therein to be upon information and belief, and insofar as they are stated therein to be upon information and belief, he believes them to be true.


PAUL ASHBAUGH

Taken, subscribed and sworn to before me this 27th day of December, 2008.




NOTARY PUBLIC
My commission expires:
6-22-2009