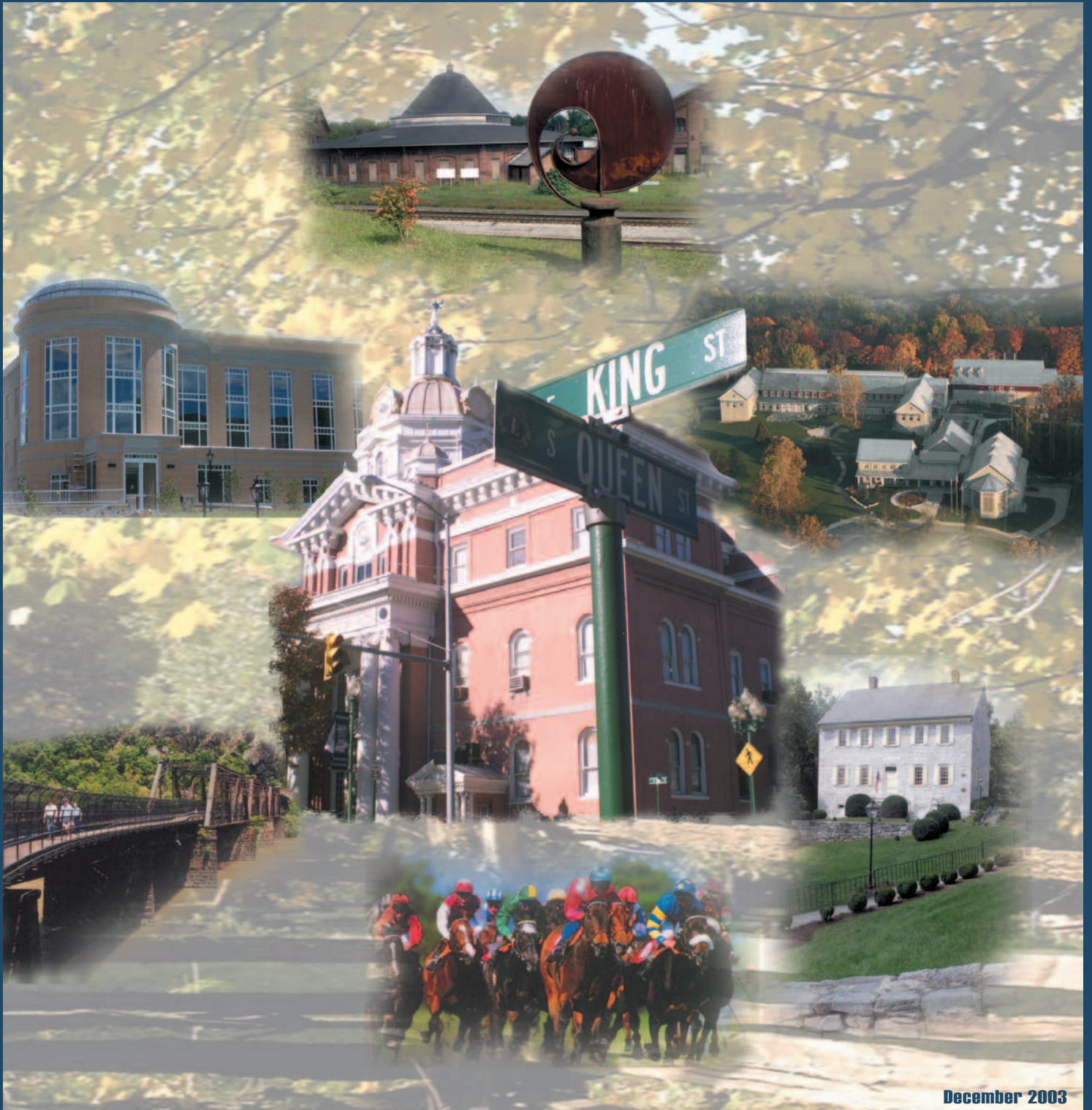


Views & Visions

A publication of Bowles Rice McDavid Graff & Love PLLC

The Promise *of the* Panhandle



December 2003

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On the Cover:

This issue cover showcases the unique balance of the historic, scenic and modern technology of the Eastern Panhandle region. Featured pictures are (center) Martinsburg Courthouse; (clockwise, from top) The Roundhouse; National Conservation Training Center; The Adam Stephens House; Charles Town Races & Slots; Harper's Ferry; and Shepherd College.



A Message from our CEO

Tom Graf CEO

Bowles Rice McDavid Graff & Love PLLC



The diversity of West Virginia is one of our greatest assets. We are often considered a southern state by our neighbors to the North; an eastern state by our friends to the West; and a friend of the North by our southern neighbors. The diversity of the regions within West Virginia are as conflicting as our geographical location. Recent issues of our *Views & Visions* have been devoted to highlighting these diverse areas of our state.

In this issue of *Views & Visions*, we are pleased to showcase another important region — the Eastern Panhandle. Home to our Martinsburg Office and located in the Shenandoah Valley, this tri-county region often takes an identity more common to our mother state, Virginia. But make no mistake, this is a unique area of West Virginia and a region of exciting growth and opportunity, some of which is highlighted in this publication.

Located at the intersection of two major interstates — I-81, which runs north/south, and I-70, which runs east/west — the Eastern Panhandle is a quick trip to our nation's capital and within 500 miles of more than one-half of our country's population. Famous for its natural beauty, scenic farmlands and gentle mountains, historical heritage and economic prosperity, the Eastern Panhandle is home to traditional agriculture, as well as 21st century high-tech developments.

The long success of *Views & Visions* has resulted from the impressive list of guest authors, and this issue is no exception. We are grateful for the articles contributed by Congresswoman Shelley Moore Capito; Shepherd College President David Dunlop; Henry Kayes; James Buchanan; John Houyoux; Eric Lewis; Mayor George Karos; and Deborah Hammond, Berkeley County Administrator. Exciting projects, such as the National Conservation Training Center, the Eastern Regional Airport, The Arts Centre and the Contemporary American Theater Festival are showcased by articles from Rick Lemon, Richard Wachtel, Patricia Perez and Catherine Irwin. We are also pleased to include articles from our own attorneys who live and work in the Eastern Panhandle.

We also take time to remember our good friend, partner and colleague, Oakley Seibert, who left our world much too soon. Oakley spent his life in the Eastern Panhandle, contributing to the community he loved and developing a very successful law practice. Oakley will be greatly missed by friends and family, and his death leaves a large void in our Bowles Rice family. We miss you, Oakley.

We hope you enjoy learning more about this unique area known as the Eastern Panhandle in this issue of *Views & Visions*. It is a very important area to Bowles Rice and to our state.

Tom Graf has served as Chief Executive Officer of the firm since 1986. His practice focuses on business, commercial, banking and mineral law. He is Chairman and President of the Chemical Alliance Zone and an active member of the Roundtable. Under his direction, the firm has grown from 30 attorneys in one Charleston office to nearly 100 attorneys in six offices throughout West Virginia, Kentucky and Virginia.



Shelley Moore Capito was elected in 2000 to Congress as a Representative of the Second Congressional District of West Virginia. Congresswoman Capito has pushed for real progress on issues important to West Virginians and has proven herself to be a true public servant, holding town hall meetings in all of her 20 counties and listening to the thoughts and concerns of her constituents. She serves on the House Banking and Financial Services Committee, the House Transportation and Infrastructure Committee, and the House Small Business Committee.

Striking the Balance: Economic Development and Quality of Life in the Eastern Panhandle of West Virginia

*The Honorable Shelly Moore Capito
United States House of Representatives*

Like the entire second congressional district I represent, the Eastern Panhandle of West Virginia is a study in contrasts. As the fastest growing area of the state, the Panhandle serves as one of the primary economic engines and is abound with activity and opportunity. However, the demands and consequences of this unprecedented growth require constant attention and must be addressed in order to preserve the fine quality of life in the Panhandle.

As the area continues to grow, so does the need for infrastructure and services. The Eastern Panhandle needs road improvements, sewer upgrades, new schools and additional police officers. With each passing year, parts of the Panhandle look more and more like the sprawling DC/Baltimore metropolitan area only 75 miles to the East and less and less like the pastoral orchard country for which it was once known. Without the commitment of all involved, the growth and development that is so vital to the job market and the economy could come at the expense of the quality of life that made the area so attractive in the first place.

As an elected official, it is important to recognize that the benefits of economic development are not without consequences. In fact, we must implement a balanced approach that fosters opportunity and job creation without adversely affecting our way of

life. This balancing act is probably the most challenging aspect of my role in representing the Eastern Panhandle in Congress.

In Washington, I have worked diligently to help the Panhandle secure the infrastructure it needs to sustain its growth while also working to protect our quality of life. For example, I recently helped Berkeley County obtain funding for sewer improvements in the north end of the county. This project will not only create additional economic opportunity, but it will also protect our groundwater resources and our public health. I have also been actively working with officials from the Harpers Ferry National Park in Jefferson County to protect additional lands adjacent to the park that are of historical and cultural significance to both West Virginia and the entire nation. With tourism as an ever-increasing component of the West Virginia economy, the Harpers Ferry National Park attracts hundreds of thousands of visitors every year and should be enhanced. These lands not only sustain our economy through tourism, but they also are very important to our cultural way of life in the Eastern Panhandle.

In addition to infrastructure, government services are also impacted by growth and economic development, particularly at the local level. Although growth creates additional tax revenue,



Congresswoman Shelley Moore Capito welcomed United States Secretary of Education Rod Paige to West Virginia on April 7. Capito and Paige read to a group of school children at the Kanawha County Public Library.

it also places additional strains on the services provided by our state and local governments. These services, such as education, police and fire protection, are essential not only to our economic sustainability, but also to our health and public safety. Without good schools and adequate public safety, our economy will not thrive. At the Federal level, I have worked to improve accountability in our West Virginia schools and constantly advocate for additional police and fire protection for our county and municipal governments. These government services are critical to a sustainable economy and a functional society.

As the Eastern Panhandle of West Virginia continues to grow and thrive, we must address and manage the issues that arise as a result of this prosperity. We must not forget that economic development and our quality of life are inextricably linked. Changes to our economy will change our quality of life and vice versa. In order to sustain our economy and protect our quality of life, we must strike an effective balance. That is the challenge in the Eastern Panhandle today and for the future. ■



Congresswoman Shelley Moore Capito met with members of the Berkeley County Sheriff Deputy Reserve Corp. in Martinsburg and applauded them for volunteering their time and effort to keep the community safer. Capito presented them with a United States Flag that flew over the United States Capitol.



David L. Dunlop became President of Shepherd College in 1996. Prior to that, he served in many capacities at the University of Pittsburgh at Johnstown (UPJ), including chief academic officer, vice president for academic affairs and interim President.

Dr. Dunlop earned a B.S. and an M.Ed. from The Pennsylvania State University, and earned his Ph.D. in science education at the University of Pittsburgh.

Dr. Dunlop serves on the Board of Directors of BB&T, is member of the Shepherdstown Rotary, and has served on the West Virginia International Trade Development Council.

Shepherd College: Providing Unique Learning Opportunities

*David L. Dunlop, Ph.D., President
Shepherd College*

West Virginia's Eastern Panhandle is home to Shepherd College, the fastest growing college in the state. Located in historic Shepherdstown, the College is a major resource for eastern West Virginia and the surrounding region.

Since Shepherd College's founding in 1871, and particularly during the past decade, student enrollment has steadily grown. During the fall 2002 semester, the College welcomed its largest full-time student enrollment (FTE) in history with nearly 4,700 students (3,600 FTE). Over the past 10 years, the student body has grown by 31% and includes students from 27 countries and 48 states.

Shepherd continually enhances its growing student enrollment by providing the best academic environment possible to meet the demands and needs of our student body and community partners. Shepherd has expanded and added new academic programs and facilities, secured increasing private sup-

port and nourished a unique and diverse cultural environment.

Shepherd College offers 43 two- and four-year degree programs and two master's level programs. Many of these programs are fully accredited by specialized external accrediting agencies, in addition to the College's national accreditation by North Central Association

of Colleges and Schools Commission on Institutions of Higher Education. Shepherd partners with Marshall and West Virginia Universities to offer advanced educational opportunities to its students, including the Medical Students in the Eastern Panhandle (MedSTEP) partnership with the

WVU School of Medicine. This program allows qualified students applying for admission to Shepherd to apply for advanced admission to the WVU School of Medicine.

Shepherd houses a College Honors Program which encompasses a series of focus group programs with high school Advanced Placement teachers. Shepherd co-sponsored "An Education Summit on Ethics," a conference about



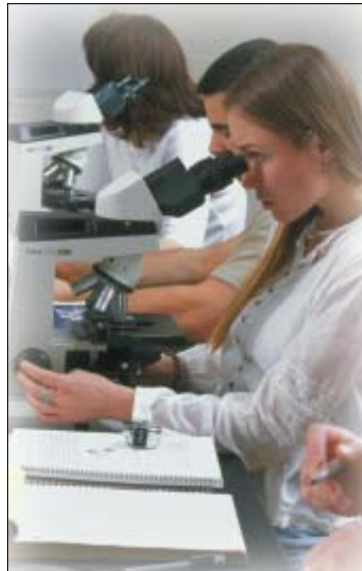
incorporating ethical issues into classes and business practices. The conference attracted over 200 teachers, professors and business leaders.

Shepherd College is physically branching out with the move of its Community and Technical College (CTC) into expanded facilities at the Dunn Building in Martinsburg. The College is now able, with its additional classroom and laboratory space, to provide a wider array of services and educational opportunities to the growing non-traditional and employer population centered in Martinsburg. The CTC features 20 associate degree programs, as well as continuing education courses and developmental classes. The CTC also offers high school students the opportunity to take college courses at their schools, earning college credit before their high school graduation.

Fostering the success of the new academic programs on the Shepherdstown campus is the expansion of campus facilities. The development of Shepherd's campus has been dynamic, with additions such as the Robert C. Byrd Science and Technology Center, a state-of-the-art environment for computer science, environmental science, biology and chemistry majors, and the \$13.2 million expansion for



Scarborough Library



Robert C. Byrd Science and Technology Center

the Scarborough Library annex with the Robert C. Byrd Center for Legislative Studies.

In 2000, Ram Stadium underwent a \$2.2 million expansion project. Construction of a \$1.25 million facilities building in the stadium's south end zone is scheduled for completion in the fall of 2003. The Frank Arts Center is undergoing renovations to provide new and enhanced practice facilities for the growing music programs.

The Shepherd philosophy is that it is important to nurture mechanisms that can enrich and diversify the region as a whole. For example, along with its business partners, Shepherd College developed the Business and Industry Partnership Council, the International Institute for Trade, Training and Development (IITTD), and the College sponsors a Small Business Development Center (SBDC), which is the only SBDC in the state with a developed welfare-to-work program.

Shepherd's geographic location makes it natural to partner with regional businesses to ensure that well prepared and motivated employees are available to such industry leaders as Quad Graphics, General Motors/United Auto Workers, Royal Vendors and the printing industry located along I-81.

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Henry M. Kayes, Jr., is the President of Centra Bank in Martinsburg, a local banking company formed in early 2001 by eleven local Eastern Panhandle business leaders. In addition to his CEO duties, Mr. Kayes specializes in Commercial Lending and has been the banker for many of the region's largest commercial projects. Prior to joining Centra, Kayes served as Senior Vice-President and City Executive for BB&T's Eastern Panhandle region. He serves on the Board of Directors of the United Way of Berkeley and Morgan Counties and the Berkeley Chamber of Commerce.

West Virginia's Eastern Panhandle: The right market and the right place to do business

*Henry M. Kayes, Jr., President
Centra Bank*

When Centra opened its doors in Martinsburg in April 2001, little did the shareholders, the board of directors, the staff and management know that two years later the bank would achieve both state and national recognition:

- The fastest growing bank in West Virginia . . . ever;
- Number three bank in U.S. for asset growth of the 187 banks started at that time;
- Number two among the top five banks in the U.S. for profitability that were started at that time;
- Number one of all Mid-Atlantic U.S. banks for asset growth that were started at that time;
- Most recent \$12 million capital offering oversold by \$4 million, resulting in wait list for stock remaining in the hundreds.

While these results are a testament to the intelligence, creativity and commitment of a board of directors, local experienced management and employees, they also say something about the coming of age of an extremely vibrant market area.

Despite considerable national and international challenges, such as 9-11, an unstable economy, two recent military conflicts and continued fierce industry competition, the Eastern Panhandle of West Virginia is an area that can sustain growth and success for a new business.

Recognizing the immense potential in the Eastern Panhandle, Centra has created an organization to focus on consumers and small businesses specifically in this market. Centra has brought together the consumer and corporate business, knowing these emerging markets represent a most exciting growth opportunity.

Last year at the grand opening of Centra's newly constructed headquarters, West Virginia's Banking Commissioner said, "The rate of growth is more than exceptional. You just don't see numbers like that. It says a lot about the bank's acceptance by the community." In his recognition of the bank, the Commissioner cited two simple reasons for the bank's rapid success: "It began with the right business plan and gathered the right people to carry it out."

Capital offerings for the company sold out in just days, without the need for a broker or investment banker. Investors, nearly all locals, adamantly believe in the simple plan that the board of directors and management team

presented to them — Martinsburg taking care of Martinsburg — Local Ownership, Local Management, Local Decisions.

Prior to discussions beginning among local powerhouse business leaders who realized the need for Martinsburg to have their own bank, heads of local companies like W. Harley Miller Contractors, Jefferson Distributing, Miller Orchards, Farmers and Mechanics Insurance Company, Eddie's Tire Service, Heiston Supply, Virginia Honey and Roach Oil, along with select local professionals, came together to form an eleven-member board of directors. Despite extremely busy schedules, these executives were integral to the birth of the institution and continue to be engaged — rarely missing a board meeting. Management cites them as readily available resources for guidance, saying their business experience and roots in the community provide for long coat tails of business.

The staff has been given the opportunity to practice the type of local banking to which they are accustomed; taking into account one's character as well as their balance sheet when considering loan decisions.

The bank's greatest opportunity is to increase share in the Eastern Panhandle market. Given the growth rate in this economy and the advantages listed above, we believe that we can significantly increase our market share and earnings over the coming years.

We will achieve that by continuing to attract, develop and retain the most talented employees available and by fostering an entrepreneurial culture that allows employees of all backgrounds to flourish individually as they work as a team. Additionally, we will rely on the powerful engine of growth in this market.

The results so far validate our decision to focus on our home turf, evidencing the Eastern Panhandle's ability to provide:

- Access to capital
- Access to recruit experienced and talented employees
- Access to visionaries who were able to identify our niche and subsequently form a board of directors
- Access to heavy growth which provides for sustaining business for a service business such as ours

It is this spirit of community and possibility that brought Centra into existence in the first place. At present, few areas of West Virginia could fuel such a beginning, but confidence is high for such undertakings in the Eastern Panhandle. ■

Dunlop . . . continued from p. 7

Shepherd College offers unique and nationally recognized cultural outlets to its students and neighbors. The College hosts the Contemporary American Theatre Festival (CATF), which attracts hundreds of visitors annually to the campus and surrounding communities. This joint venture contributes approximately \$700,000 to the local economy, while also providing award winning theatrical productions. The College has many other cultural and athletic events that are free to the public.

The College's athletic programs are among the best in Division II NCAA competition. Shepherd teams annually are ranked among the top ten in the nation within its competition level, including football, baseball, golf, tennis and men's and women's basketball. These athletes also carry on a long Shepherd tradition as scholar/athletes with many players also recognized nationally for their academic achievements.

Travelers to the Eastern Panhandle are encouraged to visit Shepherd College's

campuses in Shepherdstown and Martinsburg to see for themselves why Shepherd is one of the jewels of West Virginia and a great source of pride to area residents. The warm, friendly, intellectual atmosphere at Shepherd makes most people feel immediately at home upon their first visit! ■



Michael E. Caryl, a member in the firm, practices primarily in the areas of tax planning and tax litigation at Federal, state and local levels. He served as West Virginia State Tax Commissioner and was President of the twelve-state Southeastern Association of Tax Administrators. Prior to serving as Tax Commissioner, Mr. Caryl practiced tax law with a Martinsburg law firm for ten years. He is a graduate of West Virginia University and the Yale Law School.

What is it about the Eastern Panhandle?

*Michael E. Caryl, Esquire
Bowles Rice McDavid Graff & Love PLLC*

According to most accounts, in 1863, President Abraham Lincoln insisted on including in the new State of West Virginia the counties of Jefferson, Berkeley and Morgan, thus to take from Virginia the strategically crucial east-west main railroad line that passes through them. Indeed, a now long-retired local judge used to get much satisfaction by reminding the downstate lawyers who appeared before him that they were in one of the few West Virginia counties Virginia sued to recover after the Civil War.

Even today, visitors from “down state” — whether they are from Charleston, Parkersburg or even Morgantown — regularly remark that the Eastern Panhandle of West Virginia just “feels” different from the rest of the state. As a long-time resident of the Eastern Panhandle who regularly travels to the rest of West Virginia, I think I know what they mean.

First, there is the obvious moderation of the topography that gives a more open impression of the land itself as compared to the sometimes confining feel of the narrow valleys and steep slopes to the west and south. For evidence that people everywhere are drawn to such a setting, one need only consider the residential and light commercial migration to Putnam County from east and west of there.

In addition, because its growth is recent, the Eastern Panhandle does not have much of the older urban/commercial infrastructure typically associated with long-established population concentrations. As a result, the physical setting of our work places tend to be significantly lighter in scale than those of the heavy, traditional industries of the smokestack economy that dominated other parts of our state for much of the last century.

Of course, Martinsburg’s own industrial past can still be seen in the blue collar neighborhoods clustered near its former textile mills, quarries and railroad works. Today, however, the sprawling subdivisions of Berkeley and Jefferson Counties are a powerful testament to both the mobility of modern workers and the strong demand for them in the various white collar callings and modern industries, such as printing, that are rapidly concentrating nearby.

Beyond such obvious and perhaps superficial differences are those attributable to our proximity to the major, national population centers of the mid-Atlantic seaboard. Not only are Washington and Baltimore less than two hours away by car, but Philadelphia and Richmond are not much farther. Even mid-town Manhattan is over an hour closer to Martinsburg than is Charleston.

With such short distances to Washington and Baltimore comes not only daily commuting there of thousands of our residents for work, but also access to the entire gamut of commercial, recreational and all other social endeavors offered by major urban centers. This includes shopping, performing arts, museums, media and major professional sports. While WVU has a major following in the Eastern Panhandle, to many here, the Redskins and Orioles are also their home teams.

Our regular interaction with folks to the east is also a two-way street. It is manifested not just by the thousands of Marylanders and Virginians who daily stream into the newly expanded Charles Town Racing and Slots facility, but more permanently from the thousands of others who relocate or retire here from the points east. Just as our visitors from “down state” notice the differences, the fresh immigrants from the eastern megaopolis have

discovered what many of us have known for a long time – the Eastern Panhandle of West Virginia does offer some of the best of several worlds.

With all these differences from the rest of the state in mind, it remains more crucial than ever for the Eastern Panhandle and its leaders to become far more engaged in influencing the future direction of West Virginia than has traditionally been the case. That is so because we have both the growing base of economic and political power to make a difference and a correspondingly greater stake in doing so. Moreover, while none of us can change the topography that God and the glaciers formed, in today’s economically interdependent world of high technology, virtual markets and instant communications, the rest of West Virginia can only benefit from cooperating with us, thus to extend to it the opportunities we enjoy here in the Eastern Panhandle.

Of course, it is to be expected that, as a relatively new player on the statewide stage, it may take some time before the strong and independent voice of the real Eastern Panhandle is heard across West Virginia. However, that day will be greatly hastened to the benefit of all involved if that truth is recognized and we aggressively and constructively act on it.

Then, and only then, will the short-term military advantage that Abraham Lincoln claimed for the Union in 1863 also come to serve as a lasting benefit to the new state that was formed that year. With our strong presence in the Eastern Panhandle and our other strategically located offices around West Virginia, we at Bowles Rice are well-positioned and look forward to continuing to play a significant role in that effort. ■

The beautiful and historic Shenandoah Valley is home to the Winchester, Virginia office of Bowles Rice. This location allows our firm to conveniently serve clients in Northern Virginia and the Upper Shenandoah Valley, as well as the District of Columbia. To enhance services for our clients in this area of commerce, manufacturing, outstanding medical facilities and increasing technology industries, we have recently expanded our office.

Located in the downtown historical district just 70 miles from our nation’s capitol, attorneys in the Winchester office are available to handle civil litigation, medical and professional liability, insurance defense, as well as tax law and estate planning, commercial, real estate and education law in both state courts of Virginia as well as the U.S. District Court for the Eastern and Western Districts of Virginia.

Attorneys in this office include Curtis Power, David DeJarnett, Michael Lorensen, Gregory Bailey, and Amanda McDonald.



The Old Courthouse - Winchester, Virginia

*Photo Credit: Roger Lamborne
www.winchesteronline.com*



Jim Buchanan has held the position of President / COO at Charles Town Races & Slots, a subsidiary of Penn National Gaming, Inc., for nearly 6 years. He has more than 30 years of experience in the Gaming Industry, and has previously held such positions as Vice President / General Manager at Fitzgeralds Casino & Hotel, Tunica, Mississippi; Senior Director of Gaming at Fitzgeralds, Tunica, Mississippi; Director of Slot Operations at Fitzgeralds Gaming, Reno, Nevada; Director of Slot Product Development at Fitzgeralds Gaming, Reno & Las Vegas, Nevada; and Director of Slots/Keno Operations at Harveys Resort Hotel & Casino, Lake Tahoe.

Charles Town Races: Economic Engine or the Proverbial Golden Goose?

*James O. Buchanan, President & CEO
Penn National Gaming, Inc.
Charles Town Races & Slots*

Six short years ago, voters in Jefferson County chose to make a bet that a Pennsylvania company founded in thoroughbred racing, Penn National Gaming, would live up to its promises of saving the 60+-year-old Charles Town racetrack from closing. Few realized the impact of their decision would reach far beyond putting video lottery machines in to save a few hundred jobs.

For the past six years, Penn National has continued to uphold the promises that were made. To date, \$175 million have been invested with more re-investment planned. Construction has been almost continuous and the economic results are astounding.

- Employment at Charles Town Races has increased over 300% to 1,250.
- Over 90% of the employees live in the Eastern Panhandle.
- Payroll and Benefits to those employees have increased from \$8 million to over \$30 million annually.
- Products purchased are now over \$20 million per year and much of it is purchased locally.
- Horse racing purses have increased from \$22,000 per

day to \$145,000 per day, with \$6.5 million as backup in the Horsemen's account.

- The facility has grown from 200,000 sq. ft. to over 350,000 sq. ft., not including a 1,500-space parking garage.
- The number of video lottery terminals (VLT) has grown from 400 to 3,500.
- Participating horse owners have grown from a few hundred to 6,000.
- Direct economic impact to the Eastern Panhandle from only the horse-racing end of the business is estimated to be \$60 million. After the trickle-down effect, it is estimated to be \$99 million.
- The number of jobs created by the horse industry is 1,600 direct and 2,500 direct and indirect.
- Gross VLT revenues from the track for fiscal year 2003 (July 1, 2002 - June 30, 2003) were \$259,851,596.
- Jefferson County and the five municipalities receive 2% of video lottery net revenues. For the County,

that meant \$2,833,337 this year. For the municipalities, it meant \$1,921,273.

- Employees of the track receive 0.5% of the VLT revenues for their retirement fund. This year that amounted to \$1,888,652.
- Charles Town Races attracts nearly four million visitors each year.

You say – “Gee, that is great for the Eastern Panhandle, but what about the rest of the state?” Well, this is where it gets even better. Just in fiscal year 2003, the state received:

- 4% of VLT revenue for Administration – that amount this year was \$10,394,064.
- For the general Lottery Fund, the amount received was \$89,730,606.
- 3% of net VLT revenue for promoting Tourism throughout the state – that amount this year was \$7,131,915.
- Several other funds derived from net VLT Revenue amounted to \$6,537,589. They consist of:
Greyhound Development: \$1,782,979; Racing Commission: \$2,377,305; Veterans Memorial: \$2,377,305.

The thoroughbred industry wasn't forgotten.

- 14% goes to Purses (8% after VLT revenue hits \$134 million) – that amount this year was \$26,949,664.
- The Thoroughbred Development program receives 1% of the VLT revenues. This year, that amount was \$1,782,979.

There is no question Charles Town Races' success is based on gambling. There were and still are critics of gambling. Some of the concerns are gambling addiction, increased crime, political influences, low paid work force, unsure future and objections based on religion. Some criticisms have an element of truth which gambling critics use to make their arguments.

Gambling addiction occurs in 1%-2% of the U.S. population. It can hurt lives much like alcohol or drug addiction. Gambling addicts have many opportunities to satisfy their needs, including state lotteries, bars and clubs with tip jars and slot machines, sports betting pools, internet sites, race and dog tracks, poker rooms, charity bingo, raffles, Las Vegas nights, illegal gambling, and the list goes on. It is a social problem that the voters in most states have deemed acceptable through the passage of legislation allowing these many forms of gambling. In the case of West Virginia, there are lottery funds set aside to aid in helping those that need treatment.

In the Eastern Panhandle, crime has not increased due to the growth of the race-track. Law enforcement agencies track crime statistics and its many causes. They unanimously agree growth at the track has not increased crime. The race-

Continued on p. 14



Buchanan . . . continued from p. 13

track has its own security force, which has at times detained and held wanted criminals for local authorities.

Where allowed, gambling businesses employ lobbyists and make political contributions as any other business. They must abide by laws controlling such contributions as any other individual or business. The fact that one business may generate more revenue than another does not make the ability to contribute or their political influence necessarily any different. Organizations representing large numbers of voters and large PACS can yield greater influence.

Charles Town Races directly employs over 1,200 people, with wage and benefits averaging over \$12.00 per hour. This number is misleading, as many employees are tipped, providing them an even higher average. In West Virginia, with an average per capita income of \$21,000 per year, this is not a poor income. Available benefits include medical, dental, vision, long-term disability, short-term disability, life insurance and 401(k). The racetrack will employ people with limited education and without any training or experience and provide them the opportunity for a virtually unlimited career path. Many college students, young people and retired people have been able to stay in West Virginia working full or part-time at the racetrack. Unemployment in the area has remained around 2.5%.

There are people who worry Charles Town Races has an unsure future. Competition from Maryland or Pennsylvania may cause an economic down-

turn in our business, which in turn will hurt the local economy. With ten million people within 100 miles of the track, we have barely penetrated the market. All of Penn National's other gaming properties in other states have competition and perform very well. Management believes our business has a viable future even with the added competition, hence the reinvestment.

The very real threat for the economic viability and ultimate success of Charles Town Races, strangely enough, comes from within the state. It comes from the constant threat of an unstable tax base. West Virginia has the highest tax rate (almost 60%) on gaming anywhere in the United States. Successful long-term gaming jurisdictions such as Nevada, Mississippi and New Jersey have tax rates from 6.5% - 12%. These jurisdictions have free market competition within their borders. The tracks

in West Virginia survive with a 60% tax rate only because of their monopolistic locations in large markets. The problem arises when one realizes those markets are outside West Virginia's borders. Ninety-five percent of Charles Town's customers come from out of state. Similar figures can be found at the other West Virginia racetrack locations.

There are some people that feel the racetracks should be taxed more. It is this threat that can inhibit future investment and if higher taxation became a reality, it could kill the proverbial "Golden Goose" for West Virginia. Without the money to reinvest and keep the property and products fresh and new without the money to increase marketing to compete and without the money to get a return for investors, economic growth for the racetrack and the region would be stymied.



Some in our industry and the state believe that salvation will come in the form of adding table games should competition befall us. This measure can only succeed if legislation to enact it included a greatly reduced tax structure, credit, and no betting limits, among other things. Table games cannot make money in the current tax structure due to the much higher expense of their operation. Racetracks would have to make additional capital investment in building and equipment. Without generating enough money to get a return on these investments, there would be no incentive to pursue table games.

So, let's sum it all up. This year, Charles Town Races contributed just over \$100 million in taxes to the state; at least \$100 million infused into the economy of the Eastern Panhandle; \$4.7 million in taxes to the county and five municipalities; \$26.9 million to the horsemen, which are mostly local in the area; reinvested another \$75 million of a total \$175 million; and employed 3,700 directly and indirectly. In addition, over the past five years, Charles Town Races has contributed over \$400,000 to various charitable organizations. Ninety-five percent of the customers come from out of state, while ninety percent of the employees live in the state. Thus, our industry has created no infrastructure problems other than increased traffic. The state did not have to extend any tax incentives nor invest any capital. New restaurants and motels are now being planned for the immediate area and old motels and bed and breakfasts are see-



ing occupancy growth. Development is being planned all around. Not a bad story. The visionaries in West Virginia that crafted the lottery legislation and the visionary voters of Jefferson County should be proud of their efforts and the results. In a state where there have been many setbacks, West Virginia has virtually overnight spawned an industry that is now the third largest revenue producer in the state at virtually no expense to the taxpayer. Only personal state income tax and sales tax generate

greater revenues. Fortunately, greed in other states has prevented the same success story and therefore competition. We can't assume that will always be the situation.

At Charles Town Races, we see a great growth and economic success story for the Eastern Panhandle. With the right informed vision from our leaders and citizenry, we believe it will continue for many years to come. ■





Deborah Hammond has served as the County Administrator of Berkeley County, and as a member of the Berkeley County Development Authority, since 1996. She previously served as the Berkeley County Planning Director from September 1993 to June 1996, and was Planner to the City of Wilmington, North Carolina from 1983 to 1993. She ended her tenure in that position as Senior Planner for the City. Mrs. Hammond is a Cum Laude graduate of Hood College in Frederick, Maryland with a double major in history and political science. She is a graduate of the Master of Planning program from the University of Virginia.

Jewel in the Crown of West Virginia Economic Development

*Deborah Hammond, County Administrator
Berkeley County*

In my seven years as County Administrator to the County of Berkeley, I have been honored to serve on the Berkeley County Development Authority and to work on the many economic development projects that have located in Berkeley County. The County Commission has taken a pro-active role on the Development Authority and in working with prospects that have shown interest in locating in Berkeley County. Many elected officials statewide have asked the secret to Berkeley County's success. The secret has been one word: Teamwork.

Berkeley County has assembled a team of individuals who come together to showcase the county in the best possible light. These include elected officials from the federal, state and local level; the Development Authority professionals, Robert Crawford and Debbie Sebert; the County Engineer, William Teach; representatives of the water and sewer districts for Berkeley County; our legal representatives at Bowles Rice McDavid Graff and Love, and most especially Norwood Bentley and Mike Keller. I have been honored to also be a member of that team.

When a prospect comes to the local Development Authority and wishes to meet with local officials, the team noted above assembles to present the county in the best light. One of the chief concerns of each prospect that we have worked with is the speed by which

the project can begin and can move to completion. Our team has worked hard to "fast track" projects, even permitting companies to post a bond to the County Commission to cover the cost of construction so that site work and initial construction can begin as the project proceeds through the Planning Commission and Building Inspections review process.

When a problem is encountered in any area of review or construction, the team is available to get an answer and to get the problem solved. If a change is made in the state or federal permitting requirements such as the recent changes to the storm water management procedures at the state level, the Berkeley County team works to find an answer that will assure local control and the fastest possible review and approvals for the applicant.

Berkeley County was a leader in the use of PILOT agreements or Payment in Lieu of Taxes. Mike Caryl, of Bowles Rice McDavid Graff & Love, worked with the Commission in the development of our first such agreement with Quad Graphics. Since that time, the County Commission has actively utilized this tool as a means of encouraging development while protecting the tax base of the county and school system.

The proof of this teamwork has been a succession of successful economic

development projects in the past ten years that has included Quad Graphics, Guardian Fiberglass, Parcel Direct, S. Schwab Company's Ralph Lauren Children's Wear Distribution Center, Sino-Swearingen Aircraft Company, Tiger Aircraft Company, Orgill, Inc. and Ecolab. Our Development Authority also works actively in the retention of existing businesses in the community. This number includes such major employers as General Motors, Quebecor Printing, and numerous federal government agencies such as the Internal Revenue Service, U.S. Coast Guard, Veteran's Administration Medical Center, Department of the Air Force 167th Air Lift Wing and the Bureau of Alcohol, Tobacco and Firearms, a branch of the newly created Department of Homeland Security. The 167th Air Lift Wing has recently announced plans for an expansion of their facility to accommodate the location of C-5 airplanes at the Berkeley County facility. This work is also an outgrowth of the Homeland Security program at the federal level.

Berkeley County will continue to aggressively seek new prospects as we work to retain those industries that have chosen to do business here. We have been blessed with a strong economy that has the necessary diversity to weather economic down cycles. We have also been blessed with the proximity to major population centers such as Washington, DC, Baltimore, Maryland, Harrisburg, Pennsylvania, Richmond, Virginia and New York, New York, and the interstate transportation system that is attractive to industrial locators. Berkeley County

will continue to be a leader in economic development statewide and will continue its outreach to diversify our economy and further strengthen the state economy in the process. ■

Berkeley County Commission

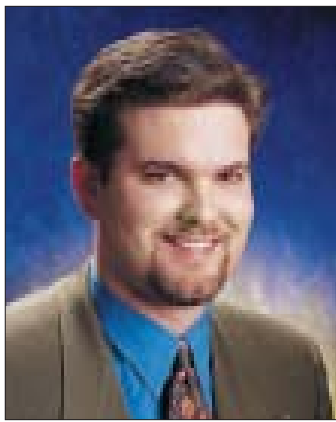
126 W. King Street
Martinsburg, West Virginia 25401
(304) 264-1923

Commission President
Howard Strauss

Commissioners
Steve Teufel
John Wright

Administrator
Deborah Hammond

The Administration Office of the Berkeley County Commission provides professional assistance to the County Commission in the form of budget preparation and administration, purchasing, insurance administration for county employees and switchboard functions for the County. In addition, this office handles the Commission's agenda, prepares its minutes, and administers special projects.



Eric Lewis has been working in high-tech finance in various capacities since 1997. As Executive Director of Walker Ventures, Mr. Lewis manages Walker Ventures' new West Virginia operation and assists in portfolio company management for the entire Walker Ventures portfolio. Before joining Walker Ventures, Mr. Lewis was Co-founder and CFO of Butterfly.net Inc., and prior to that, served as Chief Financial Officer at Ultraprise Corporation. Mr. Lewis serves as Chairman of a committee created by Sen. John D. Rockefeller IV (D-WV) tasked with researching the future of venture capital in West Virginia. This committee recently announced plans to launch the West Virginia Venture Connection, a venture capital source and advocacy group focused on increasing access to venture capital in West Virginia. Mr. Lewis graduated cum laude from Shepherd College.

Eastern Panhandle High Tech Initiatives

*Eric Lewis, Executive Director
Walker Ventures*

In the high technology economy, location can be everything and nothing. Decreasing cost of bandwidth and increasing usage of online productivity tools has created an environment in which high technology companies can operate virtually anywhere. Many of these companies, and the workers within them, are striving more and more for locations with better qualities of life than the traditionally congested metropolitan areas. However, these knowledge workers balance this desire with the desire to work in close proximity to other similar companies and workers. It is this balancing act that creates the challenge for West Virginia as it attempts to attract and grow high tech companies.

The Eastern Panhandle is poised to capitalize on its close proximity to the Washington, DC, and Baltimore, Maryland metropolitan areas in order to expand its high technology economic base. Thousands of people currently commute to the DC and Baltimore areas each day to a wide variety of jobs. Many of these individuals are high technology employees such as computer programmers, program managers and product managers. Nearly all would give up that commute in a heartbeat if given the chance to work closer to home.

That local employee base creates the opportunity to seed the Eastern

Panhandle with high technology companies. Populating these new and expanding companies with employees who currently live in the Eastern Panhandle reduces one barrier to entry and creates the basis for future growth by developing the high technology network in the local area. As more of these companies start up, relocate or grow in the Eastern Panhandle, more potential workers will move in and more companies will consider that move to be advantageous.

To date, there have been a few forays into high technology development, but ready to lease space for companies is currently limited. However, there are now several initiatives underway in Jefferson and Berkeley counties that are attempting to lay the groundwork for such an expansion.

In Jefferson County, with the now imminent expansion of Route 9 to four lanes near the Bardane and Burr Industrial Parks, several development companies are planning buildings and expansions focused on high technology companies within the industrial parks. Tetra, a Richmond, Virginia-based development company, is in final site design on an ambitious project that will create high tech office space with surrounding amenities. American Public University, an online university with over 18,000 students, has relocated its operation to Charles Town and ProSystems, a high tech



Headquarters

3060 Washington Road
Suite 200
Glenwood, MD 21738
Telephone 301-854-6850
Fax 301-854-6235



West Virginia Office

P.O. Box 1027
The Hoxton Building
Flowing Springs Road
Shepherdstown, WV 25443

www.stevewalker.com

Inc., a security software company, to a facility in downtown Martinsburg has created the opportunity to focus high tech growth on the revitalized downtown of a city of 15,000 people. The U.S. Coast Guard and IRS facilities on Route 9 outside of Martinsburg are the home to many high tech workers employed by prominent government contractors.

The seeds of high tech growth in the Eastern Panhandle are being sown daily by economic development officials and business people. It is imperative that this rapidly growing area receive the tools it needs to succeed. Among them are adequate school construction funding and low cost financing programs for infrastructure construction. Quality schools are the lifeblood of a high tech economy. High tech workers will not move to areas with low quality schools and low quality schools will not graduate the level of student necessary to receive training to perpetuate the new economy. It is very important that the growth experienced in the Eastern Panhandle is met with necessary schools and infrastructure so that the growth which has the

potential to fuel the expansion does not become the very thing that snuffs that expansion out. ■

manufacturer of laser retroreflectors, has moved into temporary space at the Burr Industrial Park in anticipation of building a new, permanent headquarters.

In Berkeley County, the recent move of Butterfly.net, Inc., a gaming technology company, and SecureMethods,



John Houyoux, after two tours of active duty as a pilot and intelligence officer in the Air Force and various civilian positions in mapping-related occupations, formed his own business, Air Photographics, Inc. Its purpose was to provide the photogrammetric profession with aerial photography for the preparation of precision topographic maps. The company, now completing its 43rd year, has grown from a staff of three to its current total of twenty three.

Success flies high in the Eastern Panhandle

*John Houyoux
Air Photographics*

Martinsburg and Berkeley County, West Virginia, can boast of a superb asset in its Eastern West Virginia Regional Airport. Our company is indeed fortunate to have located in the airport in 1976, thanks to the efforts of Mr. Russell Howard of Howard Aircraft, who provided the land and aided us in many ways in our efforts to transfer operations from the State of Virginia. The attractive features of what makes such a major move successful can be illustrated by a brief history of our company.

Air Photographics, Inc., has been in business since 1960. We originally had our corporate headquarters in Wheaton, Maryland, with our aircraft based in Baileys Crossroads, Virginia. Later, as we grew in size, we moved both our headquarters and photographic laboratory to Purcellville, Virginia, and our aircraft to the airport at Leesburg.

Services at Leesburg gradually deteriorated over the years to the point that both maintenance and fuel became unavailable on the field. As that situation developed, we began a search for a new location. Our principal criteria were first, a satisfactory airfield with hangar space for our aircraft; second, a site where we could have our office and laboratory on the field; and finally, a healthy tax situation. Since most of our mapping customers were,

and still are, located in widely scattered communities throughout the United States, our location for the new site was governed only by where our employees lived.

The Eastern West Virginia Regional Airport satisfied all three requirements. We were able to locate a building adjacent to Mr. Howard's fixed base operation (for aircraft maintenance) and he constructed entirely new hangar space to house our aircraft. The tax situation at that time was significantly more favorable than in Virginia or Maryland. Fuel was also readily available and our location permitted ready access by local customers. While aerial photography for mapping purposes is our principal product, a steady market has been established for various items such as photo imagery, maps and the reproduction of engineering drawings.

The airport itself is very attractive from a safety standpoint, with excellent approaches unfettered by tall towers or other potential obstructions, and with available runways to accommodate varying surface wind directions. The presence of the air National Guard to insure prompt emergency services in the event of an accident, prompt snow removal and tower-controlled traffic are also strong arguments in favor of this location. A current concern, however, is the potential threat to the

crosswind runway by the runway expansion currently under study. Such an event will become a serious safety factor for small aircraft and will reduce the volume of light aircraft traffic to the field with consequent loss of fuels sales.

At the time that we began our search, the Washington Metropolitan Area was rapidly expanding, particularly to the north and west. We correctly predicted that the Martinsburg area would be positively affected by the expansion, as both private and business property values have escalated. Bonus items are access to I-81 and location at the head of the Shenandoah Valley with its

potential markets for new customers and source for additional employees.

We are very pleased with our location at the Martinsburg airport for all the reasons described. We are also grateful for the presence of the Air National Guard for the respect and support. The future for the airport looks very positive, with additional hangar space and a new terminal building being considered. Air Photographics, Inc., is proud to be located in the Eastern Panhandle! ■



Air Photographics, Inc. (API), founded in August 1960, is a service-oriented aerial photography firm that specializes in precision aerial photography used for mapping purposes. API's range of operations is primarily in the states east of the Mississippi River. API's aircraft are hangared at the Eastern West Virginia Regional Airport with the flight office and photo lab situated adjacent to the hangars. The API aerial photo library is both current and historical, with some coverage dating back to 1948.

Air Photographics, Inc.
 2115 Kelly Island Road
 Martinsburg, WV 25401
 Ph: (304) 263-6976, (800) 624-8993
 e-mail: info@airphotographics.com
www.airphotographics.com



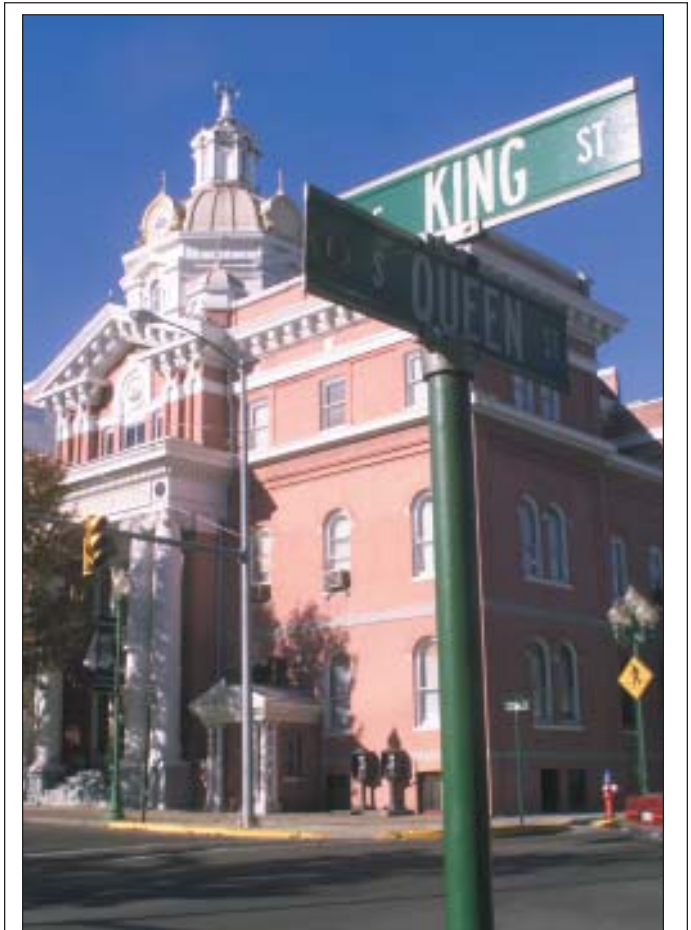
George Karos, Mayor of Martinsburg, is an active part of the Martinsburg community. Before his election to Mayor, he served for 26 years on Martinsburg City Council. Mayor Karos is a registered pharmacist and owner of Patterson's Drug Store, located in Martinsburg and Inwood. He is President of the West Virginia Board of Pharmacy, an Executive Committee Member of the Chamber of Commerce and the Berkeley County Development Authority, and a member of many other community groups. Mayor Karos has received numerous awards for his devotion and service to the community, including the Sam Walton Wal-Mart Business Leadership Award and the A.H. Robin's Award for Outstanding Service to the Community and to West Virginia Pharmacies.

Martinsburg: Gateway to the Shenandoah Valley

*The Honorable George Karos, Mayor
City of Martinsburg*

The City of Martinsburg has evolved from an agrarian economy to a much more diverse and active business center in the Eastern Panhandle of West Virginia. According to the 2000 Census, Martinsburg is the "fastest growing city in the State." This city is also known as the "Gateway to the Shenandoah Valley." Located in the heart of the Eastern Panhandle, the City serves as the county seat of Berkeley County and the commercial center for the three counties located in the extreme eastern part of the panhandle. Interstate 70, a major east/west system, and I-81, running north and south, converge just across the Potomac River in Maryland, a very few miles from here. Martinsburg is closer to five capital cities than to West Virginia's capital, Charleston. Because of our strategic location, Martinsburg is an excellent site for economic development.

We work hard to provide excellent services to the residents, both private and business, in order to support the desired development of new and existing business and industry. Our people have supported downtown revitalization and multi-million dollar improvements to our water, sewer and street systems. Steady growth through annexation has allowed Martinsburg to expand its services to new residential and business



The Martinsburg Courthouse

development. These efforts on the part of the City have allowed Martinsburg to continue to be a leader in the Quad-State Area. Our rural character, combined with our close proximity to the Washington-Baltimore Metropolitan Area, contributes to our ability to draw and keep exciting economic development projects.

It is, however, not just our location, favorable to distribution and transportation processes, and our small town flavor which cause our economic development efforts to be successful. It is a conscious determination on the part of the City and County to aggressively seek out new business and to take care of the business which has been a part of our community for many years. It is the partnership which we have forged with Berkeley County and the State of West Virginia, to a large extent, and to the other counties in our Panhandle and the cities and counties of Maryland and Virginia which are minutes from our borders, to a lesser extent, which has allowed us to be successful in seeking economic development for this region.

Martinsburg is an integral part of the Berkeley County Development Authority. We sit on that Authority Board and are active in a cooperative effort to bring new business and industry to the eastern part of West Virginia. We play a major role in helping to make this area attractive to those who make decisions about their locations. We are



The Adam Stephens House

active in the local chamber of commerce and we have, over the years, been a part of the policy making for that organization, in informal ways. Our mayors and council members, our administrators and employees, have served in many capacities in the Chamber and other civic organizations which promote economic development directly by helping recruit business, and indirectly by helping maintain and improve the quality of life in our community. Our city policies are geared to support a growing need for recreational, cultural and arts activities. War Memorial Park and Lambert Park are hosts to swimming, entertainment, fairs and festivals throughout the year. The Apollo Civic Theatre, Boorman Arts Center, Belle Boyd House, Adam

Stephens House, Apple Harvest Festival, Wine and Arts Festival and Soap Box Derby provide year-round cultural, artistic, historic and fun entertainment activities for the community and its people.

The City of Martinsburg believes a diverse and growing economic foundation is the key to a better quality of life for all our people. Good jobs and good schools funded by a growing tax base and managed by progressive leadership, ample and attractive housing for our residents and abundant leisure opportunities are part of the results of an aggressive, efficient and cooperative effort to support our existing businesses and to bring new business into the City and County. We are proud to be a part of the economic development support team in the Eastern Panhandle. We are committed to expending the physical, intellectual and financial resources necessary to the continued growth and health of our community and state. ■

Photo Credit:

Todd Harless Photography / Digital Imaging



Rick Lemon was brought to Washington, DC, to develop the concept and design of the National Conservation Training Center, which opened in 1997. As the first Director of the Center, he has worked to ensure that all sectors of society are brought together to address natural resource issues, believing that a healthy environment and a healthy economy are mutually dependent in the long run.

A Center for Conservation Leadership

*Rick Lemon, Director
USFWS National Conservation Training Center*

Tucked along the Potomac River in the Eastern Panhandle above Shepherdstown is a place that has brought people from all over the globe to West Virginia in search of ideas and solutions to natural resource conservation challenges. Dedicated in 1997, the U.S. Fish and Wildlife Service's National Conservation Training Center has put the state on the map with its world class training, customer service and quiet atmosphere that encourages collaborative learning and problem solving. The NCTC is also the home of the Fish and Wildlife Service, a place where our 7,000 employees come to train and discuss their challenges at our more than 700 field stations across the country.

Before the NCTC, the U.S. Fish and Wildlife Service conducted its training at airport hotels and conference centers around the country. Besides the

headquarters offices at the Department of the Interior Building in Washington D.C., there was no central location that Service fish and wildlife professionals could call home. In the late 1980s, the Service began to plan for the development of a national training center. Service leadership recognized the need to invest in its employees and ensure that they had the skills needed to meet the agency's mission. Because of its rural character and close proximity to Washington, DC, the West Virginia Panhandle was identified as an ideal location for the development of such a facility.

In 1992, the 540-acre Hendrix Farm located a few miles north of Shepherdstown was purchased as the setting for the new campus. Planning for the NCTC was careful and deliberate, with a design team representing more than a dozen design





Planning of the U.S. Fish and Wildlife Service's National Conservation Training Center was careful and deliberate. The campus is nestled quietly and serenely in beautiful rural West Virginia, but located within close proximity to the Department of the Interior in Washington, DC. Pictured here are the Division of Education (top left), Instructional West (bottom left) and one of NCTC's classroom settings (below). The NCTC campus hosted the Bowles Rice Annual Firm Retreat in 2001.



disciplines working together on every conceivable detail. The architectural design vision was of a campus of seventeen buildings that stood in harmony with the landscape, matching local farm architecture and built in a way that conserved energy and minimized maintenance costs. It would be a place for conservation professionals designed by conservation professionals.

The Service also began discussions with partners such as The Conservation Fund to build a vision for the center. The NCTC would welcome conservation professionals from all backgrounds and viewpoints who could come together in a non-threatening environment and learn from each other's perspectives — A Center for Conservation Leadership.

A major goal for the NCTC was to be a good neighbor. All through the

design and construction process, the staff worked closely with our neighbors to keep them informed and learn from their insights and ideas. This close collaboration has resulted in near universal support for the NCTC and the establishment of a community-based, not-for-profit "Friends" group that supports the mission and operations of the NCTC. ■



Rick Wachtel is President and General Manager of TalkRadio WRNR in Martinsburg, West Virginia, and has two children, Jonathan (20), at the United States Naval Academy and Clair (14), in local schools. Mr. Wachtel is a graduate of Shepherd College, was a member of Martinsburg City Council from 1972 to 1996 and has been a member of the Eastern West Virginia Regional Airport Authority since 1984 and Chairman since 1988. Rick Wachtel is a member of the West Virginia Aeronautics Commission first appointed in 1993. Other members of the EWVRAA are Steve Cox, Bob McMillan, Jack Koch, Bob Burkhardt and Russ Howard.

Eastern Regional Airport: A vital economic development tool

*Richard S. Wachtel, Chairman
Eastern West Virginia Regional Airport Authority*

The 100-year celebration of flight by the Wright Brothers at Kitty Hawk, North Carolina, takes place in 2004. While the first flight traveled just 120 feet on December 17, 1903, the world is truly soaring now. Uniquely, West Virginia played a part in that first flight.

Twenty years later on June 17, 1923, the first flight occurred at Shepherd Field here in Martinsburg when the Maryland National Guard landed in what was little more than a pasture owned by the Shepherd family. Many believe this airport is the oldest in West Virginia. On June 14, 2003, the Eastern West Virginia Regional Airport celebrated our 80th anniversary with a fine display of vintage aircraft, airplane rides and distinguished speakers.

Today, the Eastern West Virginia Regional Airport is the largest airport in West Virginia, both in land mass and runway length with over 60,000 operations annually. It is comprised of 1,005 acres slightly more than 1 mile from I-81 with 5,000 and 7,000-foot runways. The prime runway is fully instrumented with radar and tower coverage and 24-hour air crash rescue. It is a modern joint use airfield with the 167th Airlift Wing of the West Virginia Air National Guard as excellent partners. Currently, the 167th flies C-130's, but some \$240 million dollars will be spent by the Defense

Department with ample assistance by Senator Robert Byrd to upgrade the base to accommodate a fleet of 10 huge C-5 military transport aircraft by 2007. Part of that changeover will include a significant lengthening of runway 08-26. Several hundred new full- and part-time military and civilian jobs will result from the transition.

Currently, we estimate that there are 1,700 full- and part-time jobs on or immediately around the EWVRA with more coming. Our airport industrial park, the John D. Rockefeller IV Science and Technology Center, has aircraft assembly operations ongoing with Sino-Swearingen and Tiger Aircraft and a large Polo Ralph Lauren distribution center. Fiber optics, water and sewer, natural gas, ample electric power and a fine industrial access road connected to an I-81 interchange are in place and the park is designed to accommodate a rail spur. 110 acres are available in the Rockefeller Science and Technology Center and 300 acres at other locations on the Airport are available for future industrial tenants. Our location on I-81 and close to I-70 makes us attractive for distribution activities since over 80 million people from Boston to Atlanta can be accessed overnight by surface transportation. In addition, the Berkeley County Development Authority has just acquired 219 acres contiguous to the EWVRAA for a new industrial park.

We have a Foreign Trade Zone designation, free customs service and anticipate Inland Port designation shortly. The Federal Aviation Administration has classified the EWVRA as a “reliever” airport and we are part of the Dulles Airport Systems Plan. We hope to receive \$126 million from the West Virginia Economic Grant Committee to complete the second and final phase of a new terminal and administration building that we believe will help attract regional air service.

We are very, very proud of the support we have received from our elected federal and state officials and our Berkeley County Commission and Martinsburg City Council, along with the Federal Aviation Administration and West Virginia Aeronautics Commission. Our Regional Airport Authority has been a stable organization and local aviators have consistently given the Authority assistance and cooperation. The community has embraced the EWVRA and believes it to be a very valuable asset. We think we are quite a bargain, too. The EWVRA has only two full-time and one part-time employee and our annual operational budget is just \$175,000.

The EWVRA has accomplished much, but more remains to be done. It has not been easy . . . airport improvements are very expensive and often funding is a slow process, but we are preparing for the future of the Eastern Panhandle and our state. We certainly have been fortunate to be close to the highly populated I-95 corridor in a part of West Virginia with relatively flat land.

It is critical that West Virginia put increased emphasis on airports, air transportation and airport industrial parks. As Senator Rockefeller noted in a recent Senate speech, “Over 10 million people are employed directly in the aviation industry. For every job in the aviation industry, 15 related jobs are produced. The aviation industry accounts for over \$800 billion of our gross domestic product . . . In West Virginia, aviation represents \$3.4 billion of the state’s gross domestic product and directly or indirectly employs over 51,000 people.” Aggressive states across the country are recognizing the value of airports and airport industrial parks. All aspects of aviation grow in importance every day. More and better airports for general aviation, commercial air service and aviation and non-aviation economic development simply have to be developed as quickly as possible for us to maintain and increase our share of this economic activity and job creation.

We mentioned earlier that West Virginia was represented on December 17, 1903, at Kitty Hawk. Wilbur and Orville Wright chose red spruce from the hills of West Virginia as the wood used to construct that first aircraft and red spruce from Pocahontas County will be used in the Wright Flyer replica that will be flown on December 17, 2003, at Kill Devil Hills. Aviation generated much excitement then and continues to do so 100 years later! ■





Pattie Perez is the Executive Director of The Arts Centre, a Community Center for the Arts, located in downtown Martinsburg. She came to the Arts Centre as the Executive Director more than four years ago, and has more than 10 years of experience as a fundraiser specializing in grant writing and non-profit and educational fundraising campaigns on the local, regional and state levels. She has also done consulting work for several arts and educational organizations and has worked with the West Virginia State Historic Preservation Office and the National Trust for Historic Preservation on National Register nominations and surveys. Pattie is an active member of the American Society of Fundraising Professionals, The Grantsmanship Center, The Martinsburg Rotary Club, and was recognized by Leadership Berkeley as an Outstanding Community Leader during 2002. She is a native of Bucks County, Pennsylvania and has been a resident of Jefferson County for the past 15 years.

Building the Arts at the Center of it All Restoring the Old Federal Building and Post Office

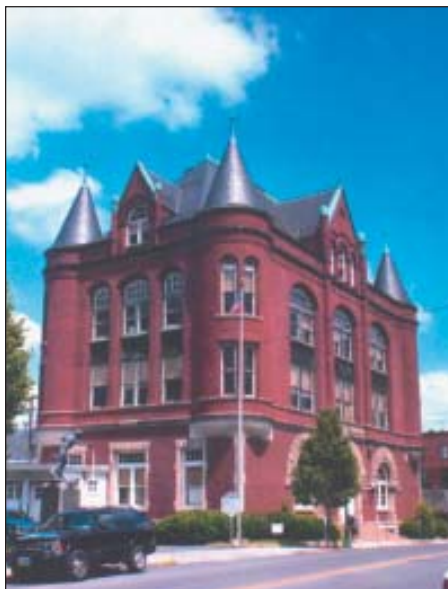
Patricia Perez
The Arts Centre

During the past 18 years, the Boarman Arts Centre has seeded the growth of a vibrant cultural life in the Eastern Panhandle. The Boarman's record of making the arts visible, diverse and accessible under adverse circumstances is outstanding in the region. The Center works to weave the arts into the fabric of Eastern Panhandle life, strengthen the cultural vibrancy of the region and enrich the quality of life for all of the region's residents. The Arts Center's underlying belief is that the arts are for everyone.

The Boarman Arts Center, currently located in one of Martinsburg's most beautiful buildings, The Admiral Boarman House, has long struggled with exploding student populations and a small and fragile building. Its age and size would lead one to believe that whoever said, "an artist must suffer" probably had the Admiral Boarman House in mind! Each year our local schools, churches and civic organizations open their doors and donate their classrooms and resources so that young artists have a safe place in which to take classes. Each

year students and adults alike must travel to Washington, DC, Baltimore, Philadelphia and New York to experience cultural programs not available locally for no other reason than that we don't have a place to present them.

In 1999, application was made by the Boarman Arts Center to the General Services Administration in collaboration with the US Department of Education to acquire, renovate and use the building known by local residents as The Old Post Office for use as a Community Center for the Arts. The building deed was transferred in May 2001 to the Boarman Arts



Center and planning began immediately. The Old Federal Building and Post Office, with its fascinating architecture, huge windows, rich wooden floors and 23,000 square feet has the imprint of generations of upper east West Virginians' lives. Rising majestically above the cityscape, yet located near its center, this magnificent structure is now empty but not quiet. The Old Federal Building has been graciously accommodating a group of

hard-working professionals as diverse as architects, engineers, acousticians, artists, lighting experts, building surveyors, fire marshals, teachers and students, all focused on creating a facility which can offer a program as respected as the individuals who have worked so hard to sustain the arts, culture and history for so many years.

Here at the Arts Centre, we have been entrusted with an irreplaceable legacy — and finally, a new home for the Arts in the Eastern Panhandle. It is time.

With a mission to provide educational opportunities in the arts for all of the region's residents, we face an exciting challenge. When completed, the renovations to the building will ensure full accessibility and fire code compliance and will provide state of the art studios for the visual arts, ceramics, photography, printing, music performance and technology. Meeting these demands requires tremendous amounts of work, planning and fundraising necessary to keep this cultural treasure sound, alive, and vigorous, sustaining the arts for generations to come. Completion of this work will ensure that art, education and culture will remain a legacy for generations to come. It is time.

The development of The Old Federal Building project permits The Arts Centre to expand significantly the services it provides to regional artists, cultural organizations, creative businesses, students and teachers. Performing and visual artists will have a well-equipped and centralized location to develop and present their works to larger audiences. Cultural organizations, especially



emerging groups without formal administrative structures or their own facilities, will have access to affordable space and cooperative services, and artists will have year-round marketing space for their work.

Although The Arts Centre has only just begun the work to open this multi-use arts center, the project is already stimulating important new arts activity in downtown Martinsburg, the county's business and government hub. Long-term, The Arts Centre, the

City of Martinsburg, the Eastern Panhandle and the surrounding region envision the building as the anchor of a prosperous cultural district. It is time! ■



Catherine Irwin has been the Managing Director of CATF since the fall of 1999. She has worked with a wide variety of professional non-profit theaters, serving as the Managing Director of the Living Stage Theater Company, Arena Stage's outreach program, and as Arena Stage's Director of Development for three years. Ms. Irwin has also worked as a consultant to theaters in Michigan, Arizona and Maryland. Ms. Irwin and her husband live in Shepherdstown, West Virginia, where she is actively involved in the community. She was a member of the 2001 Class of Leadership West Virginia and is an active member of the Shepherdstown Rotary Club.

The Contemporary American Theater Festival

*Catherine Irwin, Managing Director
Contemporary American Theater Festival*

Can you imagine one of the oldest towns in West Virginia becoming a home for the development of the newest plays in America? Ed Herendeen, Founder and Producing Director of the Contemporary American Theater Festival (CATF), not only imagined it, but actually made it happen.

CATF, now producing its 13th Season of new American theater, has a reputation as one of the most important centers for new play development in our country. The Theater has received recognition from *The Wall*

Street Journal, *Business Week*, the *Washington Post* and the theater field's most important magazine, *American Theatre*. In the early 1990s, Ed was invited to build a professional, non-profit theater on the campus of Shepherd College in Shepherdstown, West Virginia. Prior to coming to Shepherdstown, Ed had been with the theater program at West Virginia University and was excited about the idea of birthing a theater devoted to new plays. He had also worked with the Williamstown Theater Festival in Massachusetts and loved the festival concept.

But what he needed to begin was support from the community. He met with a variety of Eastern Panhandle leaders to share his dream and found they were as enthusiastic as he was and encouraged him to move forward. The Founding Board of Trustees of CATF included Tia McMillan, Vice President of Jefferson Distributors, and the late Linda Rice. Soon Andrew Michael, a vice president of the Woods Resort, and Mary Helen Strauch, an active

volunteer in Martinsburg, joined Linda and Tia, working tirelessly to pull together a strong, vocal and supportive Board. Their success assured

CATF a good beginning as well as a solid future.

Last summer, people from 27 states and the District of Columbia came to the Theater Festival, many coming to West Virginia for the first time. What they found in the Eastern Panhandle was an outstanding theater experience, as well as a community offering a vast variety of other cultural activities, top notch restaurants, historical sites, special inns and bed and breakfasts, unique shops, galleries and antique markets. In addition, they found that the state's outdoor activities are limitless with



white water rafting, biking, hiking and fishing, to name a few. The Morgan Arts Council in Morgan County, The Boarman House in Berkeley County and the Arts Alliance in Jefferson County all join CATF in offering visitors a unique opportunity to experience arts and culture in the Eastern Panhandle. Once people have been introduced to our wonderful state, they come back for more.

While CATF plays find their beginning at the Festival, the hope is that a number of them will become staples of American theater in the years ahead. Such well-known playwrights as Joyce Carol Oates, Lee Blessing, Craig Wright and Sam Shepard have had their plays produced at CATF with subsequent productions at theaters across the country. A 1999 CATF commissioned play by Jeffrey Hatcher, *Compleat Female Stage Beauty*, was purchased by Artisan Pictures and Tribeca Films and began filming this summer.

Mary Helen Strauch has led the Festival as the President of the Board of Trustees for the past three years. Other Trustees include David Dunlop, President of Shepherd College, Suzy Rice and Lily Hill (spouses of Bowles Rice attorneys) and other theater enthusiasts from throughout West Virginia and surrounding areas. Theater Festival Trustees vigorously advocate for and regularly introduce new patrons to the work of CATF, and assist Ed in strategic planning for the future. In addition, they provide leadership in the annual campaign, which is responsible this year for raising 72% of the

\$714,000 budget. The other 28% is earned revenue from ticket sales. The Trustees also support the actors, technicians, staff and interns by providing dinner or lunch once a week during rehearsals and performances.

In expressing his appreciation, Ed stated, "I had a dream that could only be realized with the partnership of people from the Eastern Panhandle and Shepherd College. Fortunately, the tremendous support we received from the beginning has grown right along with the Festival which has assured our success in bringing together artists, actors, designers and staff to present the newest plays in America to wider and wider audiences each year."

The 2004 Season will begin on July 9 and run through August 1, giving Festival goers the option of seeing plays on any two- or three-day visit to Shepherdstown. The full 2004 schedule will be available January 2004.

For more information about the Contemporary American Theatre Festival, call us at 800-999-CATF or 304-876-3473, or you can check us out on the web at www.catf.org. ■





Philip B. Hill is a member of the firm's Business and Tax Group and focuses his practice on trusts and estate planning. He is Past President of the West Virginia Bar Association and was a member of the Board of Governors of the West Virginia State Bar. Mr. Hill is also a past member of the Iowa House of Representatives and the Iowa State Senate. He received his undergraduate degree from Princeton University and his L.L.B. from the West Virginia University College of Law. Mr. Hill now resides in Shepherdstown with his wife, Lily, where he is active in several community organizations.

Shepherdstown: An historic place to live today

*Phil Hill, Esquire
Bowles Rice McDavid Graff & Love PLLC*

West Virginia is a great place to live, work and play. I have lived in Charleston, Sistersville, and now, Shepherdstown, and I have worked and played in many other parts of this great state. At this time, it is my privilege to practice law on a part-time basis with the fine Bowles Rice lawyers in the Martinsburg office. I started practicing law in Charleston with the firm of Dayton, Campbell & Love, where Charlie Love's father was a partner, and I am once more under the Love umbrella.

This edition of *Views & Visions* features West Virginia's Eastern Panhandle, and this area is outstanding. My wife and I moved to Shepherdstown 3-1/2 years ago, and we can go on for hours about the community and its many activities and fascinating people.

Two of our favorite Eastern Panhandle institutions, National Conservation Training Center and Contemporary

American Theater Festival, are described by others in this issue, and we are both proud that we participate in their activities. Everyone should make a trip to Shepherdstown to see the outstanding plays and visit the U. S. Fish and Wildlife Training Center.

History here is overwhelming. We belong to Shepherdstown Presbyterian Church, which was founded almost 20 years before Shepherdstown became a town in 1762, and the present building has been in use since 1853. People in Jefferson County are reluctant to demolish or make structural changes to the many buildings with historical significance. The area is growing rapidly, and this rapid growth puts pressure on the preservationists and the people who want to accommodate the growth. People want to live in the Eastern Panhandle, and the increasing population presents problems that are unknown in other parts of West Virginia.



Historic Shepherdstown's main street features many specialty shops and eateries.



The historic railroad bridge at Harper's Ferry and adjacent footbridge for visitors to enjoy.



Downtown Harper's Ferry

In 1990, the West Virginia Legislature passed the Local Powers Act. This law permits growth counties that jump through the many hoops set out in the law to impose impact fees on new construction. At this point, only Jefferson County has met all of the requirements for impact fees, and the County Commission, School Board and interested citizens are vigorously debating the merits and amounts of such fees. Shortly after we moved here, I was appointed to a committee directed by the County Commission to establish a Capital Improvements Plan, a requirement of the Local Powers Act. The committee gave me the opportunity to learn about the Local Powers Act and the County, as well as to work with a group of knowledgeable and interested persons.

Recently, we had houseguests who had never visited Harper's Ferry or the nearby Antietam battlefield, and we had a delightful weekend showing off the area's sights. Although Antietam is in Maryland, we think of it as an adjunct of the Panhandle, primarily because the retreating Confederate

troops turned Shepherdstown into a giant field hospital. The visitors came from all over, and as we walked around Harper's Ferry, we heard several languages other than English being spoken by the tourists. The fact that the Appalachian Trail goes right through downtown Harper's Ferry adds to the appeal of the town. That particular weekend was further highlighted by a tour of Elmwood Cemetery in Shepherdstown, the permanent resting place of many Confederate soldiers, under the outstanding guidance of Dr. Jim Price, who probably knows more about the history of Shepherdstown and its residents than any other living person.

There are growing businesses in the Eastern Panhandle, and based upon my observations at the office, Bowles Rice is serving many of them, and serving them well. The Bowles Rice lawyers are not only serving their clients, but they are also at the forefront of serving the community. Lacy Rice, Sr., was a leader in every conceivable community and charitable activity, and his son, Lacy Rice, Jr., succeeded him in these many

civic and charitable endeavors. The current, active Bowles Rice lawyers are just as involved with community activities, without neglecting their obligations to their many clients. I am very lucky to be associated with such a group of able, qualified and interested men and women. I love going to the office and look forward to having lunch and discussing issues with the other Bowles Rice folks. Also, I know that in my own practice, limited as it may be, I can call on outstanding practitioners to help me solve my clients' problems.

As long as my health permits, I intend to be part of this outstanding law firm and serve its clients and to live in and be a part of the Eastern Panhandle of West Virginia. ■

*Photos Credit:
Jefferson County Chamber of Commerce, Inc.*



Charles F. Printz, Jr., a member of the firm, has been a practicing lawyer for more than 27 years and concentrates his practice in all aspects of civil litigation, including products liability, toxic tort, malpractice, insurance coverage, commercial disputes and employment discrimination. He earned his Bachelor of Arts degree from the University of Virginia and his law degree from West Virginia University College of Law. Mr. Printz is a permanent member of the Fourth Circuit Judicial Conference and serves on the Law and Medicine and Judicial Improvement Committees of the West Virginia State Bar.

Meeting the litigation needs in the Eastern Panhandle

Chazz Printz, Esquire
Bowles Rice McDavid Graff & Love PLLC

Sandwiched between Maryland and Virginia along the Interstate 81 corridor, the Martinsburg office of Bowles Rice represents clients in a multi-state, multi-jurisdictional environment. The robust economy and continued expansion of the Baltimore and Washington, DC, metropolitan areas pose unique legal challenges to our practice group.

The Martinsburg litigation group, which includes an office in Winchester, Virginia, serves eight counties in the Eastern Panhandle and Potomac Highlands regions of West Virginia, four contiguous counties in Maryland, and seven counties in northern Virginia. The population of this nineteen-county area exceeds that of West Virginia's fifty-five counties combined. Litigators within our practice group are licensed in West Virginia, Maryland and Virginia, and represent clients in city, state and federal courts throughout the area. Knowing the substantive and procedural laws of these states allows us to make better strategic decisions for our clients, including the selection of the most advantageous forum. Because our attorneys are licensed in these neighboring states, we can serve subpoenas and gather documents from foreign parties quickly and inexpensively.

The types of cases we litigate reflect the region's growing population. In the 1990s, Loudoun County, Virginia, home of Dulles Airport, grew at an as-

ounding 70%. Over the same period, and reflecting the same trend, Berkeley, Jefferson and Hampshire Counties in West Virginia increased their populations by 28%, 17%, and 23% respectively. This sustained growth brings new industries to the region, and also produces stressors on the infrastructure. Beyond the typical personal injury, bad faith, employment discrimination, workers' compensation, malpractice and commercial lawsuits, legal disputes have proliferated as county and municipal governments implement zoning and land use regulations designed to manage the growth. Among our clients are government decision makers who are on the front line in dealing with the effects of an increasing population. Citizens use the courts to challenge the razing of historic landmarks, the development of Civil War battlefields, the loss of arable farmland, and numerous other zoning decisions that affect the way land is used. New and expanded roads, bridges, schools and utility services require condemnation proceedings, and our business and homeowner clients challenge their displacement. The growth also raises environmental and waste management concerns and generates disputes over the construction of new buildings, industrial plants and housing developments.

The encroachment of the greater Washington, DC metropolitan area brings not only new people and businesses, it

Workers' Compensation Reform:

Eastern Panhandle businesses can make a difference

Claudia Bentley, Esquire
Bowles Rice McDavid Graff & Love PLLC

Recent workers' compensation reform, the need for it and the nature of it, has been well-publicized. This article is not about the substantive reforms. Rather, it is about the critical need for business and industry to sustain the energy that lead to the legislative reforms. The legislative enactments represent significant gains for the employer community; however, the legislation is but one piece, albeit a corner piece, of the reform puzzle.

Other significant pieces of the reform puzzle include administrative agency and office interpretations such as the Office of Judges' July 23, 2003, letter to the Governor, Speaker of the House and President of the Senate, wherein the Chief Judge's interpretation

regarding the effective date of the legislation and the claims and issues it would impact was expressed. Other important pieces are the numerous rules and regulations to be developed to implement various provisions of the legislation. Several are drafted and others need to be drafted, subjected to public comment and possible revision, before becoming final.

There are human pieces to the puzzle – people recently appointed to serve on the Board of Managers; people to be appointed to serve on the Board of Review; and, people to be hired and/or trained to implement the new law. Lastly, there are rulings, decisions and orders to be issued by the Commission, Office of Judges, Appeal Board/Board of Review and Supreme Court of

Continued on p. 37



Claudia W. Bentley, a member of the firm, has significant experience in education and employment law.

She is a member of the West Virginia State Bar and has served in numerous capacities including Vice-Chairman and Chairman (1994 - present) of the Education Law Committee and as a member of the Workers' Compensation Committee. She currently serves as the President of the West Virginia Council of School Board Attorneys.

also brings new government facilities. Federal agencies seeking to escape the beltway have established and relocated facilities in eastern West Virginia. Because many of the services at these centers are outsourced to private contractors, we



are increasingly faced with issues that require in-depth knowledge of govern-

ment bureaucracies and federal contracting laws.

The Martinsburg office itself is not immune from the trend toward growth. In the last three years, we have added four new litigation attorneys. In 1999, our office was renovated and expanded to double its size.

In the face of these modern trends, our litigation group continues to advocate for the firm's clients across state boundaries and to meet the unique challenges posed by growth-related litigation. ■



Brian M. Peterson is an associate working with the Litigation Practice Group in the Martinsburg, West Virginia office. His practice includes employment, civil rights, premises liability, state and local government defense and personal injury. Mr. Peterson received his Bachelor of Arts degree, Summa Cum Laude, from West Virginia University and received his Law Degree from the West Virginia University College of Law. Mr. Peterson is admitted to practice in West Virginia and Virginia. He is the author of [Brian Peterson's Legal Weblog](http://www.legalweblog.blogspot.com) (www.legalweblog.blogspot.com), a collection of legal news and commentary with a focus on West Virginia law.

Five Great Experiences in the Eastern Panhandle

*Brian Peterson, Esquire
Bowles Rice McDavid Graff & Love PLLC*

Like so many others living in the Eastern Panhandle, I am not a native. I grew up in Harrison County and moved to Berkeley County in 1998. Being a “transplant,” I have, for the past five years, been experiencing the Panhandle as a visitor might. Although you probably already know about several of the more popular attractions in the Panhandle — Harper’s Ferry National Park, the Charles Town Races & Slots, and Berkeley Springs State Park, to name a few — I would like to share five lesser-known experiences that you might not see featured in glossy full-color brochures or on billboards.

The Mountain Heritage Arts & Crafts Festival. Hands down, this is the best craft festival in the state. The festival boasts over 200 artisans and the quality of the crafts and artwork is superb. The festival also has live bluegrass musicians and great food. I highly recommend stopping by the Charles Town Kiwanis Club’s tent for Garber’s ice cream. They serve a flavor called Southern Apple Pie, complete with cinnamon, chunks of crust and tart apples. The festival is held every spring and fall in Harpers Ferry. Be sure to check out the festival’s homepage for a printable \$1.00 off coupon. (<http://www.jeffersoncounty.com/festival>).

Movies at the Shepherdstown Opera House. Have you ever reviewed the films nominated for Academy Awards

only to discover that half of them never came “to a theater near you?” Many of truly great films that are not box office blockbusters will never be shown at your local mall cinemas. The Shepherdstown Opera House (131 West German Street) shows a wide assortment of high quality artistic and independent films that you can’t see anywhere else. One of the nation’s oldest movie theatres, the Opera House has been showing films since 1909. It was restored in 1992 with a modern projection and sound equipment. The seats, however, are still “old-timey” (*i.e.* hard wood). But, you can bring your own cushion or, if you get there early, borrow an extra cushion from an unoccupied seat.

Ice cream at the Rock Hill Creamery. Located at 313 South Queen Street in Martinsburg is a terrific “mom and pop” ice cream store. The Rock Hill Creamery serves a wide assortment of homemade ice creams, sundaes and other specialty items. As you walk in the door, you’ll be struck by the smell of fresh waffle cones. They serve huge banana splits with any three flavors of ice cream you choose. The covered front porch of the store is a great place to spend a summer evening chatting with the locals.

Hiking along the C&O Canal. For those who love hiking and biking the great outdoors, the C&O Canal is for you. The canal follows the route of

the scenic Potomac River from Washington, DC to Cumberland, Maryland. The canal features hundreds of original structures, including locks, lockhouses and aqueducts along its towpath, which provides a nearly level, continuous trail through the Potomac River Valley. For a nice half-day bike ride, follow the canal from Harpers Ferry to Shepherdstown.

A variety of ethnic foods. Although I miss the great Italian restaurants of North Central West Virginia, I found that the Panhandle has tremendous variety of good ethnic eateries. Here are a few of my favorite spots: For au-

thentic Mexican, stop by *El Ranchero* (720 Foxcroft Avenue, Martinsburg). The service is friendly and fast (which anyone with young children will appreciate) and the food is superb. (Recommendation: enchiladas rancheras).

For German and European cuisine, try the *Bavarian Inn* in Shepherdstown. The dining rooms have cozy stone fireplaces, antler chandeliers and a great view of the Potomac. After dinner, you can slip downstairs to a neat European-style pub called the Rathskeller. (Recommendation: Shepherd's pie). If you love Japanese, try the sushi or teriyaki kabobs at Asian Garden (748 Foxcroft

Avenue, Martinsburg), and for some great gyros and other Greek and Italian foods, stop by Luigi's in Inwood (at the intersection of Routes 51 and 11).

Although you may initially be drawn to the Eastern Panhandle by the national parks and historic battlefields, these other lesser-known experiences will make your trip even more enjoyable. ■

Bentley . . . continued from p. 35

Appeals that will be pieces of the puzzle. The picture on that puzzle will not be known until all pieces are in place and that will take time, months at least, and years, perhaps.

Each piece is critical, and the employer community must take every opportunity to impact the development and evolution of the workers' compensation law. Work by business and industry relative to the legislative reform was significant. Businesses that are competitors worked together, as did lawyers and associations, all to a beneficial result. In the Eastern Panhandle, as an example, a number of employers, representing various sectors of the business community, formed a Business Coalition well in advance of the legislative session. The members worked together to identify issues and needs, to educate each other, the community and representatives and to

monitor and comment upon pending legislation. The effort worked and continues to have an impact on those involved. Such gains, however, can be lost or diluted if the momentum fails. The employer community must take every opportunity to be involved — by serving when asked, by commenting when rules are made available, by sharing anecdotal information with the media, representatives and the Executive Director, by defending claims and by having expectations for the conduct of involved agencies under the new and evolving law.

My Dad has always given me good advice. Years ago, he told me to never say no to an opportunity, and I remember that advice almost daily in my personal and professional life. There is an opportunity now presented that can make a difference to business and to our state, and it must. ■

New Faces at Bowles



Paul S. Barbery
Energy
Charleston



Robert S. Kiss
Corporate and Tax
Charleston



Andrew P. Blake
Litigation
Martinsburg



Richard S. Boothby
Education and Litigation
Parkersburg



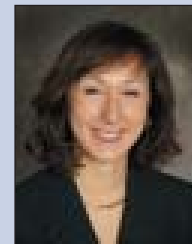
Jill E. Hall
Litigation
Morgantown



Ashley P. Hardesty
Tax and Litigation
Morgantown



Heather B. Keene
Workers' Compensation
Charleston



Courtney A. Kirtley
Business Tax
Charleston



Amanda G. McDonald
Litigation
Winchester



Daniel G. Murdock
Workers' Compensation
Charleston



Charles S. Wilson
Business Tax
Morgantown



JOHN OAKLEY SEIBERT

1946 - 2003

Oakley Seibert was a careful, cautious and good lawyer. He served his clients well from the day he first began practice in Martinsburg with our predecessor firm, Rice, Hannis & Rice, in 1971, until his death on November 10, 2003. At the time of his death, at age 57, Oakley was a successful member of Bowles Rice McDavid Graff & Love. He had served his partners as a member of the Firm's Executive Committee and by lending his solid judgment to the resolution of our clients' problems in ways that brought him great respect and loyalty.

Oakley was more than a lawyer, however. He was a former Eagle Scout who continued to assist that organization through his fund raising efforts. He was a lifelong member of Trinity Episcopal Church in Martinsburg. He was a wonderful husband and father to Lynne and "ROS", Robert Oakley Seibert, and a much loved son and brother. Oakley was an avid baseball and golf fan. He had a wonderful, positive attitude and a sense of humor which never failed him, even during his difficult last few days.

He was our partner and our friend and we shall miss him.



Views & Visions

The Promise of the Panhandle

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Bowles Rice McDavid Graff & Love PLLC

Charleston, WV
600 Quarrier Street
P.O. Box 1386
Charleston, WV 25325-1386
(304) 347-1100

Martinsburg, WV
101 S. Queen Street
P.O. Drawer 1419
Martinsburg, WV 25401
(304) 263-0836

Morgantown, WV
7000 Hampton Center
Suite K
Morgantown, WV 26505
(304) 285-2500

Parkersburg, WV
501 Avery Street
P.O. Box 49
Parkersburg, WV 26101
(304) 485-8500

Lexington, KY
333 West Vine Street
Suite 1201
Lexington, KY 40507
(859) 225-8700

Winchester, VA
19 West Cork Street
Suite 102
Winchester, VA 22601
(540) 723-8877



P.O. Box 1386
Charleston, WV 25325

Visit our website at www.bowlesrice.com.