

AGENDA
JEFFERSON COUNTY COMMISSION
FOURTH QUARTERLY SESSION - OCTOBER - DECEMBER 2017
THURSDAY, NOVEMBER 16, 2017
9:30 A.M.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- November 2, 2017

APPROVAL OF PURCHASE ORDERS

- November 16, 2017

APPROVAL OF ACCOUNTS PAYABLE

- November 9, 2017
- November 16, 2017

APPROVAL OF MANUAL CHECKS

- November 16, 2017

APPROVAL OF PAYROLL

- November 2, 2017

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

PRESENTATIONS

1. 9:45 a.m. Angie Banks, Assessor
- Exonerations - Discussion/Action

2. 10:00 a.m. Sheena R. Moore, WV Department of Environmental Protection
- Request for enforceable groundwater use restriction ordinance -
Discussion/Action
3. 10:15 a.m. Jada Bennett, West Virginia University Extension Service
- Request to hire Amanda Masters as WVU Extension Service Secretary -
Discussion/Action
4. 10:30 a.m. Annette Gavin Bates, Jefferson County CVB
- Request a waiver of all anticipated fees and bonding associated with the
expansion of the Visitor Center in Harpers Ferry - Discussion/Action
5. 10:45 a.m. **BREAK**
6. 11:00 a.m. Lynn Fields, Probate Office
- Objection to Disbursement for Settlement and Petition to Remove the
Administrator, Estate of Marcel Richard Tessier, deceased -
Discussion/Action
- Approval of Findings and Recommendations Upon Claims by Martin E.
Durst and Michael H. Durst - Discussion/Action
7. 11:15 a.m. Danny Lutz, Eastern Panhandle Conservation District Supervisor
- Budget request for 2019FY funding - Discussion/Action
- Discuss contract with Apple Valley Waste and recommend that they be
ordered to collect recyclables all the time - Discussion/Action
8. 11:30 a.m. Barbara J. Miller, Director, Jefferson County Homeland Security and
Emergency Management
- Request approval of the 2017 Emergency Management Performance Grant
application and approval for the President of the Commission to sign the
documents - Discussion/Action
9. 11:45 a.m. Jeffrey A. Polczynski, ENP - Director of Communications
- Request Grade/Status Change - full-Time Public Safety Dispatcher -
Discussion/Action
- Approval of Employment - Aisha Hite and Julianne Wiegand - Full-Time
Public Safety Dispatcher II - Discussion/Action

10. 12:00 p.m. Roger Goodwin, Chief County Engineer
 - Complete release of Irrevocable Letter of Credit #680099142 with Bank of America, N.A., Scranton, PA construction bond security for DR Acquisitions, LLC - Sheridan Estates Subdivision, Phase 1 & 2 (Files #00-33 & #05-26) which has been re-secured with Irrevocable Letter of Credit #70002746 with Sun Trust Bank, Vienna, VA - Discussion/Action
 - Partial release of Irrevocable Letter of Credit #70002746 with Sun Trust Bank, Vienna, Va construction bond security for DR Acquisitions, LLC - Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26) - Discussion/Action
11. 12:15 p.m. Jefferson County Development Authority Board of Directors Representative
 - Approval of Resolution for the Local Economic Development Grant Program
 - Discussion/Action
12. 12:30 p.m. RECESS FOR LUNCH

NEW BUSINESS

13. Decision on the proposed Zoning Map Amendment for Rankin Properties LLC, designated as Tax District Shepherdstown (9), Map 8, Parcel 8.1 - Rankin Properties, LLC. The property is currently zoned Residential Growth and a request has been made by the property owner to change to General Commercial zoning category as supported by the Envision Jefferson 2035 Comprehensive Plan - Public Hearing was held on November 2, 2017 - Discussion/Action
14. Acknowledgment of the "Assessor's Additional Duties" as delineated in WV Code 7-7-6a in the amount of \$15,000 - Discussion/Action
15. Approval of the 2018 Holiday Schedule - Discussion/Action

~~~~~ AFTERNOON SESSION ~~~~~

16. 1:30 p.m Nathan Cochran, Assistant Prosecuting Attorney
 - Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues - Discussion/Action - Possible Executive Session
 - Discussion of EEOC Claim #553-2017-00706 - Discussion/Action - Possible Executive Session
 - Discussion of US Supreme Court case, No. 17M63 re: WV Supreme Court of Appeals Case #16-0533 - Discussion/Action - Possible Executive Session
 - Discussion regarding opioid litigation and related issues - Discussion/Action Possible Executive Session
 - Review Resolution on Opioid Epidemic - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

- Update on Communications Center Outage - Discussion/Action
- Discussion of Hunter House Security - Discussion/Action

COUNTY COMMISSION REPORTS

17. ADJOURN

CORRESPONDENCE/INFORMATION

Jefferson County Commission offices will be closed on Thursday, November 23rd and Friday, November 24th, 2017 in observance of the Thanksgiving Holiday.

Notice of Intent to Appoint to the Summit Point Library Committee.

Notice of Intent to Appoint to the Jefferson County Public Service District.

Impact Fee Status Report for October, 2017.

WV Lottery Weekly Settlement for Charles Town - week ending October 28, 2017.

WV Lottery Weekly Settlement for Charles Town - week ending November 4, 2017.

Minutes

Jefferson County Commission

Thursday, November 2, 2017

A meeting of the Jefferson County Commission was held on Thursday, October 5, 2017 in the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Josh Compton, Caleb Hudson, Patricia Noland, Peter Onoszko and Jane Tabb. Also present were Jacki Shadle, County Clerk, Stephanie Grove, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jim Eddy, Bailiff. (An audio tape of the Thursday, November 2, 2017 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Tabb led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Compton to approve the October 26, 2017 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
079205	425	BONDED APPLICATORS OF MD		\$ -	\$ 1,011.00	\$ 1,011.00
079206	425	BOLAND SERVICES		\$ -	\$ 1,373.36	\$ 1,373.36
079207	P/R DED	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
079208	ALLOC	BAKERTON FIRE DEPT		\$ -	\$ 80,000.00	\$ 80,000.00
079209	P/R DED	BUREAU F/CHILD SPprt ENF		\$ -	\$ 212.31	\$ 212.31
079210	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
079211	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
079212	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
079213	402	COMPILED TECHNOLOGIES LL	52492	\$ 16,800.00	\$ -	\$ 16,800.00
079214	P/R DED	DELTA DENTAL OF WV		\$ -	\$ 6,360.66	\$ 6,360.66

079215	717	FLEETPRIDE		\$ -	\$ 2.71	\$ 2.71
079215	717	FLEETPRIDE		\$ -	\$ 67.08	\$ 67.08
079216	412	GREATAMERICA FINANCL SVC		\$ -	\$ 315.64	\$ 315.64
079217	P/R DED	THE HARTFORD		\$ -	\$ 4,149.90	\$ 4,149.90
079217	P/R DED	THE HARTFORD		\$ -	\$ 2,330.45	\$ 2,330.45
079218	403	JEFFERSON CENTER		\$ -	\$ 100.00	\$ 100.00
079219	GRANT	JEFFERSON DAY REPORT CNT		\$ -	\$ 298.50	\$ 298.50
079220	P/R DED	JEFFERSON SECURITY BANK		\$ -	\$ 5,915.00	\$ 5,915.00
079221	P/R DED	NICOLE NOBREGA		\$ -	\$ 547.02	\$ 547.02
079222	P/R DED	HIGHMARK WV		\$ -	\$ 185,295.37	\$ 185,295.37
079223	P/R DED	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 543.86	\$ 543.86
079224	P/R DED	MILLENIUUM INSURANCE GROU		\$ -	\$ 750.00	\$ 750.00
079225	406	MILLER'S SUPPLIES AT WOR		\$ -	\$ 57.98	\$ 57.98
079226	P/R DED	NATIONWIDE RETIREMENT		\$ -	\$ 849.00	\$ 849.00
079227	P/R DED	NATIONAL VISION ADMIN.		\$ -	\$ 1,767.34	\$ 1,767.34
079228	425	PATRIOT FIRE AND SECURIT		\$ -	\$ 170.00	\$ 170.00
079228	425	PATRIOT FIRE AND SECURIT		\$ -	\$ 170.00	\$ 170.00
079229	704	WV REGIONAL JAIL &		\$ -	\$ 131,626.00	\$ 131,626.00
079230	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,619.46	\$ 10,619.46
079230	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 45,407.04	\$ 45,407.04
079230	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 42,303.20	\$ 42,303.20
079231	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 5,803.83	\$ 5,803.83
079231	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 8,193.62	\$ 8,193.62
079232	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,340.00	\$ 2,340.00
079232	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 315.00	\$ 315.00
079233	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 27,122.52	\$ 27,122.52
079233	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 11,095.63	\$ 11,095.63
079233	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 4,673.98	\$ 4,673.98
079233	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 2,549.42	\$ 2,549.42
079234	700	WILLIAM WALTERS		\$ -	\$ 40.81	\$ 40.81
079235	P/R DED	LISA WALTERS		\$ -	\$ 1,010.55	\$ 1,010.55
TOTAL						\$ 604,319.17
TOTAL				\$ 16,800.00	\$ 587,519.17	\$ 604,319.17

Motion by Ms. Noland approve the Accounts Payable for November 2, 2017 in the amount of \$604,319.17. Motion seconded and unanimously approved.

MANUAL CHECKS

ASSESSOR VALUATION			
O56			
Date	Check #	VENDOR	Amount
11/3/2017	652	MONROE SYSTEMS FOR BUSINESS	\$ 279.23
TOTAL			\$ 279.23

Motion by Ms. Tabb to approve the Manual Checks for November 3, 2017 in the amount of \$279.23. Motion seconded and unanimously approved.

PUBLIC COMMENT:

Robert Miller, resident – spoke in favor of the removal of the plaque, stating it isn’t historical and it “glorifies the wrong side of history.”

Susan Pipes, resident & organizer of the Women’s March (Shepherdstown) – urged the Commission to accept the compromise on the removal of the plaque reached by the Daughters of the Confederacy and the NAACP.

Sammi Brown, resident – stated the Commission was in a position to show true leadership by accepting the unprecedented compromise reached by the Daughters of the Confederacy and the NAACP to relocate the plaque to a more contextually appropriate location.

Cheryl Kemp, resident – presented the Commission with a petition signed by those who support the removal of the Confederate plaque.

Maria Beckman, resident – read an advertisement from 1859 in which a ten-year old “mulatto girl” was to be sold on the steps of the Jefferson County Courthouse. She stated that it was no coincidence the Confederate plaque was placed at the entrance of the Courthouse.

Jane Wagner, resident – stated she was disappointed in the Commission’s decision not to remove the plaque and asked the members of the Commission to consider Mayor Rodger’s suggestion to move the plaque to a more contextually appropriate location

Jeanie Fenton, resident – stated the “status quo must change,” and the intent of the removal of the plaque was not to dishonor the memory of the Confederate soldiers.

Terry Thorson, resident – stated that she was physically upset by Commissioner Onoszko’s call to have Sammi Brown removed from the County Commission meeting room, and asked the Commission to have empathy for the people of color in Jefferson County.

Cindy Feaser, resident – stated she was “horrified” by the plaque and said it needed to be removed.

Jeff Bannon, resident – urged the Commission to reconsider their decision to keep the plaque located by the Courthouse, stating the Commission has a “responsibility to deal with this in a sensitive manner.”

Sandra Jenkins, resident – spoke in favor of the removal of the plaque.

Ethel Hornbeck, resident – stated she was “horrified by the lack of compassion and empathy” shown regarding the matter of the plaque and asked the Commission to consider the message the plaque sends to the residents and visitors of the county.

Jeff Hornbeck, resident – stated the plaque is representative of the “heritage of white supremacy” and needs to be removed from the face of the Courthouse.

John Maxey, resident – stated the plaque does have a place, but it’s not on the face of the Courthouse as it sends a message of inequality.

Liz Cook, resident – stated that the plaque is divisive and needs to be removed from the Courthouse.

Tony Russo, resident – spoke of James Tolbert, Sr., noting that Mr. Tolbert liked to say, “do the right thing, even when it’s hard” and asked the Commission to do the right thing by removing the plaque as one last tribute to Mr. Tolbert.

Ramona Wesling, resident and Chair of the Liberty Political Action Committee – requested the Commission pass the Resolution to protect and preserve all current historical monuments and markers in the County.

Ray Bruning, resident – stated “inanimate objects can’t hurt people,” and that if the plaque were removed, more requests would be presented to remove other historical markers in the County.

Barbara Fuller, resident – stated “we are not responsible for the history behind us” and asked the Commission to support the Resolution to preserve and protect the historical monuments of the County.

Eleanor Finn, resident – asked the Commission to consider postponing a decision on the plaque until there’s been more citizen input on the matter.

Kurt Compton, resident – encouraged the Commission to support the Resolution to preserve and protect the historical monuments of the County.

Danny Chiotos, resident – stated the plaque debate is less about history and more about the “kind of County that residents want to see” and stated the plaque would better serve the County if it were to be placed in a museum or at a battlefield.

Joe Schill, resident – spoke in support of the Resolution to protect and preserve the historical markers in the County and stated it would be a disservice to remove the plaque.

John Lindberg, resident – spoke in support of the Resolution to protect and preserve the historical markers in the County because there would be “no end to this” because “these people won’t stop.”

Jack Hefestay, resident – spoke in support of the Resolution to protect and preserve the historical markers in the County.

Nancy Gregory, resident – spoke in support of the removal of the plaque and stated that all Americans are immigrants, however, black Americans did not elect to come to the States by choice.

Amanda Stroud, resident – stated that Resolutions are not legally binding and asked the Commission to consider the compromise from the Daughters of the Confederacy and the NAACP to relocate the plaque.

Aaron Stackett, resident – stated that, if money were an issue, that fundraising could be done for the removal of the plaque or for the creation of another plaque to honor the Union soldiers and slaves of Jefferson County.

David Tabb, resident – stated he was happy to see the large crowd at the Commission meeting, but claimed that he has been protesting the local government for ten years and he’s still “enslaved by the system” as he believes he’s not had his day in court.

Ron Hollander, resident – stated there were no monuments erected for the German cause after World War II, and stated the Confederate plaque should be a source of shame for the County.

Emily Vaughn, resident – stated the Confederate plaque is representative of white privilege and “how we decorate” sends a message to residents and influences how they feel, and as such, the plaque should be removed.

Name Unknown – stated he was offended by the County Commission’s lack of action regarding the plaque, stating it’s the Commission’s job to provide a hospitable community for its residents.

PRESENTATIONS

1. Resolution – Protect all existing historical monuments, memorials, and markers erected in the county.
 - **Motion by Mr. Compton to approve the Resolution to protect all existing historical monuments, memorials, and markers erected in the county. Motion seconded and passes on a vote of 3-2 with Commissioners Noland and Tabb opposing.**
2. Matt Harvey, Prosecuting Attorney – requested approval to develop an RFP for a Case Management Program and funding for the Prosecuting Attorney’s Office.
 - **Motion by Mr. Onoszko to authorize the Prosecuting Attorney to submit an RFP for a case management system with the assistance of the IT Department. Motion seconded and unanimously approved.**
3. Nicolas H. Diehl, Director, Jefferson County Development Authority – provided the commission and the audience with an update on the vision of the Economic Development Authority.
4. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.

5. Lynn Fields, Probate Office – presented a Petition for the Removal of Executor in the Estate of Doris Wells.
- **Motion by Ms. Noland to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
 - **Motion by Mr. Onoszko to continue the issue of the Petition for the Removal of Executor in the Estate of Doris Wells until a future hearing date to be set in December 2017 or January 2018. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to adjourn as a Fiduciary Review Board. Motion seconded and unanimously approved.**
6. Nathan Cochran, Assistant Prosecuting Attorney
- Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues – Discussion/Action – Possible Executive Session
 - Discussion and update regarding opioid litigation by Skinner Law Firm – Discussion/Action – Possible Executive Session
 - Update on EEOC Claim #533-2017-00706 – Discussion/Action – Possible Executive Session
- **Motion by Ms. Noland to enter into Executive Session to discuss matters concerning the JCPSD, opioid litigation, EEOC Claim #533-2017-00706, and employee recognition. Motion seconded and unanimously approved.**
 - **Motion by Mr. Compton to come out of Executive Session. Motion seconded and unanimously approved.**
 - **Motion by Ms. Tabb to recess for lunch at 12:25 pm and reconvene at 1:30 pm for the zoning amendment public hearing. Motion seconded and unanimously approved.**

FINANCIAL DIRECTOR REPORTS

- Review and approval of FY2018 Internal Budget Revision 1 for the Coal Severance Fund

- **Motion by Ms. Noland to approve FY18 Internal Budget Revision #1 as presented by Ms. Gordon. Motion seconded and unanimously approved.**
 - Review and approval of FY2018 State Budget Revision 4 for the General Fund
- **Motion by Ms. Tabb to approve FY18 State Budget Revision #4 as presented by Ms. Gordon. Motion seconded and unanimously approved.**
 - Continued discussion of Ambulance Fee Billing Rate Structure
 - Review of FY2018 Budget to Actual as of September 30, 2017
 - Ambulance Fee Analysis

COUNTY ADMINISTRATOR REPORTS

- Emergency Communications Center Outage – Ms. Grove stated the Emergency Communications Center experienced a total outage due to battery failure. Ms. Grove stated she would be working with the Maintenance, Communications, and IT department heads to identify and correct the problem to ensure it would not reoccur in the future and would report more information to the Commission as she learned more about the failure.
 - Legislative Summit – Ms. Grove stated she was having difficulty arranging for a majority of Jefferson County legislatives to attend the legislative summit. It was the consensus of the Commission to allow Ms. Grove to schedule the summit on a day when most were available to attend.
 - Employee Holiday Celebration – Ms. Grove asked the Commission if they would prefer an employee holiday breakfast or luncheon at the end of the year. It was the consensus of the Commission to host a holiday luncheon in the Jefferson County Commission meeting room from 12-2pm, date to be determined.
7. Public Hearing – Zoning Map Amendment for Rankin Properties LLC, designated as Tax District 9, Map 8, Parcel 8.1 – Map Amendment from Residential Growth to General Commercial as supported by the Envision Jefferson 2035 Comprehensive Plan

Ms. Brockman, Director of Planning, provided an overview of the rezoning request, stating the property would be rezoned from Residential Growth to General Commercial. Ms. Brockman also stated the Planning Commission had unanimously voted that the request was consistent with the Envision Jefferson 2035 Comprehensive Plan.

President Onoszko then opened the floor for public comment, which was made by the following:

Davitt McAteer, resident – stated he was against the rezoning request as he believed the allowance of the request would be considered “spot zoning.”

Nathaniel Hitt, resident – read a letter from Mayor Jim Auxer of Shepherdstown, opposing the rezoning request for several reasons, including lack of protection for existing residents, and the “unrestrictive classification” of General Commercial near Morgan Grove Park.

There being no further comments, Mr. Onoszko stated the record would remain open for two weeks to allow time for written comment, and the Commission would take action on the request during the November 16, 2017 regularly scheduled County Commission meeting.

8. There being no further business, motion by Mr. Compton to adjourn at 3:35 pm. Motion seconded and unanimously approved.

PETER ONOSZKO, PRESIDENT

Respectfully Submitted
Jessica D. Carroll
Administrative Assistant

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Angie Banks, Assessor

Department or Organization: **Assessor's Office**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **November 16, 2017**

If a specific date is needed, please provide reason for specific date: Click here to enter text.

Date Requested – 2nd Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*):

✦ **Exonerations**

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

Is this a funding request? Y/N Click here to enter text.

If so, how much? \$Click here to enter text.

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

Attach supporting documents for request, or request may be denied.

If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N Click here to enter text. Internet/Wi Fi Y/N Click here to enter text.

Telephone for conference call Y/N Click here to enter text.

Contact information:

Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Sheena R. Moore

Department or Organization: **WV Department of Environmental Protection**

Estimation of amount of time needed for appointment: 15-25 minutes

Date Requested – 1st Choice: **November 16**

*If a specific date is needed, please provide reason for specific date: **Only date that I am available***

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Request for enforceable groundwater use restriction ordinance

Please provide the County Commission with a description of your request or presentation, including any background information: **Contamination is known to exist in the groundwater in the town limits of Charles Town and Ranson. Restricting groundwater use by an enforceable ordinance will not only protect human health but will allow some businesses to finish their remediation requirements and close out open leak numbers which can disrupt selling of property. Restricting interaction with contaminated groundwater will reduce/eliminate the pathway from contamination to the human receptor. It is my understanding that Charles Town and Ranson are both supplied by public water and that the construction of new drinking water wells is not encouraged. Passing this ordinance will make prohibiting this act enforceable.**

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

I move to establish an ordinance prohibiting the drilling into and the extraction of groundwater within the towns of Charles Town and Ranson except for ground water monitoring and/or remediation.

Attach supporting documents for request, or request may be denied.

If not attached, explain: I will provide documentation of groundwater sampling results at the time of the meeting along with a copy of a similar ordinance passed by the City of Charleston, WV.

Is equipment needed? Projector Y/N Internet/Wi Fi Y/N Telephone for conference call Y/N

Contact information: Sheena Moore, WVDEP, Project Manager

Email address: Sheena.R.Moore@wv.gov

Phone Number: 304-707-6094

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jada Bennett

Department or Organization: West Virginia University Extension Service

Estimation of amount of time needed for appointment: 10 minutes

Date Requested—1st Choice: *If a specific date is needed, please provide reason for specific date:* November 16, 2017

Date Requested—2nd Choice:

Subject (Wording to be placed on agenda.) Request to hire Amanda Masters as WVU Extension Service Secretary.

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

Our prior secretary left in mid-August and after a new search we have found a qualified candidate.

Is this a funding request? Y/N

If so, how much? \$

Provide exact financial impact/request: Budget neutral

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

I move that we approve WVU Extension Service's request to hire Amanda Masters as secretary.

Attach supporting documents for request or request may be denied.

Is equipment needed? Projector Y/N Internet/WiFi Y/N Telephone for conference call Y/N

Contact information:

Email address: Jada.Bennett@mail.wvu.edu

Phone Number: 304-728-7413, ext 1

FOR COMMISSION STAFF USE ONLY—FINANCIAL IMPACT/RECOMMENDATION

--

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Annette Gavin Bates

Department or Organization: Jefferson County CVB

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: Nov. 16, 2017

If a specific date is needed, please provide reason for specific date: **We have submitted the building permit application and site plan for review by the County Engineering, Planning & Zoning Department.**

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): The Jefferson County CVB is seeking a waiver of all anticipated fees and bonding associated with the expansion of the Visitor Center in Harpers Ferry.

Please provide the County Commission with a description of your request or presentation, including any background information: The JCCVB is asking for a waiver of the permit fee of \$1052.56 and any bonding required for the build out. As the Commission is aware, the land where the VC is located is county property and this project is to expand the current Welcome Center which receives over 35,000 visitors a year. The JCCVB fully intends to comply with all building code, site plan requirements and inspections for the project.

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Motion to approve the waiver of any fees and bonding associated with the build out of the Visitor Center in Harpers Ferry.

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Is equipment needed? Projector Y/N Internet/Wi Fi Y/N Telephone for conference call Y/N

Contact information: Annette Gavin Bates

Email address: Annette.gavin@jccvb.com

Phone Number: 304-279-3637

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM

www.jeffersoncountywv.org

NAME: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

ESTIMATION OF TIME NEEDED FOR APPT.: 10-15 MIN

DATE REQUESTED: 1ST CHOICE November 16TH, 2017

IF A SPECIFIC DATE IS NEEDED, PLEASE PROVIDE REASON FOR SPECIFIC DATE:

SUBJECT: (1) Objection to Disbursement for Settlement and Petition to Remove the Administrator, Estate of Marcel Richard Tessier, deceased

(2) Approval of Findings and Recommendations Upon Claims by Martin E. Durst and Michael H. Durst

PLEASE PROVIDE THE CO. COMM. WITH A DESCRIPTION OF YOUR REQUEST OR PRESENTATION, INCLUDING ANY BACKGROUND INFORMATION:

- (1) This estate is already with Fiduciary Commissioner David DeJarnett for claim resolution. What needs to be decided today is whether or not (1) the county commission would like for this matter to be scheduled to be heard before them, or (2) the county commission elects to send this petition to David DeJarnett for hearing.
- (2) Approve and admit to record the Findings and Recommendations Upon Claims by Martin E. Durst and Michael H. Durst

ARE DOCUMENTS ATTACHED: Yes

IS A PROJECTOR NEEDED?: NO

lfields@jeffersoncountywv.org (304) 728-3210

LAW OFFICE OF DALE BUCK, PLLC

306 West Burke Street
Martinsburg, WV 25401

Phone: 304-260-0225
Fax: 304-260-0044
E-mail: BuckLawOffice@gmail.com

October 19, 2017

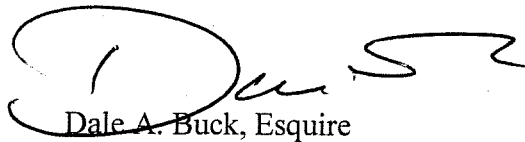
Jacqueline C. Shadle
Clerk of the County Commission
PO Box 208
Charles Town, WV 25414

RE: Estate of Marcel Richard Tessier

Dear Ms. Shadle:

Please find enclosed an Objection to Disbursement or Settlement and Petition to Remove the Administrator for the above referenced matter.

Very Truly Yours,
LAW OFFICE OF DALE BUCK, P.L.L.C.



Dale A. Buck, Esquire
Attorney at Law

DAB/cmw
Enclosure as stated

cc: Michael H. Durst
Suzanne Greger-Brown
Martin E. Durst
Richard Tessier
Pamela Kobilis

BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA
IN RE: THE ESTATE OF MARCEL RICHARD TESSIER, DECEASED

Objection to Disbursement or Settlement and Petition to Remove the Administrator

COMES NOW, Michael Durst, an heir at law to Marcel Richard Tessier and pursuant to 4-1-22, 44-1-24 and 44-4-8 of the West Virginia Code states his Objection to any disbursement or settlement of the Estate that does not account for the waste described herein by the personal representative Suzanne Ursula Brown as Executrix of the Estate of Marcel Richard Tessier for waste and loss of value to the Estate. As grounds therefore the claimant states as follows:

1. Marcel Richard Tessier died January 7, 2014 leaving behind a Last Will and Testament recorded with the Clerk of the Jefferson County in Will Book 23 at page 283.

2. Suzanne Ursula Brown was appointed as Administrator CTA of the Estate on or about January 13, 2014.

3. At the time of his passing, the decedent possessed real property at 308 E. 13th Avenue in Ranson, West Virginia (hereinafter "the real estate"). Said real estate was subject to a Note and Deed of Trust recorded in the office of the County Commission of Jefferson County in Book Number 01101 at page 572. The Deed of Trust was in favor of Wells Fargo Bank, N.A.

4. The real estate was improved by a residence of 1,080 square feet, 2 bedrooms, 2 baths. The market value of the real estate and improvements was approximately \$154,000.00.

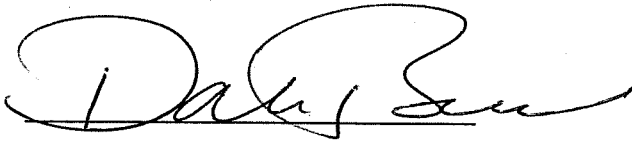
5. On or about August 20, 2014, Seneca Trustees, Inc. provided notice to Suzanne Ursula Brown that Seneca Trustees, Inc., as substitute trustee, would sell the real estate at the front door of the Jefferson County Courthouse on September 9, 2014 for non-payment of the Note.

6. Suzanne Ursula Brown failed to respond to Seneca Trustees, Inc. The real estate was sold to the highest bidder at the front door of the Jefferson County Courthouse on September 23, 2014 for the sum of \$55,283.50, thus causing significant loss of value and waste to the Estate.

7. Throughout the pendency of the Estate the Administrator has failed to file proper annual accounting pursuant to West Virginia Code 44-4-8.

For the foregoing reasons, Michael Durst objects to any disbursement or settlement of the Estate which does not account for such waste and neglect on the part of the Administrator CTA and for commensurate compensation to the remaining heirs of the decedent.

MICHAEL DURST
BY COUNSEL

A handwritten signature in black ink, appearing to read "Dale Buck", written in a cursive style.

Dale Buck, Esquire(WV Bar No. 4914)
LAW OFFICE OF DALE BUCK, P.L.L.C.
306 W. Burke Street
Martinsburg, WV 25401
(304) 260-0225

BEFORE THE COUNTY COMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: THE ESTATE OF MARCEL RICHARD TESSIER, DECEASED

CERTIFICATE OF SERVICE

I, Dale Buck, Esquire, Counsel for Michael Durst, hereby certify that a true and accurate copy of the foregoing Objection to Disbursement or Settlement and Petition to Remove the Administrator has been served upon the following individual on this 19th day of October, 2017 via first class mail to:

Suzanne Greger-Brown
1011 Portage Avenue
Three Rivers, Michigan 49093

Martin E. Durst
6546 Middleway Pike
Kearneysville, WV 25430

Richard Tessier
220 Lakeburn Avenue
Dieppe, New Brunswick
Canada E1A0Y7

Pamela Kobilis
6870 Annapolis Road
La Plata, Maryland 20646



Dale A. Buck, Esquire (WV Bar No. 4914)
LAW OFFICE OF DALE BUCK, P.L.L.C.
306 West Burke Street
Martinsburg, West Virginia 25401
(304) 260-0225

600 Quarrier Street
Charleston, West Virginia 25301

7000 Hampton Center
Morgantown, West Virginia 26505

501 Avery Street
Parkersburg, West Virginia 26101



101 South Queen Street
Martinsburg, West Virginia 25401

Post Office Drawer 1419
Martinsburg, West Virginia 25402-1419
(304) 263-0836

www.bowlesrice.com

October 23, 2017

Southpointe Town Center
1800 Main Street, Suite 200
Canonsburg, Pennsylvania 15317

1217 Chapline Street
Wheeling, West Virginia 26003

480 West Jubal Early Drive, Suite 130
Winchester, Virginia 22601

David A. DeJarnett
Telephone — (304) 264-4232
Facsimile — (304) 267-3822

E-Mail Address:
ddejarnett@bowlesrice.com

The Honorable Jacqueline C. Shadle
Clerk of the Jefferson County Commission
Post Office Box 208
Charles Town, West Virginia 25414

Re: The Estate of Marcel Richard Tessier

Dear Ms. Shadle:

Enclosed please find the original of my Findings and Recommendations upon Claims by Martin E. Durst and Michael H. Durst, with attachments. The attachments consist of copies of the claims of the Claimants, copies of the denials of claims, a copy of the June 23, 2017 hearing transcript, a copy of the Memorandum of Law filed by the Estate, and one (1) objection to the Findings and Recommendations filed by Richard Tessier. I recommend overruling the objection filed by Richard Tessier because it does not constitute an objection to the Findings and Recommendations but instead constitutes a new claim against the estate which is untimely filed. I forward this entire package for submission to the County Commission of Jefferson County, West Virginia. Please let me know what else the County Commission may require of me.

Sincerely,

A handwritten signature in black ink, appearing to read 'DAD', written over a horizontal line.

David A. DeJarnett

DAD/jlf

Enclosures

BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: ESTATE OF MARCEL RICHARD TESSIER, DECEASED

**FINDINGS AND RECOMMENDATIONS UPON CLAIMS BY
MARTIN E. DURST AND MICHAEL H. DURST**

There came before the undersigned Fiduciary Commissioner on the 23rd day of June, 2017, in regard to the Estate of Marcel Richard Tessier, deceased (the "Estate"), Claimant, Martin E. Durst, in person, ("Claimant One"), Claimant, Michael H. Durst, in person, ("Claimant Two"), the Personal Representative of the Estate, Suzanne Greger-Brown, in person, (the "Administrator CTA"), Richard Joseph Daniel Tessier, a beneficiary of the Estate, via telephonic conference, and Pamela Marie Lacey Kobilis, a beneficiary of the Estate, in person, upon Claimants' claims and the Estate's Counter Affidavits, and it appearing to your Fiduciary Commissioner that:

STATEMENT OF CASE

1. Marcel Richard Tessier (the "Decedent") deceased testate on January 7, 2014. Suzanne Ursula Greger-Brown was appointed as Administrator CTA of the Estate on or about January 13, 2014.

2. There is pending before your Fiduciary Commissioner a claim filed by Claimant One on or about March 20, 2014. The claim asserts that the Estate is indebted to Claimant One for "reimbursement of one-third share of funeral expenses in the amount of \$2,982.89." A copy of the Funeral Expense Claim One is attached hereto.

3. The Estate made and filed a counter affidavit against the Funeral Expense Claim on or about March 28, 2014. A copy of the counter affidavit is attached hereto.

4. Additionally, pending before your Fiduciary Commissioner is a claim filed by Claimant One on or about February 16, 2017. The claim asserts that the Estate is indebted to

Claimant One for rent due for storage of a 1995 Rexall motor home in the amount of \$2,925.00.

A copy of the Rent Claim is attached hereto.

5. The Estate made and filed a counter affidavit against the Rent Claim on or about February 23, 2017. A copy of the counter affidavit is attached hereto.

6. There is pending before your Fiduciary Commissioner a claim filed by Claimant Two on or about March 25, 2014. The claim asserts that the Estate is indebted to the Claimant for "reimbursement of one-third share of funeral expenses in the amount of \$2,982.90." A copy of the Funeral Expense Claim Two is attached hereto.

7. Additionally, pending before your Fiduciary Commissioner was a claim filed by Claimant Two on or about February 22, 2017. The claim asserts that the Estate is indebted to the Claimant in the amount of \$1,500.00 for a reason not asserted. A copy of the \$1,500.00 Claim is attached hereto.

8. The Estate made and filed a counter affidavit against the claim on or about February 28, 2017. A copy of the counter affidavit is attached hereto.

9. The undersigned was appointed as fiduciary commissioner for the Estate by the County Commission on or about April 24, 2017.

10. A hearing was held before your Fiduciary Commissioner on June 23, 2017. The hearing was transcribed and a copy of the transcription is attached hereto.

11. After the hearing, the Estate chose to take advantage of the opportunity to file and did file with your Fiduciary Commissioner a memorandum of law in support of the position of the Estate. A copy of the memorandum is attached hereto. Neither Claimant chose to take advantage of the opportunity to file with your Fiduciary Commissioner a memorandum of law in support of the position of the Claimant.

FINDINGS AND RECOMMENDATIONS

1. The nature of the Funeral Expense Claim One is the Claimant's assertion that he paid \$2,982.89 toward the funeral expenses. Claimant One seeks reimbursement of funeral expenses on the basis that the Administrator CTA informed the beneficiaries on or about January 8, 2014 that the Estate would pay for all funeral expenses, and that the Decedent's last will directs the Administrator CTA to pay the expenses of funeral and burial from the Decedent's estate. The Claimant prays that the Estate be ordered to reimburse him the amount of \$2,982.89.

2. Your Fiduciary Commissioner finds that Claimant One has met his burden of proof to show the agreement between the parties that the Estate would pay for all funeral and burial expenses.

3. Your Fiduciary Commissioner Finds and Recommends that the Administrator CTA has a duty to pay the funeral and burial expenses from the Estate, that a verbal agreement existed between the parties, that such funds were paid by Claimant One, and therefore, the Funeral Expense Claim One should be APPROVED.

4. The nature of the Rent Claim is Claimant One's assertion that he is owed by the Estate in the amount of \$2,925.00 as rent for storage of a motor home owned by the Decedent and placed on Claimant One's property under a gentlemen's verbal agreement. Claimant One states the motor home has been situate on his property and that he installed septic and power; that he charged a rental for storage of \$75.00 per month, including utilities, which was paid until December 13, 2012. Claimant One states his mother died in December of 2012, no rent has been paid since that time, and that the past due amount continues to accrue. Claimant One offers no proof of any payments made to him by the Decedent or anyone else as rent for storage of the motor home, other than a check signed by Claimant One as "ATF POA." Not all interested parties agree that a verbal rental agreement existed between Claimant One and the Decedent.

5. Your Fiduciary Commissioner finds that Claimant One has not met his burden of proof to show an agreement existed between Marcel Tessier and/or Mabel Tessier and Claimant One about an alleged agreement between the Decedent and Claimant One for payment of rent for storage of a motor home belonging to the Decedent on Claimant One's property, and therefore, the Rent Claim should be DENIED.

6. The nature of the Funeral Expense Claim Two is of Claimant Tw's assertion that he paid \$2,982.90 toward the funeral expenses. Claimant Two seeks reimbursement of funeral expenses on the basis that the Administrator CTA informed the beneficiaries on or about January 8, 2014 that the Estate would pay for all funeral and burial expenses, and that the Decedent's last will directs the Administrator CTA to pay the expenses of funeral and burial from the Decedent's estate. The Claimant prays that the Estate be ordered to reimburse him the amount of \$2,982.90.

7. Your Fiduciary Commissioner finds that Claimant Two has met his burden of proof to show the agreement between the parties that the Estate would pay for all funeral and burial expenses.

8. Your Fiduciary Commissioner Finds and Recommends that the Administrator CTA has a duty to pay the funeral and burial expenses from the Estate, that a verbal agreement existed between the parties, that such funds were paid by Claimant Two, and therefore, the Funeral Expense Claim Two should be APPROVED.

9. The \$1,500 Claim of Claimant Two was withdrawn by Claimant Two at the hearing, and therefore, the claim is DENIED as MOOT.

CONCLUSION

THEREFORE, it is hereby RECOMMENDED to the County Commission that:

1. The Funeral Expense Claim One be APPROVED and the Estate make a payment to Claimant One in the amount of \$2,982.89 for reimbursement of funeral expenses paid.
2. The Funeral Expense Claim Two be APPROVED and the Estate make a payment to Claimant Two in the amount of \$2,982.90 for reimbursement of funeral expenses paid.
3. The Rental Claim be DENIED.
4. The Estate make a payment to Claimant One in the amount of \$262.50 for reimbursement of one-half of the Fiduciary Commissioner fee paid by Claimant One.
5. The Estate make a payment to Claimant Two in the amount of \$262.50 for reimbursement of one-half of the Fiduciary Commissioner fee paid by Claimant Two.
6. Claimant Two withdrew his claim for \$1,500.00 at the hearing, and therefore, the claim is DENIED as MOOT

The undersigned Fiduciary Commissioner attests that he has mailed a copy of all the papers and matters filed with the County Commission herein to the following interested parties by United States Mail, postage prepaid and securely affixed on the 5th day of October, 2017, and have held the same in his office for at least ten (10) days:

Suzanne Greger-Brown
Administrator CTA
1011 Portage Avenue
Three Rivers, Michigan 49093

D. Frank Hill, III, Esquire
Post Office Box A
Shepherdstown, West Virginia 25443

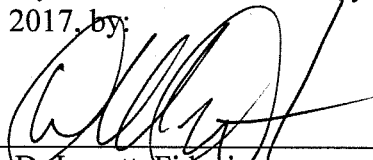
Mr. Martin E. Durst
6546 Middleway Pike
Kearneysville, West Virginia 25430

Mr. Michael H. Durst
5425 Middleway Pike
Kearneysville, West Virginia 25430

Mr. Richard Tessier
220 Lakeburn Avenue
Dieppe, New Brunswick
Canada, E1A0Y7

Ms. Pamela Kobilis
6870 Annapolis Road
La Plata, Maryland 20646

Respectfully submitted, this 25th day of
October, 2017, by:



David A. DeJarnett, Fiduciary
Commissioner for Jefferson County, West
Virginia

This Findings and Recommendations of the Fiduciary Commissioner upon Claims by Michael H. Durst and Martin E. Durst, was this ____ day of _____, 2017, presented to the Commission for confirmation, along with any and all exceptions made and filed by interested parties and it appearing to the Commission that this estate was referred to said Fiduciary Commissioner, that said findings and recommendations after its completion remained in his office for at least ten (10) days for exceptions and one exception was taken thereto by Richard Tessier, and the Commission perceiving no just grounds for exceptions, and the one exception by Richard Tessier not constituting an exception but instead an untimely filed claim, the said exception is OVERRULED, and the said Findings and Recommendations are EXAMINED, APPROVED, CONFIRMED and ORDERED recorded.

President of the County Commission of
Jefferson County, West Virginia

From: Rick Tessier <rick.tessier123@gmail.com>
Sent: Tuesday, October 17, 2017 8:55 PM
To: David DeJarnett
Cc: Louise Tessier
Subject: Estate of Marcel Richard Tessier, deceased / Objections

Good evening Mr. DeJarnett,

As per conversation with your office dated October 17, 2017.

On October 17, 2017 I received a package from your office in regards to the above noted Estate. In your letter dated October 5, 2017, your Findings and Recommendation upon the Claimants, that your office would hold the documents for ten (10) days. Unfortunately, I received your package today. However your office indicated after consultation with you, agreed to provided me until the 20 of October 2017 to submit any objection to your findings.

Please find the following Objection:

1) I would like to submit my Claim that I (Richard Daniel Joseph TESSIER) one of the beneficiary of the Will and Estate of Marcel Richard Tessier be reimbursed for the funeral expenses in the amount of \$2982.89. The funeral expenses be paid on the basis that the Administrator CTA, informed the beneficiaries that the Estate would pay for all the funeral expenses and that the Decedent's last will directs the Administrator CTA to pay the expenses of the funeral and burial of the late Marcel Tessier.

2) The Assignment of Proceeds of Insurance which was signed on or about January 13, 2014 and sworn before Helen Hamill a Notary Public at the Jefferson Chapel Funeral Home. 55-0514342.

3) On page 68 of the Sworn Transcript line 16, FIDUCIARY COMMISSIONER DEJARNETT asked me the following Question; Did you assign your share of the life insurance if you had a share to pay for the Funeral

A) Yes, I did

You can refer to the Transcript for my complete answer to your question.

Therefore, I do request reimbursement of \$2982.89

Sincerely

Richard Tessier.

AGENDA REQUEST FORM

www.jeffersoncountywv.org

NAME: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

ESTIMATION OF TIME NEEDED FOR APPT.: 5-10 min

DATE REQUESTED: 1ST CHOICE November 2nd, 2017

IF A SPECIFIC DATE IS NEEDED, PLEASE PROVIDE REASON FOR SPECIFIC DATE:

SUBJECT: **Objection to Disbursement for Settlement and Petition to Remove the Administrator, Estate of Marcel Richard Tessier, deceased**

PLEASE PROVIDE THE CO. COMM. WITH A DESCRIPTION OF YOUR REQUEST OR PRESENTATION, INCLUDING ANY BACKGROUND INFORMATION:

This estate is already with Fiduciary Commissioner David DeJarnett for claim resolution. What needs to be decided today is whether or not (1) the county commission would like for this matter to be scheduled to be heard before them, or (2) the county commission elects to send this petition to David DeJarnett for hearing.

ARE DOCUMENTS ATTACHED: Yes

IS A PROJECTOR NEEDED?: NO

lfields@jeffersoncountywv.org (304) 728-3210

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Received
OCT 20 2017
Jefferson County Commission

Name: DANN, Lutz

Department or Organization: Supervisor Eastern Panhandle Conservation District

Estimation of amount of time needed for appointment: 20 minutes 11-16-17

Date Requested - 1st Choice: any commission meeting prior to end of 2017
If a specific date is needed, please provide reason for specific date:

Date Requested - 2nd Choice:

Subject (Wording to be placed on agenda): Budget request for 2019 FY Funding

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

Request funding from County Commission for EPCDC

Is this a funding request? Y/N NO

If so, how much? \$ 15,000

Provide exact financial impact/request: will supplement ongoing programs presently being implemented in Jefferson Co.

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

Request line item of \$15,000 in FY 2019 Budget

Attach supporting documents for request, or request may be denied.

If not attached, explain: will be provided as soon as collated

Is equipment needed? No Projector Y/N Internet/Wi Fi Y/N Telephone for conference call Y/N

Contact information:

Email address:

p.lutz007@gmail.com

Phone Number:

304 725-0966

FOR COMMISSION STAFF USE ONLY - FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Received
OCT 20 2017
Jefferson County Commission

Name: DANIEL Lutz

Department or Organization: Mountain Party

Estimation of amount of time needed for appointment: 15 minutes

Date Requested - 1st Choice: NEXT AVAILABLE 11-16-17
If a specific date is needed, please provide reason for specific date:

Date Requested - 2nd Choice:

Subject (Wording to be placed on agenda): BREACH OF Contract with Jefferson County
By Waste Haulers

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

Waste haulers agreed to collect recyclables all the time not simply when profitable

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request: N/A

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

Recommend that Apple Valley Waste be ordered to do job contracted

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Is equipment needed? NO Projector Y/N Internet/Wi Fi Y/N Telephone for conference call Y/N

Contact information:

Email address: p.lutz @ 707@gmail.com Phone Number: 304 225-0966

FOR COMMISSION STAFF USE ONLY - FINANCIAL IMPACT/RECOMMENDATION

not applicable

**JEFFERSON COUNTY
AMENDED RECYCLING ORDINANCE**

WHEREAS, The State of West Virginia has established the following goals for waste reduction through recycling and composting efforts; 20% reduction by January 1, 1994; 30% reduction by January 1, 2000; and 50% reduction by January 1, 2010; and,

WHEREAS, The Jefferson County Commission recognizes that the development of processing facilities and other necessary infrastructure for the handling of source separated material is necessary for the success of any recycling program; and,

WHEREAS, Public education is essential to maximize public participation and to ensure the collection of high quality recyclable materials; and,

WHEREAS, The Jefferson County Commission recognizes that procurement of recycled products is an essential element in creating markets for recyclable materials; and,

WHEREAS, It is the Policy of The State of West Virginia that to the maximum extent possible all agencies and instrumentalities of the State purchase recycled products; and,

WHEREAS, Market conditions are ever-changing; Therefore, the county recycling ordinance herein adopted is designed to give flexibility in the methods selected to accomplish the above-mentioned goals; and,

WHEREAS, Many different solutions are possible for the implementation of the mandates of the West Virginia Recycling Act of 1991; however, one method is hereby adopted that will comply with the mandates of the Act, while providing methods for collection entities to use alternative plans;

THEREFORE, BE IT ORDAINED That the title of the Ordinance be "The Jefferson County Recycling Ordinance."

1.0 General Authority

This Ordinance is adopted by the authority of the West Virginia Code, Chapter 20, Article 11

2.0 Jurisdiction

These regulations shall apply to all properties within Jefferson County, West Virginia: but, do not include the incorporated municipalities or areas hereafter annexed by any municipal corporation.

3.0 DEFINITIONS

- .1 "Recyclable material" means a material which would otherwise become municipal, industrial or commercial solid waste, which can be source separated, collected; processed, and returned to the economic mainstream in the form of raw materials or products.
- .2 "Recycling" means the source separation, collection, processing, and sale or re-use of metals, glass, paper, plastics, and other materials which would otherwise be disposed of as solid waste.
- .3 "Mandatory" means that and requires any collection entity to offer recycling service to each of it's residential and commercial customers in addition to solid waste collection service. Nothing in this Ordinance shall require any person, firm, or corporation to subscribe to waste hauling service.
- .4 "Source separate" means to separate recyclable materials from the municipal, industrial or commercial waste stream at the point of waste generation.
- .5 "Co-mingled" means source separated, non-putrescible recyclable materials that have been placed in the same container at the source of generation for collection.
- .6 "Designated Recyclable Materials" means those recyclable materials specified by the collection entity for separate collection in accordance with this Ordinance. Such materials may include, but not be limited to, aluminum, ferrous and bimetal cans; glass containers; newspapers; office waste paper; corrugated paper; and plastic containers.
- .7 "Collection Entity" means any person, partnership, corporation or other entity that provides for the collection of solid waste from residential or commercial establishments and the transportation thereof to approved disposal facilities.

4.0 ENFORCEMENT

- .1 As provided in Section 5, Subsection 5 of this ordinance, any waste collection entity may refuse to collect the solid waste from any person, firm, or corporation that has not source separated from the solid waste all recyclable materials named in the collection entity's plans filed with the county S.W.A.

5.0 RECYCLING PROGRAM

The Jefferson County Recycling Program shall consist of the following minimum requirements:

- .1 Each person, partnership, corporation or other entity in the County shall separate from other solid waste at least three designated recyclable materials, as deemed appropriate by the collection entity, as named, in its approved plan.
- .2 The eligible list of recyclable materials includes: newspaper; office waste paper; corrugated paper; ferrous; bimetal and aluminum cans; plastic containers; glass and other materials named from time to time by regulation established pursuant to this Ordinance.
- .3 Each collection entity shall establish at least one scheduled day per week during which source separated materials, which may be co-mingled, are to be placed at the curb-side, or similar location for collection.
- .4 To maximize participation and to ensure the collection of high quality recyclable materials, each collection entity shall establish an on-going, comprehensive public information and education program, to commence at least 30 days prior to the first date of collection of recyclable materials. Such education program shall, at a minimum, effectively notify all residential, commercial, institutional and other entities participating in the program of the required methods for source separating materials, how the system will operate, the dates of collection and program incentives.
- .5 Each collection entity shall accept only such solid waste from which recyclable materials named in the collection entity's plans filed with the Jefferson County Solid Waste Authority have been source separated.
- .6 Each collection entity's recycling program shall provide for appropriate incentives and penalties to ensure participation in its program.

6.0 ALTERNATIVE PROGRAMS

- .1 Any collection entity may propose an alternative program for a comprehensive recycling program that meets the stated waste reduction goals of this Ordinance. A proposed alternative program shall be reviewed by the Jefferson County Solid Waste Authority in accordance with final approval to be granted by the Jefferson County Commission.

7.0 YARD WASTE MANAGEMENT

- .1 Each collection entity shall file a plan with the Jefferson County Solid Waste Authority for the collection and management of yard waste. The yard waste plan will be filed by March 1, 1993.

8.0 MARKET AND INFRASTRUCTURE DEVELOPMENT

- .1 The Jefferson County Solid Waste Authority shall monitor, collect information, and assist in the development of markets and infrastructure for the processing of source separated recyclable material. The JCSWA will act as a clearinghouse to disseminate information on recycling activities and shall file semi-annual written reports with the Jefferson County Commission on the established processing capacity and a plan for new capacity. The first report due under this Ordinance shall be on July 1, 1993.
- .2 In keeping with state policy and goals, all state agencies, instrumentalities and political sub-divisions of The State of West Virginia located in Jefferson County shall strive to achieve a recycled product mix on future purchases of 1.) 20% by December 31, 1992, and 2.) 40% by December 31, 1995.

9.0 EFFECTIVE DATE

- .1 This Ordinance shall be effective from October 1, 1992.
- .2 Each collection entity shall file with the Jefferson County Commission its recycling program on or before October 1, 1992.
- .3 Each collection entity shall implement its approved program on or before October 1, 1993, and have its program fully implemented on or before April 1, 1994.

10.0 REGULATIONS

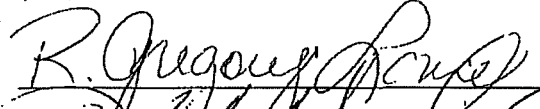
- .1 The Jefferson County Commission and/or the Jefferson County Solid Waste Authority are authorized to promulgate reasonable rules and regulations needed to implement the Jefferson County Recycling Ordinance which shall be submitted to the County Commission on or before October 1, 1992. The County Commission shall, thereafter, adopt rules and regulations by order.

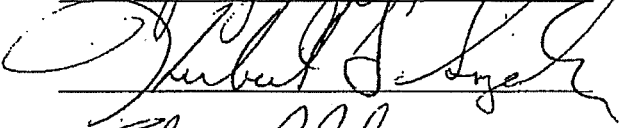
11.0 AMENDMENT AND REPEAL


- .1 This Ordinance may be amended or repealed by the County Commission at any time, pertaining to West Virginia Code Chapter 20, Article 11.

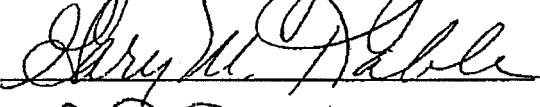
Enacted and ordained by order of the Jefferson County Commission this 13th day of August, 1992.


By:











AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Barbara J. Miller, Director

Department or Organization: Jefferson County Homeland Security and Emergency Management

Estimation of amount of time needed for appointment: Stephanie Grove will present this, as I will be out of the area.

Date Requested – 1st Choice: November 16, 2017 Time-sensitive grant application

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*):

1. 2017 Emergency Management Performance Grant Application

Background Information:

1. The Emergency Management Performance Grant pays for a portion of the Emergency Management salaries, planning, etc. each year.

Is this a funding request? No

If so, how much?

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

1. I move to approve the 2017 Emergency Management Performance Grant application and approve for the President of the Commission to sign the documents.

Attach supporting documents for request, or request may be denied.

If not attached, explain:

Is equipment needed? Projector N Click here to enter text. Internet/Wi Fi N Click here to enter text. Telephone for conference call N Click here to enter text.

Contact information:

Email address: bmiller@jeffersoncountywv.org. Phone Number: 304-728-3290

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

WEST VIRGINIA

EMPG PROGRAM

**Sub-grant Application
2017 Funds**

**Effective October 4, 2017
Supersedes Previous Editions**



**Jim Justice, Jr.
Governor**

**Jeff Sandy, Cabinet Secretary
West Virginia Department of Military Affairs and Public Safety (WVDMAPS)**

**Jimmy Gianato, Director,
West Virginia Division of Homeland Security and Emergency Management (WVDHSEM)**

<p>WEST VIRGINIA Division of Homeland Security and Emergency Management (WVDHSEM)</p> <p>2017 EMPG PROGRAM</p>	<p>REQUEST FOR SUB-GRANT PROPOSALS</p> <p>2017 FUNDS</p>
--	--

The West Virginia Division of Homeland Security and Emergency Management is announcing the availability of 2017 Emergency Management Performance Grant (EMPG) funds. Program funds are available to units of state or local governments to be utilized in a manner which is consistent with and supportive of the overall implementation of the State's Homeland Security Strategy and the National Preparedness System.

- Local jurisdictions (counties and the City of Charleston) are eligible and invited to apply for EMPG funds in amounts to be determined for the purpose of establishing, continuing and improving local emergency management functions.

The EMPG is administered by WVDHSEM with funding provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency.

WVDHSEM must receive applications for this program **no later than 4:00pm on December 1, 2017**. Applications received after this date, or incomplete applications will not be considered for funding. **All completed applications MUST be submitted via HSIN WV-EM portal, in the 2017 EMPG Applications Folder.** Faxed applications will not be accepted. Enclosed is an EMPG Application, which identifies the program purpose areas and provides general program and application guidance.

Should you have any questions or need further assistance regarding this matter, please contact David Hoge at: David.K.Hoge@wv.gov or Michael McMillen at: Michael.D.McMillen@wv.gov .

Program Guidelines

To assist with completing the application, the complete 2017 federal program guidelines can be obtained on the internet at the following link: <https://www.fema.gov/fiscal-year-2017-emergency-management-performance-grant-program>. All funds expended must comply with the guidance outlined in the federal guidelines and must meet the additional guidelines established by the state. Failure to meet the requirements may result in loss of funding and a requirement that any funds received by the local jurisdiction be returned to the State.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT APPLICATION
INSTRUCTIONS

COMPLETED APPLICATION MUST INCLUDE:

- Applicant:** Name, address, phone and fax number of the agency applying for funds.
- Project Director:** Name, address, phone, fax and email of the individual charged with the implementation and day-to-day operations of the project. This person cannot also be listed as the Authorized Official or the Fiscal Officer. This person is normally the local director of emergency services.
- Fiscal Officer:** Name, address, phone, fax and email of the person responsible for the fiscal records/reports of the project. This person cannot also be listed as the Authorized Official or the Project Director. This person is normally the local clerk or treasurer.
- Authorized Official:** The President of the County Commission or the Mayor/City Manager, as appropriate. This person cannot also be listed as the Project Director or Fiscal Officer.
- Funds Requested:** Amount requested from WVDHSEM by the applicant agency.
- Project Matching/
Funds:** EMPG is a 50% matching grant. Local jurisdictions must commit the 50% match to be eligible.
- Project Period:** January 1, 2017 through December 31, 2017.
- Certification:** Typed or printed name, title and original signature of the County Commission President or Mayor/City Manager. This is the individual who would be authorized to enter a contractual agreement with WVDHSEM.

If you should have any questions or need further assistance in the preparation of this application, please contact WVDHSEM at (304) 558-5380

The Authorized Official must sign where indicated on page 1 of the grant application before submission.

Program Guidelines

To assist with completing the application, the complete 2017 program guidelines can be obtained on the internet at the following link: <https://www.fema.gov/fiscal-year-2017-emergency-management-performance-grant-program>.

ALL COMPLETED APPLICATIONS MUST BE SCANNED IN FULL COLOR AND SUBMITTED VIA HSN WV-EM PORTAL, IN THE 2017 EMPG APPLICATION FOLDER. IF FULL COLOR SCAN IS NOT AVAILABLE, RETURN COMPLETED PAGE 1 OF THE APPLICATION WITH ORIGINAL SIGNATURES IN BLUE INK TO:

Division of Homeland Security and Emergency Management
2017 EMPG Grant Application
1900 Kanawha Blvd., East
Building 1, Room EB-80
Charleston, WV 25305

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT APPLICATION
SUBMISSION CHECKLIST

Prior to submitting the application, indicate that the following tasks have been completed by checking the boxes below:

- The application has been completely filled out.
- The Budget Narrative (page 6) **MUST** follow the same outline shown on page 5 of the application and be as detailed as possible.
- The Project Narrative (page 8) **MUST** follow the same outline shown on page 7 of the application and be as detailed as possible.
- Math has been double-checked, is accurate, and has been rounded to the nearest whole dollar amount.
- Authorized Official has signed, in BLUE INK, page 1 of the grant application. **ALL COMPLETED APPLICATIONS MUST BE SCANNED IN FULL COLOR AND SUBMITTED VIA HSIN WV-EM PORTAL, in the 2017 EMPG Folder.**
- If full color scanning capability is not available, return Page 1, with the **ORIGINAL SIGNATURE IN BLUE INK**, by mail to:

Division of Homeland Security and Emergency Management
2017 EMPG Grant Application
1900 Kanawha Blvd., East
Building 1, Room EB-80
Charleston, WV 25305

- Applicant has been listed as the County Commission (or designated agent), Municipality, or appropriate State Agency.
- USDOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements** is completed and signed in blue ink.
- Standard Form LLL (if applicable) is completed and signed in blue ink.
- A copy of the jurisdiction's most recent Single Audit Report is attached to the application submitted via HSIN.

Note: WVDHSEM reserves the right not to consider an application for funding if it is not complete.

WEST VIRGINIADivision of Homeland Security and
Emergency Management (WVDHSEM)2017 Emergency Management Performance
Grant (EMPG)**SUB-GRANT APPLICATION**PAGE 1
(CFDA 97.042)

1. **Applicant:** Jefferson County Commission

Address: P.O. Box 250
Charles Town, WV 25414

Phone/Fax: 304-728-3282/304-725-7916

5. **Funds Requested:** \$ 117,681.09

**Project Matching Funds
(50%):** \$ 117,681.09

2. **Project Director:** Barbara J. Miller, CEM CFM

Address: 28 Industrial Blvd., Suite 101
Kearneysville, WV 25430

Phone/Fax: 304-728-3290/304-728-3320

Email: bmiller@jeffersoncountywv.org

6. **Type of Agency:**

County Municipality

State

3. **Fiscal Officer:** Michelle Gordon

Address: P.O. Box 250
Charles Town, WV 25414

Phone/Fax: 304-724-8425/304-725-7916

Email: mgordon@jeffersoncountywv.org

7. **Project Period:**

Beginning Date: January 1, 2017

Ending Date: December 31, 2017

4. **DUNS #:** 074-741-4548

FEIN: 55-600333

8. **Type of Application:**

Initial Revision

Project Title and Brief**9. Description:**

Jefferson_EMPG_2017 is to provide funding for the performance of Emergency Management for Jefferson County, WV

10. Certification:

To the best of my knowledge, the information contained in this application is true and correct. The submission thereof has been duly authorized by any governing body, and the applicant will comply with all the attached Special Conditions and Assurances if the sub-grant is awarded, including all emergency services staff having undergone criminal background checks in accordance with W. Va. Code Chapter 15-5-15. Further, local jurisdictions certify they will provide the necessary 50 percent match for this Grant.

Authorized Official: Peter Onoszko

TYPED OR PRINTED NAME OF AGENCY HEAD

Title: County Commission President

Signature: _____

Date: _____

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT BUDGET INSTRUCTIONS

PAGE 2

Allowable costs are divided into the categories of (1) Planning; (2) Organization; (3) Equipment; (4) Training; (5) Exercises; and, (6) Management and Administrative.

NOTE: CONSULT THE GENERAL INFORMATION AND REQUIREMENTS GUIDE REGARDING DETAILS OF ALLOWABLE COSTS WITHIN EACH CATEGORY LISTED BELOW.

Planning – Page 3-1 of Application

FY 2017 EMPG Program funds may be used for a range of emergency management planning activities. Planning provides a methodical way to engage the **whole community** in thinking through the life cycle of potential crises, determining required capabilities, and establishing a framework for roles and responsibilities. Planning should include participation from all stakeholders in the community who are able to contribute critical perspectives and may have a role in executing the plan. Include listing of all representatives and organizations involved in the planning process for each component. **All planning documents must be accompanied by signature pages that include all representatives involved in the process, along with the organization they represent.** Planning should be flexible enough to address incidents of varying types and magnitudes. Planning activities for the 2017 EMPG **MUST** include, as a minimum, the following work products: (1) Review and update the Threat and Hazard Identification and Risk Assessment (THIRA), based on the most current guidance for this assessment; (2) Review and make recommendations for updates to local emergency operations plans based on the *Evaluation Matrix for Compliance with CPG 101 v.2*, released in May 2011; and, (3) Submit revisions to local emergency operations plans, based on needs identified as the jurisdiction's **top two priorities, as identified in the CPG 101 v.2 review above and/or in the local jurisdiction Threat and Hazard Identification and Risk Assessment (THIRA) for 2016.** Further, all applicants must revise their local Emergency Operations Plans every two years, or as otherwise required. See Page 3-1 of the Budget and Page 7, Project Narrative Instructions, for details of specific requirements for the 2017 program.

Organizational – Page 3-2 of Application

EMPG funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management. Proposed staffing activities should still be linked to achieving goals outlined in the EMPG Project Narrative. In accordance with W. Va. Code Chapter 15-5-15, all emergency services staff must have undergone criminal background checks. All EMPG-funded jurisdictions are required to submit weekly Jurisdiction Situation Reports via E Team which are due no later than Tuesday of each week. Such reports will include, at a minimum, current operational status, current and following week significant activities, exercises, and training events. **NOTE: WVDHSEM will publish a schedule for E Team Training environment report submissions, in addition to the weekly Jurisdiction Situation Reports above. These requirements apply to all personnel in positions fully or partially funded using EMPG funds.** Further, local directors **MUST** be either paid full-time or, if paid part-time, provide proof of other funding sources before other funding is approved for projects or equipment. In addition, local jurisdictions with paid part-time directors **MUST** allow sufficient time to the director to complete all requirements under this grant, including training, exercises, planning, and emergency response operations.

Equipment – Page 3-3 of Application

EMPG funds may be used for equipment acquisitions. Approved equipment must be on the Authorized Equipment Listing (AEL) located on the internet at: <https://www.fema.gov/authorized-equipment-list>. Only equipment noted as EMPG eligible on the AEL will be considered for funding. (Be sure to check the eligibility column of the AEL for EMPG purposes.) Further, sub-grantees must provide evidence of ability to sustain equipment purchases. Examples are: maintenance contracts/agreements; licenses; subscriptions; local budget line item references; etc. With respect to communications initiatives and equipment, the sub-grantee agrees to the following:

**Budget Instructions
Page 2 (Continued)**

In an effort to improve emergency preparedness and response interoperability, all new or upgraded radio systems and new radio equipment should be compatible with a suite of standards called ANSI/TIA/EIAA-102 Phase I (Project 25). These standards have been developed to allow for backward compatibility with existing digital and analog systems and provide for interoperability in future systems. The FCC has chosen the Project 25 suite of standards for voice and low-moderate speed data interoperability in the new nationwide 700 MHz frequency band. The Integrated Wireless Network (IWN) of the U.S. Justice and Treasury Departments has also chosen the Project 25 suite of standards for their new radio equipment. **In an effort to realize improved interoperability, all radios purchased under this grant should be APCO 25 compliant.** In addition, any State level guidelines and initiatives that are developed by the WV Statewide Interoperable Executive Committee (SIEC) must be followed.

Training – Page 3-4 of Application

FY 2017 EMPG Program funds may be used for a range of emergency management-related training activities to enhance the capabilities of State and local emergency management personnel and the local community through the establishment, support, conduct, and attendance of training. Training activities should align with the current Multi-Year Training and Exercise Plan (TEP) developed through an annual Training and Exercise Planning Workshop (TEPW). Training should foster the development of a community oriented approach to emergency management that emphasizes engagement at the community level, strengthens best practices, and provides a path toward building sustainable resilience.

There are three requirements under the Training portion of EMPG beginning with 2017. These requirements are shown below.

Requirement 1 – Public Education/Information

Option 1 – Conduct 24 hours of appropriate hazard awareness activities for local citizens during the fiscal year. Examples of such activities include:

- a. Conducting a preparedness workshop for local/county residents;
- b. Briefing at civic groups on local hazards and appropriate response activities; or
- c. Conducting hazard awareness and response training in schools.

Option 2 – Prepare and distribute, or arrange for distribution of, emergency-related public information materials that reach at least 50 percent of the county. Examples of such activities include:

- a. Arranging for flood preparedness and response information to be included on utility bills;
- b. Publishing emergency preparedness information in the local telephone directory; or
- c. Preparing an emergency preparedness calendar that is distributed throughout the county.

Required Documentation

Option 1 – Describe your activities, including date, location, and length of the activity. Documentation may include sign-in-rosters, newspaper articles describing the activities you conducted, or similar materials. Agencies are expected to maintain documentation to support these training or public education activities on file.

Option 2 – Attach copy of the public information materials you distributed with the annual Performance Measures submission to show completion of the requirement. A description of the materials, including the approximate number distributed, when, and how they were distributed must be included.

Example: Conducted a hazard awareness presentation at a town meeting, or at a local/county school, and sent out a hazard awareness pamphlet in all utilities bills.

Additional Requirement Clarification

If you chose "Option 1", you must describe your activity, the date of your activity, and the length of the activity. The total hours of activities must equal at least 24 hour during the fiscal year.

**Budget Instructions
Page 2 (Continued)**

If an educational activity is broadcast on multiple occasions, only the date of the original broadcast counts toward the required 24 hours of hazard awareness activities.

If you chose "Option 2", attach a copy of the materials you distributed to the annual Performance Measures submission.

Requirement 2 – Training for Emergency Management Personnel

1. All EMPG funded personnel identified on your Application must complete the Professional Development Series (PDS) courses; IS 120.a, IS 230.d, IS 235.b, IS 240.b, IS 241.b, IS 242.b, IS 244.b, and IS 247.a and must provide certificates for proper approval.

AND

NIMS training; ICS 100, ICS 200, IS 700, and IS 800 if not currently complete.

NOTE: Personnel only are required to complete the above training once, but are required to maintain proof of completion in local records and available for inspection.

2. Professional development is an on-going process. If you have already completed the PDS and NIMS training requirements, **Emergency Management staff must complete one Emergency Management related course** through DHS (NTED courses), Center for Disease Control and Prevention (CDC), Emergency Management Institute (EMI), or WVDHSEM. The training may be completed online or classroom instruction. The West Virginia training database is available online at www.onlinelearning.wv.gov/dmapscm6 or FEMA Independent Study catalog <http://training.fema.gov/IS/>.

Additional Requirement Information

A copy of the course completion certificate for all training claimed must be attached to the annual Performance Measures submission. If course(s) registration was facilitated through the WVDMAPS training database, a student transcript can be submitted in lieu of a course completion certificate.

Non-emergency management professional certification training will not fulfill the requirements for EMPG training. Attending conferences, staff meetings, community meetings, etc., does not fulfill the requirements under Requirement 2.

Requirement 3 – Emergency Management Training for Other Personnel

Conduct a local emergency management training program for local elected officials, department heads and their staffs, other local/county officials, and support agencies, or arrange for these individuals to participate in emergency management training offered by WVDHSEM. This training should strengthen the capabilities of local/county governments. Each program should have sufficient detailed information to describe and quantify the nature of all training provided.

Please report training accomplishments in the annual Performance Measure submission. Include sufficient identifying information on the progress report, i.e., course title, date, number and description of participants.

A copy of the training schedule and record of participants must be maintained by the county agency for a minimum of three years for audit purposes.

Additional Requirement Clarification

The information provided for the class description should be sufficient to identify who received the training, e.g., elected officials, Principals, etc.

Training information reported for Requirement 2 does not fulfill the requirements of Requirement 3.

Budget Instructions
Page 2 (Continued)

Exercises – Page 3-5 of Application

Per Federal Guidance, all EMPG Program funded personnel must participate in no less than three exercises in a 12 month period and shall complete the following requirements and record proof of completion. ***This includes support staff, GIS personnel, planners, and anyone else funded with EMPG in part or in full.*** Exercise program managers should develop, execute, and evaluate exercises that address priorities established by the agency or jurisdiction. These priorities should be based on the National Preparedness Goal, Emergency Operations Plans, threat and hazard identification/risk assessments, current process' and procedures, results from previous exercises and real world events. Exercise activities should generally align to priorities outlined in the current Training and Exercise Plan (TEP). Further guidance concerning the TEP can be found at: <https://www.preptoolkit.org/web/hseep-resources>.

The current WV TEP information can be found in the Exercise Section of WV-EM in HSIN. Funding may be used for activities such as the following:

- Conducting all-hazards exercises, based on the likely hazards/scenarios identified in the THIRA that a jurisdiction may encounter.
- Conducting emergency management exercises, while incorporating other stakeholders, utilizing ICS and other NIMS principles.
- Other EMPG-related activities, such as HSEEP defined non-operational exercises (Seminars, Workshops, and Table Top Exercises).
- Actual events may fulfill part of the "Exercise Requirement" if a waiver has been submitted to and approved by WVDHSEM.

Management and Administration – Page 3-6 of Application

EMPG sub-grantees may utilize up to 5% of their "total" award from the State of West Virginia for Management and Administrative (M&A) purposes. **95% of the total EMPG award for allowable planning, equipment, training and/or exercise costs + 5% of the total EMPG award for allowable M&A = 100% TOTAL PROJECT COST.**

Match – Pages 3-6 and 4 of Application

The EMPG Grant is a 50% Federal/50% Local 'hard' match (ie, direct cash funding). Federal funds obtained through EMPG CANNOT be matched with other Federal funds.

FUNDING STRATEGY – (Page 4 of Application)

Funding Source (bottom of Page 4, first column):

Separately list each source of funds that will be used in the program (i.e., county commission, municipality, etc.). These are shown on the application.

Amount (bottom of Page 4, second column):

Enter the amount received or anticipated for each source.

Status (bottom of Page 4, last column):

Indicate the status of each funding source as follows:

- A** = Application submitted and under review – typically, this refers to your request for federal budget.
- C** = Funds committed – typically, this category is appropriate for local match.
- R** = Funds received, appropriated or on hand – use this code if local matching funds have been included in local budget resolutions, etc.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT ITEMIZATION OF FUNDS BY
CATEGORY

PAGE 3-1 – DIRECTIONS
(PLANNING ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (WVDHSEM Use Only)
<p>Planning:</p> <p>Planning funds may be used to help the jurisdiction complete the following requirements.</p> <ul style="list-style-type: none"> a. Review and update the Threat and Hazard Identification and Risk Assessment (THIRA), based on the most current guidance for this assessment b. Review and make recommendations for updates to local emergency operations plans based on the <i>Evaluation Matrix for Compliance with CPG 101 v.2</i>, released in May 2011. See link below: www.fema.gov/pdf/about/divisions/npd/CPG_101_V2.pdf. c. Prepare and submit revisions to the local emergency operations plan, based on the top two priorities identified in the CPG 101 v.2 review above and/or in the local jurisdiction Threat and Hazard Identification and Risk Assessment (THIRA) for 2016. Submissions to be made via HSIN, as the revisions are completed. <p>Further, all applicants must revise their local Emergency Operations Plans every two years, or as otherwise required.</p>			
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 4	↓	↓	↓

* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.*

WEST VIRGINIA
 Division of Homeland Security and
 Emergency Management (WVDHSEM)

2017 EMPG
 PROGRAM

SUB-GRANT ITEMIZATION OF FUNDS BY
 CATEGORY

PAGE 3-1
 (PLANNING ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (WVDHSEM Use Only)
<u>Planning:</u> Annual review and update of the Jefferson County Emergency Operations Plan annexes	1870.50	1870.50	
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 4	↓	↓	↓

* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.*

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT ITEMIZATION OF FUNDS BY
CATEGORY

PAGE 3-2 – DIRECTIONS
(ORGANIZATIONAL ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (WVDHSEM Use Only)
<p><u>Organizational:</u></p> <p>EMPG funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management. Proposed staffing activities should still be linked to achieving goals outlined in the EMPG Project Narrative. In accordance with W. Va. Code Chapter 15-5-15, all emergency services staff must have undergone criminal background checks.</p> <p>All EMPG-funded jurisdictions will be required to submit weekly Jurisdiction Situation Reports via E Team and are due not later than Tuesday of each week. Such reports will include, at a minimum, current operational status, current and following week significant activities, exercises, and training events.</p> <p>NOTE: WVDHSEM will publish a schedule for E Team Training environment report submissions, in addition to the weekly Jurisdiction Situation Reports above. These requirements apply to all personnel in positions fully or partially funded using EMPG funds.</p> <p>Further, local directors MUST be either paid full-time or, if paid part-time, provide proof of other funding sources before other funding is approved for projects or equipment. In addition, local jurisdictions with paid part-time directors MUST allow sufficient time to the director to complete all requirements under this grant, including training, exercises, planning, and emergency response operations.</p> <p><u>Jurisdictions must specify personnel by names and positions for which they are requesting funding so that grant requirements can be tracked for these individuals.</u></p>			
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 4	↓	↓	↓

* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.*

WEST VIRGINIA
 Division of Homeland Security and
 Emergency Management (WVDHSEM)

2017 EMPG
 PROGRAM

**SUB-GRANT ITEMIZATION OF FUNDS BY
 CATEGORY**

PAGE 3-2
 (ORGANIZATIONAL ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (WVDHSEM Use Only)
<u>Organizational:</u> Barbara J. Miller, Director Stephen S. Allen, Deputy Director/Planner/Program Manager Brandon C. Vallee, AAPIO/VC	50,094.62 32,267.71 29,117.88	50,094.62 32,267.71 29,117.88	
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 4	↓	↓	↓

* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.*

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT ITEMIZATION OF FUNDS BY
CATEGORY

PAGE 3-3 – DIRECTIONS
(EQUIPMENT ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (WVDHSEM Use Only)
<p><u>Equipment:</u> (Please see Authorized Equipment List (AEL) at https://www.fema.gov/authorized-equipment-list under the <i>Grant Programs Information and Resources</i> tab while preparing budget.</p> <p>With respect to communications initiatives and equipment, the sub-grantee agrees to the following:</p> <p><i>In an effort to improve emergency preparedness and response interoperability, all new or upgraded radio systems and new radio equipment should be compatible with a suite of standards called ANSI/TIA/EIAA-102 Phase I (Project 25). These standards have been developed to allow for backward compatibility with existing digital and analog systems and provide for interoperability in future systems. The FCC has chosen the Project 25 suite of standards for voice and low-moderate speed data interoperability in the new nationwide 700 MHZ frequency band. The Integrated Wireless Network (IWN) of the U.S. Justice and Treasury Departments has also chosen the Project 25 suite of standards for their new radio equipment. In an effort to realize improved interoperability, all radios purchased under this grant should be APCO 25 compliant.</i> In addition, any State level guidelines and initiatives that are developed by the WV Statewide Interoperable Executive Committee (SIEC) regarding communications will be followed by the sub-grantee.)</p>			
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 4	↓	↓	↓

* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.*

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT ITEMIZATION OF FUNDS BY
CATEGORY

PAGE 3-3
(EQUIPMENT ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (WVDHSEM Use Only)
<p><u>Equipment:</u></p> <p>This is for the following requested equipment:</p> <p>Dry Erase Command Board for EOC \$482.69 Position Vests and Flags for EOC \$1,277.32 iPad Mobile Charging Station for Damage Assessment IPADS \$795.76 NIXLE Alert Notification System Contract 1-year \$3605.00 Orion Damage Assessment Software Contract 1-year \$1,000.00 CERVIS Volunteer Management System Software Contract, 1-year \$1,500.00</p>	4330.38	4330.38	
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 4	↓	↓	↓

* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.*

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT ITEMIZATION OF FUNDS BY
CATEGORY

PAGE 3-4 – DIRECTIONS
(TRAINING ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (WVDHSEM Use Only)
-----------------	----------------	--------------------	-----------------------------

Training:

FY 2017 EMPG Program funds may be used for a range of emergency management-related training activities to enhance the capabilities of State and local emergency management personnel and the local community through the establishment, support, conduct, and attendance of training. Training activities should align with the current Multi-Year Training and Exercise Plan (TEP) developed through an annual Training and Exercise Planning Workshop (TEPW). Training should foster the development of a community oriented approach to emergency management that emphasizes engagement at the community level, strengthens best practices, and provides a path toward building sustainable resilience.

There are three requirements under the Training portion of EMPG beginning with 2017. These requirements are shown below.

Requirement 1 – Public Education/Information

Option 1 – Conduct 24 hours of appropriate hazard awareness activities for local citizens during the fiscal year.

Option 2 – Prepare and distribute, or arrange for distribution of, emergency-related public information materials that reach at least 50 percent of the county.

Requirement 2 – Training for Emergency Management Personnel

All EMPG funded personnel identified on your Application must complete the Professional Development Series (PDS) courses and NIMS training, and:

Emergency Management staff must complete one Emergency Management related course each year.

Requirement 3 – Emergency Management Training for Other Personnel

Conduct a local emergency management training program for local elected officials, department heads and their staffs, other local/county officials, and support agencies, or arrange for these individuals to participate in emergency management training offered by WVDHSEM. This training should strengthen the capabilities of local/county governments. Each program should have sufficient detailed information to describe and quantify the nature of all training provided.

NOTE: See pages 7-9 and 20-22 in the instructions for full details.

PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 4



* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.*

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT ITEMIZATION OF FUNDS BY
CATEGORY

PAGE 3-5 – DIRECTIONS
(EXERCISES ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (WVDHSEM Use Only)
<p>Exercises:</p> <hr/> <p>EMPG funds may be used to design, develop, conduct, and evaluate emergency management related exercises. Exercises must be consistent with the principles and methodology outlined in the Homeland Security Exercise and Evaluation Program (HSEEP), as well as applicable emergency management standards. All exercises must be administered using HSEEP methodology and documentation procedures. In order to receive EMPG grant credit, the jurisdiction must complete an After Action Report (AAR), an Improvement Plan (IP), and include them in their quarterly submission along with a Roster signed by all exercise participants. Documentation must be submitted once completed and approved by the Exercise Planning Committee prior to the quarterly reimbursement request. Exercises can be, and are recommended to be, developed and administered at a multi-jurisdictional and multi-discipline level.</p> <p>As required in the 2017 federal EMPG Guidance, <u>ALL</u> employees in positions partially or fully funded by EMPG funds MUST participate in a minimum of three (3) exercises in a 12-month period. These exercises as defined in HSEEP can be Non-Operational or Operational. This includes all support staff such as administrative assistants, secretaries, deputy directors, etc.</p> <p>NOTE: Actual Events may fulfill part of the exercise requirement, if a waiver has been submitted to and approved by WVDHSEM.</p>			
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 4	↓	↓	↓

* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.*

WEST VIRGINIA
 Division of Homeland Security and
 Emergency Management (WVDHSEM)

2017 EMPG
 PROGRAM

**SUB-GRANT ITEMIZATION OF FUNDS BY
 CATEGORY**

PAGE 3-5
 (EXERCISES ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (WVDHSEM Use Only)
Exercises: <hr/>			
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 4	↓	↓	↓

* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.*

WEST VIRGINIA
 Division of Homeland Security and
 Emergency Management (WVDHSEM)

2017 EMPG
 PROGRAM

**SUB-GRANT ITEMIZATION OF FUNDS BY
 CATEGORY**

PAGE 3-6
 (MANAGEMENT AND ADMINISTRATIVE)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (WVDHSEM Use Only)
<u>Management and Administrative:</u> (Maximum of 5% of request/award)			
TOTAL MATCHING FUNDS:	117,681.09		
TOTAL FEDERAL EMPG FUNDS:		117,681.09	
TOTAL APPROVED PROJECT:			235,362.18

* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.*

WEST VIRGINIA
 Division of Homeland Security and
 Emergency Management (WVDHSEM)

2017 EMPG
 PROGRAM

SUB-GRANT BUDGET SUMMARY

PAGE 4

Applicant: _____

Type of Application: _____

Initial Revision

Category	EMPG Funds (A) *	Matching Funds (B) **	Total Funds (A + B)
Planning	1870.50	1870.50	3741.00
Organization	111,480.21	111,480.21	222,960.42
Equipment	4,330.38	4,330.38	8,660.76
Training			
Exercises			
Management and Admin (max 5%)			
Total Budget	117,681.09	117,681.09	235,362.18

FUNDING STRATEGY

Funding Source(s)	Amount	Status
EMPG Funds:	\$ 117,681.09	
Matching Funds (If Applicable):	\$ 117,681.09	
Total:	\$ 235,362.18	

* Total of column A shall be placed in the space on page 1 – item number 5, for Funds Requested.

** Total of column B shall be placed in the space on page 1 – item number 5, for Project Matching Funds.

All funds must be rounded to the nearest whole dollar amount.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT BUDGET NARRATIVE

PAGE 5

Provide here a justification and explanation of the budget items shown on pages 3 and 4 of this application. This should contain specific criteria and data used to arrive at estimates and/or costs for all items listed. In completing the budget narrative, please identify data by the major budget category involved (i.e. Planning, Organizational, Equipment, Training, Exercises, and Management and Administrative).

Applications submitted which do not provide a sufficient narrative may be subject to exclusion. Use additional blank pages as necessary.

PLANNING: (This category **MUST** include a brief statement about how the jurisdiction's planning efforts will assist the jurisdiction to meet the mandatory planning requirements.)

ORGANIZATIONAL: (This category **MUST** describe the status of the local emergency services director (full- or part-time paid) and other staffing necessary to maintain a functional structure for local emergency management.) **NOTE: All personnel for whose salaries reimbursements will be requests MUST be listed on Page 3-2 of the Application Package.** EMPG funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management. Proposed staffing activities should still be linked to achieving goals outlined in the EMPG Project Narrative. In accordance with W. Va. Code Chapter 15-5-15, all emergency services staff must have undergone criminal background checks. All EMPG-funded jurisdictions will be required to submit weekly Jurisdiction Situation Reports via E Team and are due not later than Tuesday of each week. Such reports will include, at a minimum, current operational status, current and following week significant activities, exercises, and training events. **NOTE: WVDHSEM will publish a schedule for E Team Training environment report submissions, in addition to the weekly Jurisdiction Situation Reports above. These requirements apply to all personnel in positions fully or partially funded using EMPG funds.** Further, local directors **MUST** be either paid full-time or, if paid part-time, provide proof of other funding sources before other funding is approved for projects or equipment. In addition, local jurisdictions with paid part-time directors **MUST** allow sufficient time to the director to complete all requirements under this grant, including training, exercises, planning, and emergency response operations.

EQUIPMENT: (This category **MUST** include a brief statement regarding how each piece of equipment will be used to enhance the capabilities for emergency response and also include the AEL item number. This statement and AEL item number for each piece of equipment will be used to assist in determining whether the items are allowable under existing guidelines. With respect to communications initiatives and equipment, the sub-grantee agrees to the following:

In an effort to improve emergency preparedness and response interoperability, all new or upgraded radio systems and new radio equipment should be compatible with a suite of standards called ANSI/TIA/EIA-102 Phase I (Project 25). These standards have been developed to allow for backward compatibility with existing digital and analog systems and provide for interoperability in future systems. The FCC has chosen the Project 25 suite of standards for voice and low-moderate speed data interoperability in the new nationwide 700 MHz frequency band. The Integrated Wireless Network (IWN) of the U.S. Justice and Treasury Departments has also chosen the Project 25 suite of standards for their new radio equipment. **In an effort to realize improved interoperability, all radios purchased under this grant should be APCO 25 compliant.** In addition, any State level guidelines and initiatives that are developed by the WV Statewide Interoperable Executive Committee (SIEC) and its successor the West Virginia Statewide Interoperable Radio Network (SIRN) regarding communications will be followed by the sub-grantee.)

TRAINING: (This category **MUST** include a brief statement regarding how proposed training will help in terms of emergency management purposes and initiatives, particularly closing gaps identified in the THIRA. The narrative will be used to assist in determining whether the training(s) is allowable under existing guidelines.) **NOTE: See pages 7-9 and 20-22 in the instructions for full details.**

EXERCISES: (This category **MUST** include a brief statement regarding how proposed exercises will help evaluate and validate capabilities and close gaps as identified in the THIRA. These capabilities should be the focus of the exercise scenario. The narrative should outline the specific types of expenditures which will support the development, conduct, and assessment of the exercise. Reminder: Exercises must be compliant with HSEEP, and notification should be provided in advance to WVDHSEM.)

MANAGEMENT AND ADMINISTRATIVE: If you intend to include M & A expenses in your application, please contact DHSEM for clarity on what can be included and how it should be listed. M & A activities are those defined directly relating to the management and administration of EMPG funds, such as financial management and reporting. It should be noted that salaries of state and local emergency managers are NOT typically categorized as M & A.

Use additional blank pages as necessary

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT BUDGET NARRATIVE

PAGE 6

SEE ATTACHED!

* Use additional blank pages as necessary. *

Jefferson County, WV Narrative

Purpose: The purpose of the Emergency Management Planning Grant is to enhance the local jurisdiction by assisting in the development and maintenance of an emergency management program. Jefferson County has a comprehensive emergency management program that meets all criteria for this grant, as listed below.

Requirements:

Planning: Jefferson County will review and update its THIRA (Threat Hazard Identification & Risk Assessment) using the "Whole Community" approach to the planning process, engaging various stakeholders throughout the process. This will include utilizing LEPC meetings, planning meetings, one-on-one discussions, as well as, reviewing previous AARs and Improvement Plans. All criteria for the THIRA will be met and entered in to the WVDHSEM's Survey Monkey Tool, as requested.

The Emergency Operations Plan will be updated, based upon the findings of the CPG-101 evaluation matrix, and other information gained through "whole community" stakeholder participation. The annexes for review and update in 2017 include: ESF:15-External Affairs (formerly Annex C, Public Information); ESF 7-Logistics Management and Resource Support (formerly Annex G: Resource Support); SPT:7: Volunteer Management (formerly Annex P-Spontaneous Volunteers); SPT:8-Donations Management (formerly Annex Q-Donations Management), also changes from Annexes to Emergency Support Functions will be made. The following documents will be submitted via HSIN WV-EM Portal: 2017 THIRA, 2017 CPG-101 Evaluation Matrix, 2017 EOP (Emergency Operations Plan). The ETEAM tracker is kept by WVDHSEM. All staff members paid with EMPG funding will complete all ETEAM tracker requirements throughout the year.

Organizational:

Jefferson County employs a full time director, a full time Deputy Director/Planner/Program Manager, and a full time administrative assistant/public information officer/volunteer coordinator. All staff has successfully passed a background investigation, has been sworn in per WV State Code 5-15-5, and each has been issued a state PIV-I Credential. We are all users of ETEAM, HSIN, we do have internet access, email support, and we use ETEAM during actual events, exercises, as well as, for weekly and monthly reporting requirements. We do have a designated and equipped emergency operations center and we do update our emergency management contract information regularly and provide that information to the state EOC.

Equipment:

Equipment requested under this grant includes the following:

A dry erase Command Board for the Emergency Operations Center. This will allow for at-a-glance knowledge of those coming into the EOC who is in what position and react accordingly. Additionally, position vests and flags for the EOC for the same justification. A mobile charging station is purchased for

the IPADS that are used for damage assessment. This allows us to keep all of the equipment charged and at the ready for deployment. Software contracts are also needed for the EOC and day-to-day Emergency Management for NIXLE, our alert notification system, Orion Damage Assessment software, and CERVIS, which helps us with volunteer management.

Training:

Requirement 1-Public Information: We will complete at least 24 hours of training for the community this year, to include winter weather hazards training, Disaster Ready Kids training, having a booth for 7 days at the Jefferson County Fair, Disaster Preparedness for Senior Citizens and activities within our annual Program for Public Information.

Requirement 2-Training for Emergency Management Personnel

All JCHSEM staff has completed all required NIMS training and the FEMA Professional Development Series. All staff has completed IPAWS training. All emergency management staff will complete at least one required training during the year.

Requirement 3: We will have the G-402 course for Public Officials brought to our County for local officials training.

Exercises: Jefferson County will participate in the WV Homeland Security Region 3 Exercise Series: Shaky Ground (Planning Meetings, TTX, FE, FS, and AAR/IP meetings). Additionally, they will participate in the LEPC's School Bus Accident Table Top Exercise, as well as any additional opportunities that may present themselves. All of these exercises are HSEEP-compliant and an AAR/IP is developed for them.

Objectives:

Jefferson County has a comprehensive emergency management program that is a jurisdiction-wide system that provides for management and coordination of preparedness, response, recovery, and mitigation activities for all hazards. The system encompasses all organizations, agencies, departments, entities, and individuals responsible for emergency management and homeland security functions, including the County, as well as, all municipalities. Over the course of this grant period, Jefferson County HSEM will employ a full time staff to accomplish its mission. We will continue to build partnerships, further institutionalizing the whole community concept model of emergency management.

We have many opportunities for businesses and individuals to get involved, including the various committees that we have: Steering Committee (which also acts as the EM Advisory Committee and the Citizen Corps Committee), Public Awareness, Education and Training Committee; Partnership and Volunteer Development Committee, Risk Assessment and Mitigation Planning Committee, Counter Terrorism Committee, and ad hoc committees that serve a special purpose, such as the Community Rating System Committee of the National Flood Insurance Program.

We will provide many training opportunities within the jurisdiction, including ETEAM training for the staff and volunteers who use it, Jefferson County EOC training for those who serve in any capacity within our EOC, Cyber Coordination training and exercise, G-402 for our elected and senior officials, winter weather preparedness, Skywarn Stormspotter training, and we will participate in community-based

events such as the Jefferson County Fair, and Bark in the Park, along with staff presentations with our Disaster Ready Kids Program and Senior Center presentations.

Implementation:

Committee meetings are held either monthly, bi-monthly or quarterly, depending upon the meeting. Planning: We will update annexes within our EOP, based upon the CPG-101 evaluation matrix, update our THIRA and submit it to the state, participate in a number of public preparedness programs and send information out through social media and our on-line newsletter.

Project Assessment/Evaluation:

We will evaluate the progress of this grant and activities throughout the year and at the end of the grant period, assess our results.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT PROJECT NARRATIVE
INSTRUCTIONS

PAGE 7

On page 8 of this Application, please explain the project utilizing the following outline. State clearly and in concise detail the goals, objectives and intentions of the project; precisely what will be done; who will be involved; and the anticipated result. Add pages as necessary.

PURPOSE: The purpose of the EMPG is to enhance the local jurisdiction by assisting in the development and maintenance of an emergency management program.

REQUIREMENTS: Describe in some detail how your jurisdiction will implement the following requirements during the performance period of this grant. Include a prioritized list of all substantial and concrete goals in each performance area of this project that the jurisdiction will attempt to achieve and the reasons why each of these goals can be met. These goals may be both short and long range. Carefully communicate and relate the goal(s) back to the Goals on the WV State Homeland Security Strategy. In other words, which Statewide Strategy Goals are being addressed during this performance period? In order to continue to receive funds under this grant, all jurisdictions must meet the following criteria:

1. **Planning (minimum grant requirements must be met)** – You must develop/update/revise a minimum of three (3) planning products during the year. The mandatory plan component developments/revisions for this year are:
 - a. Review and update the Threat and Hazard Identification and Risk Assessment (THIRA), based on the most current guidance for this assessment.
 - b. Review and make recommendations for updates to local emergency operations plans based on the *Evaluation Matrix for Compliance with CPG 101 v.2*, released in May 2011. See link below: www.fema.gov/pdf/about/divisions/npd/CPG_101_V2.pdf.
 - c. Prepare and submit revisions to the local emergency operations plan, based on the **top two priorities identified in the CPG 101 v.2 review above and/or in the local jurisdiction Threat and Hazard Identification and Risk Assessment (THIRA) for 2016**. Submissions to be made via HSIN, as the revisions are completed.

Further, all applicants must revise their local Emergency Operations Plans every two years, or as otherwise required.

All planning component documents must be submitted via the HSIN WV-EM Portal.

NOTE: Pen-and-ink corrections are no longer accepted.

2. **Organizational** – The jurisdiction **must** employ either a full-time or part-time paid emergency services director. Substantial organizational costs relating to emergency management functions may be reimbursed under this portion of the grant. Each participating jurisdiction **must** have internet access and email support and **must** actively participate in the State's electronic emergency management system. Each participating jurisdiction **must** have a designated and equipped emergency operations center and **must** ensure that emergency management contact information is regularly updated and provided to WVDHSEM.

EMPG funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management. **NOTE: All personnel for whom salary reimbursement will be requested MUST be listed on Page 3-2 of the Application Package** Proposed staffing activities should still be linked to achieving goals outlined in the EMPG Project Narrative. In accordance with W. Va. Code Chapter 15-5-15, all emergency services staff must have undergone criminal background checks. All EMPG-funded jurisdictions will be required to submit weekly Jurisdiction Situation Reports via E Team and are due not later than

Project Narrative Instructions
Page 7 (Continued)

Tuesday of each week. Such reports will include, at a minimum, current operational status, current and following week significant activities, exercises, and training events.

NOTE: *WVDHSEM will publish a schedule for E Team Training environment report submissions, in addition to the weekly Jurisdiction Situation Reports above. These requirements apply to all personnel in positions fully or partially funded using EMPG funds.*

Further, local directors **MUST** be either paid full-time or, if paid part-time, provide proof of other funding sources before other funding is approved for projects or equipment. In addition, local jurisdictions with paid part-time directors **MUST** allow sufficient time to the director to complete all requirements under this grant, including training, exercises, planning, and emergency response operations.

At a minimum, weekly Jurisdiction Situation Reports and other designated reports, must be entered into E Team and include a brief situation summary for the jurisdiction as of the report time. In addition, all emergency management incidents must be entered in a timely manner. Familiarity with E Team is essential as it will be the primary means of making Requests for Assistance to the State. Failure to do these weekly reports could result in suspension of funding.

3. **Equipment** – The jurisdiction **must** submit an itemized list of equipment to be purchased under this grant. All equipment purchase listings **must** include brief justification for the individual items or systems and describe how the equipment will assist the jurisdiction to meet specific goals and objectives contained in the West Virginia State Homeland Security Strategy Goals and Objectives. ALL equipment included **must** be on the AEL and purchases **must** be prior-approved by WVDHSEM.
4. **Training** – FY 2017 EMPG Program funds may be used for a range of emergency management-related training activities to enhance the capabilities of State and local emergency management personnel and the local community through the establishment, support, conduct, and attendance of training. Training activities should align with the current Multi-Year Training and Exercise Plan (TEP) developed through an annual Training and Exercise Planning Workshop (TEPW). Training should foster the development of a community oriented approach to emergency management that emphasizes engagement at the community level, strengthens best practices, and provides a path toward building sustainable resilience.

There are three requirements under the Training portion of EMPG beginning with 2017. These requirements are shown below.

Requirement 1 – Public Education/Information

Option 1 – Conduct 24 hours of appropriate hazard awareness activities for local citizens during the fiscal year. Examples of such activities include:

- Conducting a preparedness workshop for local/county residents;
- Briefing at civic groups on local hazards and appropriate response activities; or
- Conducting hazard awareness and response training in schools.

Option 2 – Prepare and distribute, or arrange for distribution of, emergency-related public information materials that reach at least 50 percent of the county. Examples of such activities include:

- Arranging for flood preparedness and response information to be included on utility bills;
- Publishing emergency preparedness information in the local telephone directory; or
- Preparing an emergency preparedness calendar that is distributed throughout the county.

Required Documentation

Option 1 – Describe your activities, including date, location, and length of the activity. Documentation may include sign-in-rosters, newspaper articles describing the activities you conducted, or similar

Project Narrative Instructions Page 7 (Continued)

materials. Agencies are expected to maintain documentation to support these training or public education activities on file.

Option 2 – Attach copy of the public information materials you distributed with the annual Performance Measures submission to show completion of the requirement. A description of the materials, including the approximate number distributed, when, and how they were distributed must be included.

Example: Conducted a hazard awareness presentation at a town meeting, or at a local/county school, and sent out a hazard awareness pamphlet in all utilities bills.

Additional Requirement Clarification

If you chose "Option 1", you must describe your activity, the date of your activity, and the length of the activity. The total hours of activities must equal at least 24 hour during the fiscal year.

If an educational activity is broadcasted on multiple occasions, only the date of the original broadcast counts toward the required 24 hours of hazard awareness activities.

If you chose "Option 2", attach a copy of the materials you distributed to the annual Performance Measures submission.

Requirement 2 – Training for Emergency Management Personnel

All EMPG funded personnel identified on your Application must complete the Professional Development Series (PDS) courses; IS 120.a, IS 230.d, IS 235.b, IS 240.b, IS 241.b, IS 242.b, IS 244.b, and IS 247.a and must provide certificates for proper approval.

AND

NIMS training; ICS 100, ICS 200, IS 700, and IS 800 if not currently complete.

NOTE: Personnel only are required to complete the above training once, but are required to maintain proof of completion in local records and available for inspection.

Professional development is an on-going process. If you have already completed the PDS and NIMS training requirements, **Emergency Management staff must complete one Emergency Management related course** through DHS (NTED courses), Center for Disease Control and Prevention (CDC), Emergency Management Institute (EMI), or WVDHSEM. The training may be completed online or classroom instruction. The West Virginia training database is available online at www.onlinelearning.wv.gov/dmaps6 or FEMA Independent Study catalog <http://training.fema.gov/IS/>.

Additional Requirement Information

A copy of the course completion certificate for all training claimed must be attached to the annual Performance Measures submission. If course(s) registration was facilitated through the WVDMAPS training database, a student transcript can be submitted in lieu of a course completion certificate.

Non-emergency management professional certification training will not fulfill the requirements for EMPG training. Attending conferences, staff meetings, community meetings, etc., does not fulfill the requirements under Requirement 2.

Project Narrative Instructions Page 7 (Continued)

Requirement 3 – Emergency Management Training for Other Personnel

Conduct a local emergency management training program for local elected officials, department heads and their staffs, other local/county officials, and support agencies, or arrange for these individuals to participate in emergency management training offered by WVDHSEM. This training should strengthen the capabilities of local/county governments. Each program should have sufficient detailed information to describe and quantify the nature of all training provided.

Please report training accomplishments in the annual Performance Measure submission. Include sufficient identifying information on the progress report, i.e., course title, date, number and description of participants.

A copy of the training schedule and record of participants must be maintained by the county agency for a minimum of three years for audit purposes.

Additional Requirement Clarification

The information provided for the class description should be sufficient to identify who received the training, e.g., elected officials, Principals, etc.

Training information reported for Requirement 2 does not fulfill the requirements of Requirement 3.

5. Exercises –

Exercises must be designed to test some portion of the local emergency operations plan. All exercises will be developed, administered and documented using the Homeland Security Exercise and Evaluation Program (HSEEP) methodology. Exercises can be, and are recommended to be, developed and administered at a multi-jurisdictional and multi-discipline level. All exercises ***MUST*** utilize NIMS Concepts and Principles and ***MUST*** be designed, developed, conducted and evaluated in accordance with HSEEP. Further detailed information on HSEEP can be found at: <https://www.preptoolkit.org/web/hseep-resources>. Exercise activities should generally align to priorities outlined in the current Training and Exercise Plan (TEP). Currently scheduled Exercises can be found on the HSIN exercise page at: <https://hsin.dhs.gov>. As required in the 2017 EMPG Guidance, ***ALL*** employees in positions partially or fully funded by EMPG funds ***MUST*** participate in a minimum of three (3) exercises in a 12-month period. This includes support staff such as administrative assistants or secretaries.

OBJECTIVE(S)

Specific statements of desired achievement, which reflect project emphasis. Objectives should be clearly qualified, time-framed and measurable terms of planned levels of project performance to be achieved. The results of objectives must be specific, not general, and must be recognizable and understandable. **It is extremely important to realize that objectives must be achievable and feasible within the specific performance period of this grant.** Carefully communicate and relate the objective(s) back to the objectives in the West Virginia State Homeland Security Strategy Goals and Objectives. In other words, which State Homeland Security Strategy objectives are being addressed?

IMPLEMENTATION (Key Activities/Milestones)

Describe the major activities necessary to implement the project including an operational schedule for the project. This should incorporate specific activities, services, and procedures to be followed, and how achievement will be documented. For extremely comprehensive projects, a milestone chart is recommended which provides a clear time-line estimating the time necessary for each phase of this project. This is a very important tool used to organize data into categories for follow-up purposes measuring the "What", "Where", "Who", "When" and "How" for each objective. The information placed in this chart can be used as a management tool to monitor progress.

PROJECT ASSESSMENT / EVALUATION

Specify the indicators and measures to be used to assess the results of this project.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT PROJECT NARRATIVE

PAGE 8

See Attached Sheets!

See Attached Sheets!

*** Use additional blank pages as necessary. ***

Jefferson County, WV Narrative

Purpose: The purpose of the Emergency Management Planning Grant is to enhance the local jurisdiction by assisting in the development and maintenance of an emergency management program. Jefferson County has a comprehensive emergency management program that meets all criteria for this grant, as listed below.

Requirements:

Planning: Jefferson County will review and update its THIRA (Threat Hazard Identification & Risk Assessment) using the "Whole Community" approach to the planning process, engaging various stakeholders throughout the process. This will include utilizing LEPC meetings, planning meetings, one-on-one discussions, as well as, reviewing previous AARs and Improvement Plans. All criteria for the THIRA will be met and entered in to the WVDHSEM's Survey Monkey Tool, as requested.

The Emergency Operations Plan will be updated, based upon the findings of the CPG-101 evaluation matrix, and other information gained through "whole community" stakeholder participation. The annexes for review and update in 2017 include: ESF:15-External Affairs (formerly Annex C, Public Information); ESF 7-Logistics Management and Resource Support (formerly Annex G: Resource Support); SPT:7: Volunteer Management (formerly Annex P-Spontaneous Volunteers); SPT:8-Donations Management (formerly Annex Q-Donations Management), also changes from Annexes to Emergency Support Functions will be made. The following documents will be submitted via HSIN WV-EM Portal: 2017 THIRA, 2017 CPG-101 Evaluation Matrix, 2017 EOP (Emergency Operations Plan). The ETEAM tracker is kept by WVDHSEM. All staff members paid with EMPG funding will complete all ETEAM tracker requirements throughout the year.

Organizational:

Jefferson County employs a full time director, a full time Deputy Director/Planner/Program Manager, and a full time administrative assistant/public information officer/volunteer coordinator. All staff has successfully passed a background investigation, has been sworn in per WV State Code 5-15-5, and each has been issued a state PIV-I Credential. We are all users of ETEAM, HSIN, we do have internet access, email support, and we use ETEAM during actual events, exercises, as well as, for weekly and monthly reporting requirements. We do have a designated and equipped emergency operations center and we do update our emergency management contract information regularly and provide that information to the state EOC.

Equipment:

Equipment requested under this grant includes the following:

A dry erase Command Board for the Emergency Operations Center. This will allow for at-a-glance knowledge of those coming into the EOC who is in what position and react accordingly. Additionally, position vests and flags for the EOC for the same justification. A mobile charging station is purchased for

the IPADS that are used for damage assessment. This allows us to keep all of the equipment charged and at the ready for deployment. Software contracts are also needed for the EOC and day-to-day Emergency Management for NIXLE, our alert notification system, Orion Damage Assessment software, and CERVIS, which helps us with volunteer management.

Training:

Requirement 1-Public Information: We will complete at least 24 hours of training for the community this year, to include winter weather hazards training, Disaster Ready Kids training, having a booth for 7 days at the Jefferson County Fair, Disaster Preparedness for Senior Citizens and activities within our annual Program for Public Information.

Requirement 2-Training for Emergency Management Personnel

All JCHSEM staff has completed all required NIMS training and the FEMA Professional Development Series. All staff has completed IPAWS training. All emergency management staff will complete at least one required training during the year.

Requirement 3: We will have the G-402 course for Public Officials brought to our County for local officials training.

Exercises: Jefferson County will participate in the WV Homeland Security Region 3 Exercise Series: Shaky Ground (Planning Meetings, TTX, FE, FS, and AAR/IP meetings). Additionally, they will participate in the LEPC's School Bus Accident Table Top Exercise, as well as any additional opportunities that may present themselves. All of these exercises are HSEEP-compliant and an AAR/IP is developed for them.

Objectives:

Jefferson County has a comprehensive emergency management program that is a jurisdiction-wide system that provides for management and coordination of preparedness, response, recovery, and mitigation activities for all hazards. The system encompasses all organizations, agencies, departments, entities, and individuals responsible for emergency management and homeland security functions, including the County, as well as, all municipalities. Over the course of this grant period, Jefferson County HSEM will employ a full time staff to accomplish its mission. We will continue to build partnerships, further institutionalizing the whole community concept model of emergency management.

We have many opportunities for businesses and individuals to get involved, including the various committees that we have: Steering Committee (which also acts as the EM Advisory Committee and the Citizen Corps Committee), Public Awareness, Education and Training Committee; Partnership and Volunteer Development Committee, Risk Assessment and Mitigation Planning Committee, Counter Terrorism Committee, and ad hoc committees that serve a special purpose, such as the Community Rating System Committee of the National Flood Insurance Program.

We will provide many training opportunities within the jurisdiction, including ETEAM training for the staff and volunteers who use it, Jefferson County EOC training for those who serve in any capacity within our EOC, Cyber Coordination training and exercise, G-402 for our elected and senior officials, winter weather preparedness, Skywarn Stormspotter training, and we will participate in community-based

events such as the Jefferson County Fair, and Bark in the Park, along with staff presentations with our Disaster Ready Kids Program and Senior Center presentations.

Implementation:

Committee meetings are held either monthly, bi-monthly or quarterly, depending upon the meeting.

Planning: We will update annexes within our EOP, based upon the CPG-101 evaluation matrix, update our THIRA and submit it to the state, participate in a number of public preparedness programs and send information out through social media and our on-line newsletter.

Project Assessment/Evaluation:

We will evaluate the progress of this grant and activities throughout the year and at the end of the grant period, assess our results.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT SPECIAL CONDITIONS AND
ASSURANCES

PAGE 9

This program is conditioned upon and subject to compliance with the following Special Conditions and Assurances. By attaching a signature to page one (1), item ten (10), of this grant application, the applicant certifies and assures that it will comply with the following Special Conditions and Assurances, Regulations, Policies, Guidelines and Requirements of WVDHSEM, as further clarified in the Administrative Manual for this program; U.S. Department of Homeland Security; and all other relevant Federal/State Regulations, Policies and Guidelines. These Special Conditions and Assurances apply to all EMPG federal and matching funds expended for purposes associated with this project.

All correspondence to the WVDHSEM, which is required and/or occurs as a result or action of any of the following Special Conditions and Assurances, or as a result of the administration of any WVDHSEM grant program, should be addressed to:

WV Division of Homeland Security and Emergency Management
ATTN: 2017 EMPG
1900 Kanawha Blvd., East Capitol Complex
Building 1, Room EB-80
Charleston, WV 25305

1. LAWS OF WEST VIRGINIA:

This application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by WVDHSEM. In accordance with W. Va. Code Chapter 15-5-15, all emergency services staff must have undergone criminal background checks.

2. LEGAL AUTHORITY:

The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

3. RELATIONSHIP:

The relationship of the sub-grantee to the WVDHSEM shall be that of an independent contractor, not that of a joint enterprise. The sub-grantee shall have no authority to bind the WVDHSEM for any obligation or expense without the express prior written approval from WVDHSEM.

4. OPERATIONAL WITHIN 90 DAYS:

If the project is not operational within 90 days of the specified project starting date, the grantee must submit a statement to WVDHSEM explaining the delay in implementation. Upon receipt of the 90-day letter, WVDHSEM may cancel the project and redistribute the funds to other project areas and/or eligible applicants.

5. WRITTEN APPROVAL OF CHANGES:

The sub-grantee must obtain prior written approval from WVDHSEM for all project changes (programmatic, fiscal or otherwise). Additionally, any budget revisions greater than 10% in aggregate must be approved by WVDHSEM.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT SPECIAL CONDITIONS AND
ASSURANCES

PAGE 10

6. CIVIL RIGHTS COMPLIANCE:

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq.
Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794
Title IX of the Education Amendments of 1972, as amended, 20 U.S.C 1681 et seq.
The Age Discrimination Act of 1975, as amended, 20 U.S.C. 6101 et seq.
Americans with Disabilities Act of 1990 (ADA): All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101-12213).

7. PRESS RELEASE:

Release of information pertaining to this sub-grant must include the following information:

1. grant amount;
2. State involvement (WV Division of Homeland Security and Emergency Management, WVDHSEM); and,
3. Federal involvement (U.S. Dept. of Homeland Security), along with the name of the Federal Source (EMPG) including the CFDA # 97.042

8. COMPLIANCE WITH FEDERAL RULES AND REGULATIONS::

Sub-grantee will comply with Title 2, Part 200 of the Code of Federal Regulations (Super Circular). The Super Circular supersedes Circulars A-21, A-87, A-89, A-102, A-110, A-122, A-133.

9. ACCESS TO RECORDS and EQUIPMENT:

WVDHSEM, through any authorized representative, shall have access to and the right to examine all records, books, papers, documents, and equipment related to the sub-grant and to relevant books and records of contractors.

10. CONFLICT OF INTEREST:

No public official or employee of the sub-grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can be expected to result in any benefit to that individual or that individual's immediate family.

11. POLITICAL ACTIVITY:

The restrictions of the Hatch Act, Pub. L. 93-433, 5 U.S.C. Chapter III, (as amended), concerning the political activity of government employees are applicable to state grantee staff members and other state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by Title I grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns, except they may not be candidates for office.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT SPECIAL CONDITIONS AND
ASSURANCES

PAGE 11

12. RELEASE OF INFORMATION:

All records, papers and other documents kept by recipients of grant funds are required to be made available to WVDHSEM. These records and other documents submitted to WVDHSEM and its grantees, including plans and application for funds, reports, etc., are subsequently required to be made available to the U.S. Department of Homeland Security under the terms and conditions of the Federal Freedom of Information Act, 5. U.S.C. §552.

WVDHSEM recognizes that some information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under federal control is subject to requests made pursuant to the Freedom of Information Act, 5. U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the Federal Division of Homeland Security FOIA Office, and may likely fall within one or more of the available exemptions under the Act.

Sub-Grantees must consult applicable state and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive in nature. Applicants may also consult the WVDHSEM regarding concerns or questions about the release of potentially sensitive information under state and local laws.

13. NATIONAL AND STATE EVALUATION EFFORTS:

The Sub-grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

14. OBLIGATION OF PROJECT FUNDS:

Funds may not, without prior written approval from WVDHSEM, be obligated prior to the effective start date or subsequent to the termination date of the project period.

15. USE OF FUNDS:

Funds awarded through WVDHSEM may be expended **ONLY** for the purposes and activities specifically covered by the sub-grantee approved project description and budget. Further, this applies to funds awarded through budget revisions by WVDHSEM.

16. COMPLIANCE WITH FEDERAL PROCEDURES:

Sub-grantee agrees to comply with all requirements as set forth in the Financial Guidance which governs this program.

17. ALLOWABLE AND UNALLOWABLE COSTS:

Allowable and unallowable costs incurred under this grant shall be determined in accordance with the Super Circular.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT SPECIAL CONDITIONS AND
ASSURANCES

PAGE 12

18. NON-SUPLANTING:

Federal funds must be used to supplement existing funds for program activities and may not replace (supplant) non-Federal funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from Federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The sub-grantee hereby certifies that Federal funds made available under this grant will not be used to supplant state and local funds. Approved full-time positions must hire an additional individual to "backfill" the position.

19. MATCHING CONTRIBUTION:

If matching funds are allocated, the applicant assures that those funds shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Cash matching contributions are subject to the same expenditure guidelines established by WVDHSEM and the U.S. Department of Homeland Security for this grant program. All sub-grantees must maintain records that clearly show the source, the amount and the timing of all cash matching contributions. There is no waiver provision for any cash match requirements.

20. PROJECT INCOME:

All income earned by the sub-grantee as a result of the conduct of this project, must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by WVDHSEM and the U.S. Department of Homeland Security for this grant program. All sub-grantees must maintain records that clearly show the source, the amount and the timing of all project income. There is no waiver provision for the project income requirement.

21. CONSULTANT FEES:

Approval of this sub-grant does not necessarily indicate an approval of specific consultant rates. Please discuss rates with WVDHSEM.

22. SUSPENSION OF FUNDING:

WVDHSEM may suspend, in whole or in part, terminate, or impose other sanctions on any sub-grantee funds for the following reasons:

- Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program;
- Failure to submit reports;
- Filing a false certification in this application or in another report or document; or,
- Other just cause.

23. SANCTIONS FOR NONCOMPLIANCE:

In the event of the sub-grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, WVDHSEM shall impose such contract sanctions, as it may deem appropriate, including but not limited to:

- Withholding of payments to the sub-grantee until the sub-grantee complies;
- Cancellation, termination or suspension of the contract, in whole or in part; or,
- Refrain from extending any further assistance to the sub-grantee until satisfactory assurance of future compliance has been received.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT SPECIAL CONDITIONS AND
ASSURANCES

PAGE 13

24. SUBMISSION/RELEASE OF PROPOSED PUBLICATIONS:

The sub-grantee shall submit one copy of all reports and proposed publications resulting from this agreement to WVDHSEM twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements:

"This document [product] was prepared under a grant from the United States Department of Homeland Security, and the WV State Homeland Security State Administrative Agency. Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security, nor the WV State Homeland Security State Administrative Agency."

25. PROPERTY ACCOUNTABILITY:

The sub-grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a sub-grant by WVDHSEM. This obligation continues as long as the property is retained by the sub-grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from WVDHSEM. Sub-Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program, with copies provided to the WVDHSEM. The WVDHSEM reserves the right to inspect and review any equipment purchased with this sub-grant.

26. REPORTS:

Each subgrantee shall submit such reports as WVDHSEM shall deem reasonably necessary to the execution of monitoring, stewardship and evaluation of programmatic and fiscal responsibilities.

Programmatic Reporting: Sub-Grantees must complete and remit for PLANNING to WVDHSEM the requirements shown on PAGE 7. Sub-Grantees must complete and remit for TRAINING to WVDHSEM 40 hours of training as identified PAGE 7 CONTINUED. Sub-Grantees must complete and remit for Exercise to WVDHSEM. EXERCISE OBJECTIVES AS OUTLINED ON PAGE 7 CONTINUED.

Financial Reporting: Sub-Grantees MUST submit to WVDHSEM complete requests for reimbursements with all backup documentation. Sub-Grantees must include signed equipment list, financial recap sheets, form 85-20, and all relevant documentation for your requests. Instructions will be provided separately.

27. PURCHASING:

When making purchases relevant to the sub-grant, the sub-grantee will, at a minimum, abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government.

28. PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:

Sub-Grantee acknowledges that WVDHSEM, and subsequently the U.S. Department of Homeland Security; reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support. Sub-Grantee agrees to consult with the WVDHSEM regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT SPECIAL CONDITIONS AND
ASSURANCES

PAGE 14

29. Environmental & Historic Preservation (EHP)

Subgrantee shall comply with all applicable Federal, State, and local EHP requirements and shall provide any information requested to ensure compliance with applicable laws.

30. INFORMATION SYSTEMS & COMMUNICATIONS EQUIPMENT

The grantee agrees:

- a. That all computer programs (software produced under this grant) will be made available to WVDHSEM for transfer to authorized users in the criminal justice/homeland security community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
- b. To provide a complete copy of the computer programs and documentation, upon requests, to WVDHSEM. The documentation will include, but not be limited to, system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
- c. That whenever possible all application programs will adhere to Open Database Connectivity format for use on general operating systems that can be utilized on at least three different manufacturers of computer hardware with similar size and configuration capabilities.

With respect to communications initiatives and equipment, the sub-grantee agrees to the following:

Communications equipment is required to be compatible with the SAFECOM P25 trunked radio hierarchy and the WV State Interoperable Radio Network. In accordance with West Virginia Code, all communications equipment requests must be reviewed and approved by the Statewide Interoperability Coordinator.

31. TIME EXTENSIONS:

In general, time extensions for this program are unallowable. Unexpended sub-grant funds remaining at the close of the sub-grant period shall be deobligated.

32. USE OF GRANT FUNDS TO ENACT LAWS, POLICIES, ETC.:

Sub-Grantee understands and agrees that it cannot use any sub-grant funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT SPECIAL CONDITIONS AND
ASSURANCES

PAGE 15

33. PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:

If an audit must be conducted pursuant to the Super Circular, a copy of the audit shall be submitted to SAA as well as to the Federal clearinghouse.

As of 10/1/04, the Federal clearing house is as follows:

Federal Audit Clearinghouse
Bureau of the Census
1201 E. 10th Street
Jeffersonville, IN 47132

34. PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:

- I.) Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended, sets forth the audit requirements of corporations, associations or other organizations which receive state funds or grants. These audit requirements do not apply to units of local and state government. If applicable, this grant shall adhere to the audit requirements set forth in §12-4-14 at the time of award. All funds disbursed by SAA are appropriated by the WV Legislature; therefore all funds disbursed by the WVDSHEM are considered state funds. The WVDSHEM will notify the Legislative Auditor when a sub-grant is awarded which falls under the requirements of the WV Code.

As of 9/13/05, the requirements set forth by §12-4-14 are as follows: Any corporation, partnership, association, individual or other legal entity (not to include a state spending unit or a local government as defined in § 6-9-1a of the West Virginia Code, as amended) which receives one or more state grants or sub grants in the amount of \$50,000 or more in the aggregate in a state fiscal year shall file with WVDHSEM a Report of the disbursement of these state funds. An OMB A-133 Audit or an audit conducted by a certified public accountant may be substituted for the Report. The Report shall be filed within two years of the end of the fiscal year in which the grant or subgrant closes. The Report shall be made by an independent certified public accountant and the scope of the Report is limited to showing how the state grant or subgrant funds were spent. The Report does not have to be a full-scope audit or review of the entity receiving state funds. Any entity failing to file a required Report is barred from subsequently receiving state grant or subgrant funds until the Report is filed and is otherwise in compliance with the provisions of West Virginia Code. If a Report is not required under this section of the WV Code then the grantee or sub-grantee shall file with SAA a sworn statement of expenditures made under the grant or sub-grant.

The Sub-Grantee assures that it has read, understands and is in full compliance with all requirements as set forth in Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with this section of the West Virginia Code, as amended.

WEST VIRGINIA
Division of Homeland Security and
Emergency Management (WVDHSEM)

2017 EMPG
PROGRAM

SUB-GRANT SPECIAL CONDITIONS AND
ASSURANCES

PAGE 16

35. EQUAL EMPLOYMENT OPPORTUNITY PLAN:

Each sub-grantee certifies that it has executed and has on file, an Equal Employment Opportunity Plan.

36. VETERANS PREFERENCE:

This program includes a provision that grantees utilizing funds to hire additional personnel give suitable preference in employment to military veterans. WVDHSEM defines "suitable preference" as the requirement that a sub-grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.

37. IMMIGRATION AND NATURALIZATION VERIFICATION:

The sub-grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of Federal funds to verify that employees are eligible to work in the United States.

38. PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:

It is the sense of the Congress, as conveyed through the FY 1997 Appropriations Act that, as well as the desire of WVDHSEM, to the greatest extent practicable, all equipment and products purchased with Federal funds made available under this grant should be American-made.

39. PERSONNEL TRAINING:

For projects involving payment of personnel or overtime pay, the WVDHSEM reserves the right to require training as a condition of the sub-grant before or at any time during the project period. Proof of training/certification on grant funded equipment must be provided, if applicable.

40. ACCOUNTING REQUIREMENTS:

Sub-Grantee agrees to record all project funds and costs following generally accepted accounting procedures. A unique account number or cost recording must separate all project costs from the sub-grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material, as defined in the pertinent Administrative Manual, must be retained and be available for audit purposes.

41. OFFICE OF GRANT OPERATIONS FINANCIAL GUIDE:

Sub-grantee agrees to comply with all requirements as set forth in the Financial Guidance which governs this program.

42. EQUIPMENT:

Sub-Grantees purchasing equipment with grant funds are required to adhere to the established bidding procedures for their respective units of government and or agencies. All equipment must have a primary function of being used in support the EMPG program.

43. MARKING OF EQUIPMENT AND PUBLICATIONS:

Sub-Grantee will ensure that, when practicable, any equipment purchased and publications produced with grant funding shall be prominently marked as follows: "Supported with funds provided by the U.S. Department of Homeland Security and WVDHSEM."



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification, and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default, and

B. Where the applicant is unable to certify to any of the statements in this certification he or she shall attach an explanation to this application

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant the employee will—

(1) Abide by the terms of the statement, and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended, or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

Approved by OMB
0348-0046

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known:	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI): (attach Continuation Sheet(s) SF-LLLA if necessary)	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): (attach Continuation Sheet(s) SF-LLLA if necessary)	
11. Amount of Payment (check all that apply): \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	13. Type of Payment (check all that apply): <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____	
12. Form of Payment (check all that apply): <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____		
14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11: (attach Continuation Sheet(s) SF-LLLA, if necessary)		
15. Continuation Sheet(s) SF-LLLA attached: <input type="checkbox"/> Yes <input type="checkbox"/> No		
16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev 7-97)

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLLA Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLLA Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

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

Department or Entity: Emergency Communications

Estimation of amount of time needed for appointment: 1 Minute

Date Requested – 1st Choice: 11/16/2017

Date Requested – 2nd Choice: _____

Subject: **Request Grade/Status Change – Full-Time Public Safety Dispatcher**

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

The purpose of this memorandum is to request the approval to return Ms. Brooke Hess to full-time status as a Public Safety Dispatcher.

Ms. Hess was previously a tenured full-time public safety dispatcher, radio programmer, and communications training officer. She resigned her full-time position in October 2015 to care for her newborn infant however; she maintained employment as a part-time Public Safety Dispatcher continuing duties of radio programming, training and working shifts in the ECC as a fully trained public safety dispatcher. She returned to full-time employment in the summer of 2016 however, dropped back to part-time in January 2017 where she has maintained her training requirements and shift duties.

Ms. Hess has asked for reinstatement back to full-time employment and can fill one of the three current vacancies. ECC policy allows for reinstatement of employment to paygrade/benefits/seniority rights (minus the time away from the ECC) if employment is sought within one calendar year. Ms. Hess is in excellent standing with the ECC and is fully qualified and eligible to return to full time employment.

Ms. Hess is seeking to return in mid to late December and will fill an immediate need of shift coverage.

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

Motion to approve and reinstate Public Safety Dispatcher Brooke Hess from part-time to full-time employment.

Attachments:

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

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

Department or Entity: Emergency Communications

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: November 16, 2017

Date Requested – 2nd Choice: _____

If a specific date is needed, please provide reason for specific date: *Timing in regards to filling vacancies in the schedule*

Subject: **Aisha Hite & Julianne Wiegand – Full-Time Public Safety Dispatcher II**

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

The purpose of this memorandum is to fill two current vacancies of authorized full-time positions. The ECC currently has vacancies in its authorized staff strength due to the resignations of two trainee's.

Both Ms. Aisha Hite and Ms. Julianne Wiegand have passed the initial phases of the hiring process and are recommended for hire as Public Safety Dispatchers. Ms. Hite recently relocated to Jefferson County and has experience in customer service management positions. Ms. Wiegand graduated with a Bachelor's of Science degree from WVU and is currently working in a customer service role. These candidate's will begin at Grade III Step A with an increase to Step B after completion of full training and release from the training academy.

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

Motion to approve the full-time employment of Aisha Hite and Julianne Wiegand as Full-Time Public Safety Dispatchers with subsequent step increases after completion of training.

Attachments:

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Roger Goodwin
Department or Organization: Engineering, Planning & Zoning

Estimation of amount of time needed for appointment: 5 minutes
Date Requested – 1st Choice: November 16, 2017
If a specific date is needed, please provide reason for specific date: [Click here to enter text.](#)
Date Requested – 2nd Choice: [Click here to enter text.](#)

Subject (*Wording to be placed on agenda*): Two Bond Release requests for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26)

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

1. Complete release of Irrevocable Letter of Credit #680099142 with Bank of America, N.A., Scranton, PA construction bond security for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26) which has been re-secured with Irrevocable Letter of Credit #70002746 with SunTrust Bank, Vienna, VA.
2. Partial release of Irrevocable Letter of Credit #70002746 with SunTrust Bank, Vienna, VA construction bond security for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26).

Is this a funding request? Y/NO
If so, how much? [\\$Click here to enter text](#)

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

1. I authorize a complete release of Irrevocable Letter of Credit #680099142 with Bank of America in the amount of \$747,264.00 construction bond amount for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26).
2. I authorize a partial release of \$445,344.00 from the construction bond agreement with SunTrust Bank for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26). The remaining amount to remain in the Letter of Credit is \$301,920.00.

Attach supporting documents for request, or request may be denied:

Construction Bond Release Letter

Bond Release Request Report

Site Map

Is equipment needed? Projector Y/NO Internet/Wi Fi Y/NO Telephone for conference call Y/NO

Contact information:

Email address: engineering@jeffersoncountywv.org Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text](#)



JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT
Peter Onoszko

November 16, 2017

VICE PRESIDENT
Jane Tabb

Mr. John Wyzeik
Bank of America, N.A.

COMMISSIONER
Josh Compton

One Fleet Way
PA6-580-02-30
Scranton, Pennsylvania 18507-1999

COMMISSIONER
Caleb Hudson

RE: Irrevocable Letter of Credit #68099142 dated September 20, 2013
Construction Bond Surety for DR Acquisitions, LLC - Sheridan Estates
Subdivision, Phases 1 & 2 (Files #00-33 & #05-26).

COMMISSIONER
Patricia Noland

Dear Mr. Wyzeik:

The Jefferson County Commission authorizes a complete release of \$747,264.00 from the construction bond amount for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26). This project is located on the north side of Route 340/13-Shipley School Road and U.S. Route 340 at 0.10 miles east of Shepherdstown Pike-Route 230.

The construction bond agreement has been secured with Letter of Credit #70002746 from SunTrust Bank, Vienna, VA.

The work remaining includes but is not limited to the following:

1. Paving
2. Completion of sewer system
3. Miscellaneous site construction
4. Final stabilization

In summary, you are hereby authorized to fully release the above referenced Irrevocable Letter of Credit #68099142, originally issued in the amount of \$1,026,366.51. Please contact the Engineering Department at (304)-728-3257 if you have any questions.

Sincerely,

Peter Onoszko, President
Jefferson County Commission

WP:rfb

cc: Matthew Powell, Director of Land
Dan Ryan Builders
10212 Governor Lane Blvd.
Williamsport, MD 21795
Department of Engineering

County Administrator
Stephanie Grove

Deputy County Administrator
Sandy Shisher McDonald



JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT
Peter Onoszko

November 16, 2017

VICE PRESIDENT
Jane Tabb

Ms. Sandra Bosley, Vice President
SunTrust Bank

COMMISSIONER
Josh Compton

ATTN: Letter of Credit and Trade Services, GA ATL-3707
8330 Boone Blvd.
Suite #820

COMMISSIONER
Caleb Hudson

Vienna, Virginia 22182

COMMISSIONER
Patricia Noland

RE: Irrevocable Letter of Credit #70002746 dated September 29, 2017
Construction Bond Surety for DR Acquisitions, LLC - Sheridan Estates
Subdivision, Phases 1 & 2 (Files #00-33 & #05-26).

Dear Ms. Bosley:

The Jefferson County Commission authorizes a partial release of \$445,344.00 from the construction bond amount for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26). This project is located on the north side of Route 340/13-Shipley School Road and U.S. Route 340 at 0.10 miles east of Shepherdstown Pike-Route 230.

The work remaining includes but is not limited to the following:

1. Paving
2. Completion of sewer system
3. Miscellaneous site construction
4. Final stabilization

In summary, you are hereby authorized to reduce the amount of the above referenced Irrevocable Letter of Credit, originally issued in the amount of \$747,264.00 to \$301,920.00. Please contact the Engineering Department at (304)-728-3257 if you have any questions.

Sincerely,

Peter Onoszko, President
Jefferson County Commission

WP:rfb

cc: Matthew Powell, Director of Land
Dan Ryan Builders
10212 Governor Lane Blvd.
Williamsport, MD 21795
Department of Engineering

County Administrator
Stephanie Grove

Deputy County Administrator
Sandy Slusher McDonald

BOND REDUCTION or RELEASE REQUEST - REPORT

Date Received: 06 / 05 / 2017 J.C.P.C. File No. 00 - 33
 (ORIGINAL REQUEST)

Consultant/Engineer/Firm Name: DAN RYAN BUILDERS

Mailing Address: 10212 GOVERNOR LANG BLVD.

City: WILLIAMSPORT State: MD Zip: 21795

Contact Person: MATTHEW POWELL Phone: 290-420-6045

Project/Subdivision Name: SHERIDAN

Section/Phase: _____ Lots: _____

Review Comments:

The bond release (reduction) is Approved as ~~Submitted~~ Revised. The bond release/reduction request is Denied.

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

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

Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL ITEMS SHOWN THE REQUEST APPEAR TO BE COMPLETE
AND THE REQUEST IS IN ACCORDANCE WITH THE UTILITIES
RECOMMENDATION. THE MINIMUM CONTINGENCY OF \$50,000
APPLIES TO THIS REDUCTION

Approved for:	
<u>POVA REDUCTION</u>	
By <u>ARUNA</u>	Date <u>10/16/17</u>
County Engineer	Date

Original Bond Amt. \$ 1,738,198 + 15% Cont. \$ 260,730 = Total Original Bond Amt. \$ 1,998,929

Total Current Bond Amount \$ 747,264.00

Cost of Work Remaining \$ 251,920.00 + Contingency Amount \$ 50,000.00

= Approved for Revised Bond Amount \$ 301,920.00

Reviewed By: JOSEPH W. KENT Title: L.O.I.

Signature: [Signature] Date: 10 / 18 / 2017

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Jefferson County Development Authority Board of Directors Representative**

Department or Organization: **Jefferson County Development Authority**

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

Date Requested – 1st Choice: **November 16, 2017**

If a specific date is needed, please provide reason for specific date: **The WVDO has moved the deadline for LED grant submission to December 1, 2017**

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Resolution of Participation and Cooperation (Local Economic Development Grant Program) – for signature by President of the JCC and County Clerk.**

Please provide the County Commission with a description of your request or presentation, including any background information: **The JCDA is applying for the Local Economic Development (LED) grant of \$21,185 from the West Virginia Development Office. The JCDA is eligible for this grant annually.**

By way of the attached document, the JCC is assuring that matching funds are available from the County. This document needs to be on official JCC letterhead, presented to the JCC for a vote, and signed by the President of the JCC and the County Clerk.

Is this a funding request? Y/N **No**
If so, how much? \$Click here to enter text.

Recommended motion: **Motion to approve the attached resolution of support for the JCDA's application for the Local Economic Development (LED) grant of \$21,185 from the WV Development Office.**

Attach supporting documents for request, or request may be denied.
If not attached, explain: **JCDA Resolution of Support, copy of WVDO correspondence**

Is equipment needed? **No** Projector Y/N **No** Internet/Wi Fi Y/N **No** Telephone for conference call Y/N **No**

Contact information:
Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

**WEST VIRGINIA
CERTIFIED DEVELOPMENT COMMUNITY (CDC)
PROGRAM
RESOLUTION OF PARTICIPATION AND COOPERATION**

Whereas, the governing body of Jefferson County is interested in the economic well-being of its citizenry and the community at-large; and,

Whereas, the governing body is prepared to support appropriate efforts within the community to promote economic development; and;

Whereas, the West Virginia Chamber of Commerce and the West Virginia Development Office sponsor a program that is specifically designed to help West Virginia communities become better prepared for economic development; and

Whereas, The County Commission has consistently funded the Jefferson County Development Authority since 1980, and this year's budgeted amount well exceeds the required \$21,185.00 match; and

Whereas, it is a requirement of the Local Economic Development Grant Program to provide evidence of local match;

THEREFORE, BE IT RESOLVED that the County Commission of Jefferson County wishes to continue its participation in the Certified Development Community Program, and that the leadership of the community fully realizes this program requires dedicated effort; and,

BE IT FUTHER RESOLVED that the program requires the existence of a Local Economic Development Organization, and this governing body designates the Jefferson County Development Authority as representing our community for the purpose of participating in this program.

BE IT FURTHER RESOLVED, that evidence is hereby provided to the West Virginia Development Office that more than sufficient matching funds have been provided to the Jefferson County Development Authority by the Jefferson County Commission.

This resolution is in full effect upon its adoption this 16th day of November, 2017.

Signed: Peter Onoszko, President

Attested: Jacqueline C. Shadle, County Clerk



AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **November 16, 2017**

If a specific date is needed, please provide reason for specific date: Click here to enter text.

Date Requested – 2nd Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): Decision on the proposed Zoning Map Amendment for property designated as Tax District Shepherdstown (09), Map 8, Parcel 8.1 – Rankin Properties, LLC. The Property is currently zoned Residential Growth and a request has been made by the property owner to change to the General Commercial zoning category. Public hearing was held on November 2, 2017 – Discussion/Action

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

Is this a funding request? Y/N Click here to enter text.

If so, how much? \$Click here to enter text.

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

Attach supporting documents for request, or request may be denied.

If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N Click here to enter text. Internet/Wi Fi Y/N Click here to enter text.

Telephone for conference call Y/N Click here to enter text.

Contact information:

Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

Sandra McDonald

From: Benita Keller <benitakellerphoto2000@yahoo.com>
Sent: Sunday, November 12, 2017 11:51 PM
To: JCCInfo
Subject: Please do not rezone property on Kearneysville Pike

I am a born and bred Jefferson County resident growing up in Kearneysville, a graduate of Shepherdstown High School and then Shepherd College. I now live in Shepherdstown or I should say just across the tracks just past O'hurley's. Both of my parents were born in Jefferson County. Please, Please do not rezone this, one of the most beautiful stretches of beautiful landscapes in Jefferson County. Isn't beauty of our county, the country road, the beauty of homes in peaceful landscapes, of trees and pastures worth anything. What's the purpose of zoning in Jefferson County. I thought it was just for this purpose; to keep places in our county that are about the beauty of our state, our county, the quality of where we live and what we see when we drive. What purpose does it serve to have zoning to prevent pop up businesses and then turnaround and rezone to allow a pop up business. And once Pandora's box is open, it's gone. You can never reclaim the beauty of what that area feels like. Drive through there and it's beautiful. Is Jefferson County tourism about come and shop or is it about come and see the beauty of our county. You can not put a dollar value on what it means to have "country". The Route 9 exchange took 15 acres of my family farm on Leetown road and my Mother and my brothers and their children now live at a major exit. My Mother and Father moved us from a new ranch house in Ranson to this farm in 1959 so they could raise us children in the country. Leetown road was one of those beautiful scenic routes but is no longer. But I get it the route 9 dual highway. I get it's reason, but country at my family farm is gone forever. And while I still don't like it, I understand the need. I also have driven, jogged, biked and rode my horse in my 60 years of "going into Shepherdstown" for countless years and miles. I drive it sometimes twice a day now to look after my 85 year old mother who still lives on the family farm in Kearneysville. And I will say it again, that stretch of road on 480 is one of the most beautiful areas of our county which also is one of our "riches" areas; meaning the housing and the land is not under economic hardship such as the area in my home town of Kearneysville. When we invite people to come tour our county, it's areas as this that we are most proud of. While other states are preserving their "country roads," making scenic byways, will we be destroying our "West Virginia Resources of "Country Roads" to yet another a "shopping area." As a photographer, I was invited to photograph the new Appalachia of West Virginia in Jefferson County. I refused because it was not the homes in my economic distressed Kearneysville "they" wanted me to photograph but they wanted to expose a "new" West Virginia that is not bearing economic stress. I think they would mean the beauty of the land and country outside our Historical Town of Shepherdstown. That shows we are a state of beauty and not "depressed" Let's not rape our land and our "country" view or the way of life for the people who are such beautiful stewards of their properties in that area. They and we as a county, as West Virginia, are proud of our land, our scenic byways and country roads. If Rankin Properties wants to do something wonderful for our county and the beauty and economic development of our area. Build a beautiful store on the corner of Kearneysville Pike at the old Route 9 stop light. Make it a "diamond" store but also a beautiful structure that houses a place where people in Kearneysville can buy bread and milk like we use to before it was a sheetz that left due to better financial gain somewhere else. Before Sheetz, it was a little "country" store. But now it's a vacant store that looks bad and makes the neighborhood even more depressed. But the Bank of Charles town is right there and a sweet historical church. A new "shop" would revitalize Kearneysville and bring economic growth to that little area. But we all know why Rankin would never do that. They want to "ride" on the beauty of the area outside of Shepherdstown. They want to think that people will want to "shop" where it's peaceful and beautiful. Rankin wants to make financial gain off of years of everyday people being good stewards of the land. The only person who gains here is just one business person-Rankin. Tourism in Jefferson County wouldn't even benefit from this: what will tourist come to see: the beautiful new diamond store across from Morgan's Grove park nestled along country farms and need family yards and homes. Please Please Please preserve the beauty of our country roads, our country, the visual beauty of what it means to live in Jefferson County. It is priceless.

Sincerely,

Benita Anderson Keller

Sandra McDonald

From: Joseph Spurgas <jspurgas@gmail.com>
Sent: Sunday, November 12, 2017 3:52 PM
To: JCCInfo
Subject: Comments regarding zoning map amendment of Rankin Properties, LLC property tax district Shepherdstown (09), parcel 8.1

I oppose change of this property to the General Commercial zoning category. This location is tremendously important and complicated for numerous reasons that the Shepherdstown Planning Commission has presented to your office.

I urge the County Commission to require the reapplication of the conditional use permit. This would in no way harm the applicant and his potential use of the property.

Thank you. Joe Spurgas

Sandra McDonald

From: Jen Janus <jennjanu@gmail.com>
Sent: Sunday, November 12, 2017 3:26 PM
To: JCCInfo; Vinemont.farm@gmail.com; commissionernoland@gmail.com; jjcompton05@gmail.com; calebHUDSONforjeffersonwv@gmail.com
Cc: Jenn Janus; Than Hitt; Lori Robertson
Subject: comments re: rezoning of space on 480/alt-45

To Whom It May Concern:

As a resident living on Kearneysville Pike (between Morgan Grove and Shepherdstown), I am writing to express my concern about the potential rezoning of the property at the corner of 480 and alt-45.

I have concerns for several different reasons. I will not pretend that some of it is not selfishly motivated. I am not thrilled about the idea of potentially looking out my window at a strip mall, or worse a large commercial building or manufacturing site. I am concerned about what it will do to my property values. I enjoy living in an area that feels rural- it is in part why I chose to move to West Virginia over 10 years ago, and not the Baltimore or D.C. suburbs. I am sure that my neighbors share these misgivings.

I do have other concerns as well. Safety is first and foremost. As I am sure you are aware, a pedestrian path from town to Morgan Grove Park will be built at some point in the next several years. Part of the appeal for that path is that it will connect existing paths along alt-45 and from the Food Lion into town. I predict that pedestrian traffic along the alt-45 path will increase as a result. Building a commercial structure at the intersection (480 and alt-45) will add to the vehicular traffic, both at the intersection and at the turn-off into the business(es) from alt-45, and will increase risk to pedestrians using the path. Furthermore, that intersection is already a complicated one (with multiple left turn lanes, limited visibility of cars coming northeast on Morgan Grove Road, and speeding drivers coming from the south/west on 480) and I also foresee increased car accidents in that area, should an unchecked commercial development increase traffic.

Finally, and most importantly, I also worry that adding additional commercial zoning will diminish the character and financial health of Shepherdstown and the immediate surrounding areas. There is already a large empty store in the complex at Maddex Farm (where the Video Den used to be- ironically right next to the current Christian Caine jewelry store). There are several empty business locations in town. (For example, the former site of Tony's bar, the former site of One Two Kangaroo toy store, a space above the HMart, and soon to be at the site of Beyond Comics.) I don't understand the impetus to increase commercial zoning when there is so much space already available. The longer that spaces sit empty, the more they fall into disrepair and drag down surrounding property values. I also doubt that "if you build it, they will come" is true; a prime example is the ongoing lack of ability of the developers of "Rumsey Green" behind Sheetz (on 45) to secure an anchor business. In short, I have concerns that rezoning will help contribute to the blight from which so many Main Streets currently suffer, and which we in Shepherdstown have been fortunate to avoid to this

point. Shepherdstown's charm is a major driving force behind its substantial tourism industry, and the dollars generated from tourism are in turn a substantial contributor to Jefferson County's financial health.

I am not anti-business. However, I am against gratuitous development that is at high risk of failure, abandonment, and subsequent loss of property values and aesthetic appeal not just for me, but for everyone in the Shepherdstown area. I would hope that if rezoning does go forward, strong protections are put into place to limit the type of businesses that would be allowed, to ensure that nearby property owners are protected should the property fall into dereliction, and to impose the most stringent safety precautions available.

Thank you for your time and your service to the county.

Sincerely yours,

Jennifer Janus

4540 Kearneysville Pike, Shepherdstown

(304) 839-2271

Sandra McDonald

From: Kathy <sweens1205@gmail.com>
Sent: Friday, November 10, 2017 7:51 AM
To: JCCInfo
Subject: Rezoning Morgan Grove

I am a Jefferson County resident and voter. I am opposed to this rezoning:

It lacks protections for nearby residents and landowners, particularly if the parcel is sold after rezoning; (2) A public need for the rezoning has not been demonstrated; and (3) General Commercial development would be incompatible with nearby areas including Morgan's Grove Park

Thanks,
Kathy Lloyd
650 Main Drag Way
Harpers Ferry
Sweens1205@gmail.com
Sent from my iPad

Sandra McDonald

From: hillary banachowski <hillarybanachowski@gmail.com>
Sent: Thursday, November 09, 2017 3:03 PM
To: JCCInfo
Subject: comments on rezoning

We love our small town and local businesses. No strip malls...no re-zoning !!!!!!! What makes this town so special is that we don't have big box stores and strip malls. Please don't sell out.

--

SACRED ROOTS
hillary@sacredrootswv.com
sacredrootswv.com
301.452.2075

Sandra McDonald

From: WebmastervJCC <webmaster@jeffersoncountywv.org>
Sent: Thursday, November 09, 2017 1:17 PM
To: JCCInfo
Subject: Jefferson County Commission, WV: Website Form Notification

A new entry to a form/survey has been submitted.

Form Name: County Commission Contact
Date & Time: 11/09/2017 1:16 PM
Response #: 477
Submitter ID: 3050
IP address: 69.255.117.218
Time to complete: 11 min. , 41 sec.

Survey Details

Page 1

1. Name

Neal Martineau

2. Email

nmartineau@frontiernet.net

3. Questions or Concerns

Before you rezone the property just outside Shepherdstown near Morgan's Grove, please drive to Leesburg to see what happens when a lax county commission has been at work. Leesburg is like Shepherdstown. Both towns are like precious, historic antiques. They are extremely fragile. But Leesburg's officials have allowed it to be strangled by developments on all sides. Friends of mine have told me that house values have been hurt by the developments.. Please don't let that happen to Shepherdstown. It needs your protection.

4. Would you like to receive email notifications from Jefferson County?

Yes

Thank you,
Jefferson County Commission, WV

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

Sandra McDonald

From: Kerri & Dave Godfrey <dkgodfrey@gmail.com>
Sent: Friday, November 03, 2017 8:15 AM
To: JCCInfo
Subject: Rezoning

There is a rezoning request across from Morgan's Grove Park in Shepherdstown. I am resident and registered voter. I am writing today to express my dissent of this proposal. Since we don't have a say in WHAT would be built - I am not in favor.

However- since I have your attention-

1) I'd like to see more roads that have shoulders - even 15 inches outside the white lines would create a system that is safer for non-drivers.

2) A sidewalk from downtown Shepherdstown to Morgan Grove Park would connect the community

2)And throughout the county there are a number of blind corners simply because there is too much growth allowed too close to the corners- tree cutters should come through removing 10 to 15 feet back on either side of the pavement. Or land owners should be expected to keep it clear.

Sent from Kerri's iPhone . 860.501.1153



Sandra McDonald

From: Jared Tomlin <jaredtomlin12@gmail.com>
Sent: Wednesday, November 01, 2017 5:38 PM
To: JCCInfo
Cc: Vinemont.farm@gmail.com; commissionerpnoland@gmail.com; jjcompton05@gmail.com; calebHUDSONforjeffersonwv@gmail.com; ponoszko@aol.com
Subject: General Commercial Zoning, Shepherdstown, WV

To whomever it concerns,

It has come to my attention that the adjacent lot to the house I have been renting for almost 5 years is under a proposal to move to a general commercial zone. Considering a commercial zoning categorization and with no official development plan in place, I have reasonable concern that this change would negatively impact the standard of living my wife, 3 children, and I enjoy.

Major construction would be a noise and dust hazard during development (especially in the case of blasting) and a traffic, noise, and light pollution would be an issue once it is built. It would totally change the conditions which my family currently lives. Other concerns include runoff from large parking areas adding pollutants to our gardens. Our water source is a well, so infiltration of pollutants could also influence our water supply.

I believe that this area would better serve the greater Shepherdstown community without the addition of commercial development along Potomac Farms Drive. If the project is successful, it would influence traffic on two of the three only routes into Shepherdstown, a neighborhood known for its historic and scenic characteristics. Businesses rely on this special local character, which invites tourism and community events.

Thank you for hearing my concerns,

Jared Tomlin
4389 Kearneysville Pike
Shepherdstown, WV 25443

J. Davitt McAteer

Post Office Box 1050
132 West German Street
Shepherdstown, West Virginia 25443
Phone: (304) 876-9447
mcaateeresq@aol.com

Received

NOV 13 2017

November 9, 2017

Jefferson County Commission

Peter Onoszko, President
Jefferson County Commission
County Courthouse
200 E. Washington Street
Charles Town, WV 25414

Dear President Onoszko:

As I indicated in testimony on November 2, 2017, my wife, Kathryn, and I are opposed to the granting of a Petition for a Zoning Map Amendment by property owner Rankin Properties, LLC (File #217-03) for a property located at the NW corner of the intersection of Alternate WV 45/Potomac Farms Road and WV 480, Kearneysville Pike, for the following reasons:

This Petition proposed to amend the Zoning Map for from Residential Growth to General Commercial.

1. Applicants suggestion that the test for the Jefferson County Commission is whether the Planning Commission and Staff found the application consistent with the Zoning Plan is in error. The Jefferson County Commission ("JCC") has the complete authority to determine whether the Petitions for Zoning Map amendment is meritorious. The test for such a Petition is what the JCC determines to be in the best interest of Jefferson County citizens, in particular these citizens who will be most directly affected by the Map Amendment. The Applicant erroneously suggests that the test is only whether the Planning Commission and staff found the Petition consistent with the 2035 Comprehension Plan.
2. The Application for Amendment under WV State Code §8A-7-9 and Article 12 of the Jefferson County Zoning and Land Development Ordinance requires that an Amendment shall be in response to a Petition of 50% or more of the property owners.

The Petitioner is the sole property owner requesting an Amendment yet the property in question is part of a larger parcel of contiguous property all zoned residential growth no other property owner was identified nor did any other property owner sign the Petition, thus the Petition is procedurally deficient.

3. The Petition for a General Commercial Amendment is also deficient because it fails to identify nearby public property and the impact the changes will have on such property. Morgan's Grove Park sits diagonally across Route 480 from the subject property. That Park which hosts thousands of visitors annually would be negatively impacted by the Amendment being sought here. The potential impact to the traffic and safety of children is not addressed in the Petition. Nor is the impact addressed to the existing bike path which adjoins the Petitioner's property along the bypass addressed. For these reasons along, the Petition should be rejected.

4. The Petition suggests that the Amendment would not impact traffic volume or patterns on the adjacent roads. There is no study or research submitted with the Petition to support this claim despite the fact that zoning ordinances virtually always require information on the likely traffic volume and pattern impact to be addressed. The only assertion is that the current Zoning Residential Growth designation would allow a multistory apartment building which could increase traffic. This is an erroneous argument because no such proposal has been considered and is merely hypothetical speculation. Nor does the Petition address what impact a commercial high traffic facility would have on the traffic patterns or volume. Thus the Petition is deficient.

5. The use of a Petition to Amend the Zoning Map to the County Commission is an effort to utilize an extraordinary procedure which was designed to be limited to special circumstances as evidenced by the requirement that the County Commission and not the Planning commission is the body making the decision. This Petition does not meet the requirements for such an extraordinary procedure.

Indeed, the fact that the applicant has made use of the Zoning procedure on numerous occasions to request and be granted a Conditional Use Permit suggests that the Zoning Law and Authority have been utilized suggests that the Petitioner has had his interest addressed and is not in a position to attempt to now end run the Zoning Law and procedures.

6. The use of this Petition procedure will have a negative impact on the Zoning procedures now in effect for nearly 40 years. The Zoning Ordinance would be circumvented and result in the use of "Spot Zoning" request to the County Commission, a practice and procedure which the Zoning system was established to prevent.

7. The Commercial development corridor for Shepherdstown has been identified as on Route 45 and as the Corporation of Shepherdstown has noted this is the desired location for such development, not Route 480. This is especially supported by the effort to focus infrastructure and community service in the Route 45 corridor and not on Route 480.

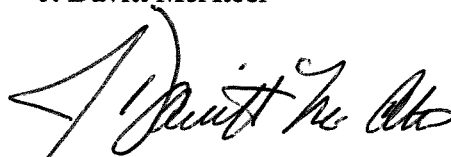
8. The Residential Nature of Route 480 is firmly established and has existed before and serves the original ordinance of 1988, a change to General Commercial would disrupt the Residential use and farming use of the surrounding area.

9. Finally, it appears that the Applicant failed to comply with the required notice provisions of the Code. Neither the 20 day posting requirement nor the requirement of notifying adjoining neighbors by first class mail was met. Jefferson County Zoning and Land Development Ordinance as amended March 16, 2017.

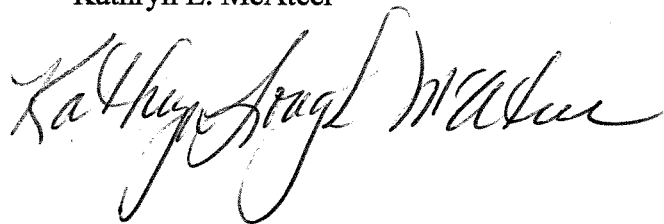
For any and all of the reasons indicated above, we request that this Petition to Amend the Zoning Map be denied.

Sincerely,

J. Davitt McAteer

A handwritten signature in black ink, appearing to read "J. Davitt McAteer". The signature is written in a cursive style with a large initial "J".

Kathryn L. McAteer

A handwritten signature in black ink, appearing to read "Kathryn L. McAteer". The signature is written in a cursive style with a large initial "K".

JDM/dcr



CORPORATION OF SHEPHERDSTOWN

104 NORTH KING STREET
P.O. BOX 248
SHEPHERDSTOWN, WEST VIRGINIA 25443-0248
TEL: (304)876-2312
FAX: (304) 876-1473

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

October 31, 2017

Dear Mr. Onoszko,

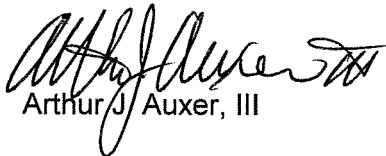
This letter is in response to the proposed rezoning of Tax District: Shepherdstown (09), Map: 8, Parcel: 8.1, owned by Rankin Properties, LLC containing 3.56 acres and located at the NW corner of Alternate Route 45/Potomac Farms Road and Kearneysville Pike/Route 480. The Shepherdstown Planning Commission offers the following points regarding the proposed rezoning of the subject property from Residential Growth (RG) to General Commercial (GC):

- The Town opposes the proposed rezoning of the parcel to General Commercial (GC).
- Rezoning to GC in this case would lack sufficient protections for nearby residents and landowners, particularly if the parcel is sold after rezoning.
- Rezoning to GC in this case would set a poor precedent for future planning because the proposed zoning stems from an expired Conditional User Permit (CUP).
- New circumstances have emerged since the CUP was approved that require additional coordination with the Town, including the adoption of the Envision Jefferson 2035 Comprehensive Plan & the Corporation of Shepherdstown's Comprehensive Plan and development plans for the Shepherdstown Library and bike path to Morgan's Grove Park.
- A public need for GC in this location has not been demonstrated. The Town remains committed to concentrating commercial development along Route 45 and there are many potential development locations in this area. Additionally there are many empty existing storefronts including locations at Maddex Square and along German Street.

- The 2017 Staff Report asserts that GC in this location will function as a "mixed use" design (as targeted in the Comp Plan), but this is untenable because the proposed GC is not being coordinated with other developments.
- Though we sincerely appreciate Ms. Brockman's e-mail of September 27, 2017 alerting the town to the scheduled public hearing regarding this rezoning, we are still troubled by the lack of coordination with Shepherdstown in rezoning and land use changes within the approved Growth Management Boundary (GMB).
- The Corporation is deeply concerned with the lasting effects of such an unrestrictive classification as General Commercial (at this location) and urges the County to consider the reapplication of the original CUP.

Thank you for considering our comments. We look forward to working with the County to ensure development within the Town's GMB is measured, planned and executed in a fashion supporting the Town's planning objectives.

Sincerely,



Arthur J. Auxer, III

Mayor

cc. Chazz Printz, Bowles Rice
Jane Tabb, County Commission Vice President
Patsy Noland, County Commissioner
Josh Compton, County Commissioner
Caleb Hudson, County Commissioner
Jennifer Brockman, County Planner
Andrew Temple, Shepherdstown Chronicle
Michael Chalmers, The Observer
Tim Cook, Martinsburg Journal

NOTICE OF PUBLIC HEARING
COUNTY COMMISSION OF JEFFERSON COUNTY
ZONING MAP AMENDMENT

The County Commission of Jefferson County will hold a Public Hearing regarding a Zoning Map Amendment for property designated as Tax District Shepherdstown (09), Map 8, Parcel 8.1 – Rankin Properties, LLC. The property is currently zoned Residential Growth and a request has been made by the property owner to change to the General Commercial zoning category.

Previously scheduled for October 19, 2017, the hearing will be held on Thursday, November 2, 2017, at 1:30 p.m. in the Old Charles Town Library Meeting Room, 200 East Washington Street, Charles Town, WV 25414.

Anyone wishing to provide written or oral comment may do so at this meeting or send comments to info@jeffersoncountywv.org.

Review of the documents are available at the following website:
www.jeffersoncountywv.org



JEFFERSON COUNTY, WEST VIRGINIA

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

P.O. Box 716

Charles Town, WV 25414

www.jeffersoncountywv.org

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

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

MEMO

TO: County Commission of Jefferson County
FROM: Jennifer M. Brockman, AICP, County Planner
DATE: October 11, 2017
RE: Planning Commission Recommendation regarding Rankin Properties, LLC.
(File # Z17-03) Zoning Map Amendment Request

On Thursday, September 21, 2017, the Jefferson County Commission was presented with a petition for a Zoning Map Amendment by Paul J. Raco Consulting for Rankin Properties, LLC. for a 3.56 acre property located at the NW corner of the intersection of Alternate WV 45/Potomac Farms Road and WV 480/Kearneysville Pike (Shepherdstown (09) Tax District; Map 8; Parcel 8.1) to rezone the property from Residential Growth (RG) to General Commercial (GC). A Public Hearing has been scheduled on this rezoning request for Thursday, October 19, 2017 at 1:30 PM. At the September 21st meeting, the County Commission, in accordance with WV Code 8A and the Jefferson County Zoning Ordinance Article 12, referred the petition to the Planning Commission for their review and recommendation as to whether the proposed amendment is consistent with the adopted Comprehensive Plan.

On Tuesday, October 10, 2017 at the Jefferson County Planning Commission meeting, the Planning Commission heard a presentation regarding the Zoning Map Amendment (#Z17-03) petition by the applicant's consultants. Additionally, a staff report was presented which identified relevant portions of the *Envision Jefferson 2035 Comprehensive Plan* for the Planning Commission's consideration and review. This staff report is attached to this memo for the County Commission's information and consideration.

The Planning Commission found, with a 7-0 vote, that the proposed Zoning Map Amendment from Residential Growth to General Commercial is **consistent** with the *Envision Jefferson 2035 Comprehensive Plan*. It is located within the Shepherdstown Proposed Growth Area in the *Envision Jefferson 2035 Comprehensive Plan* and is proposed for a mixed residential/commercial development on the Future Land Use Guide.

Attachment:

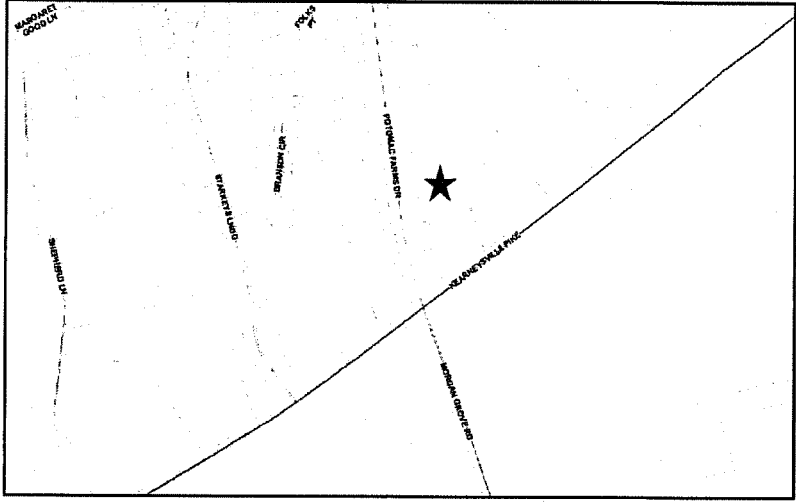
- *Staff Report -- Zoning Map Amendment Z17-03 for 10/19/17 County Commission Meeting*

STAFF REPORT

Jefferson County Commission Meeting

October 19, 2017

Item # 4 Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment request by property owner Rankin Properties, LLC located at the NW corner of Kearneysville Pike and Potomac Farm Drive is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. This 3.56 acre property is currently zoned Residential-Growth (RG), and the applicant is requesting General Commercial (GC) zoning

APPLICANT/OWNER:	Rankin Properties, LLC
DEVELOPER:	N/A
APPLICANT REPRESENTATIVE:	P.J. Raco Consulting, LLC Paul J. Raco
PROPERTY LOCATION:	The property is located at the NW corner of Alternate Route 45/Potomac Farms Road and Kearneysville Pike/Route 480.
LEGAL DESCRIPTION:	<p>Tax District: Shepherdstown (09), Map: 8, Parcel: 8.1 Zoning Map Designation: Residential Growth</p> 
SURROUNDING PROPERTIES:	North: Residential Growth South: Rural East: Residential Growth West: Residential Growth
LOT AREA:	3.56 acres
DEVELOPMENT HISTORY:	The subject parcel is currently vacant
PROPOSED REQUEST	To rezone from Residential Growth (RG) to General Commercial (GC).
PLANNING COMMISSION RESPONSIBILITY:	To advise the County Commission as to whether the requested Zoning Map Amendment is consistent with the <i>Envision Jefferson 2035 Comprehensive Plan</i> .
STAFF FINDING:	In this report, Staff presents the various factors related to this property based on the Comprehensive Plan. Staff finds that the request is <u>consistent</u> with the <i>Envision Jefferson 2035 Comprehensive Plan</i> .

STAFF REPORT

Jefferson County Commission Meeting

October 19, 2017

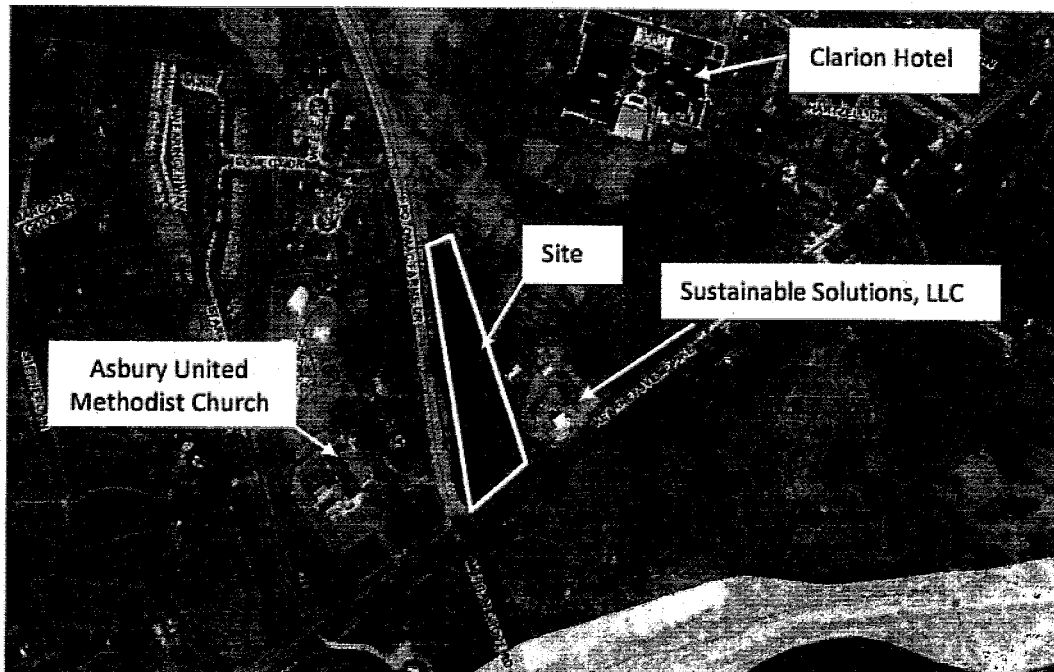
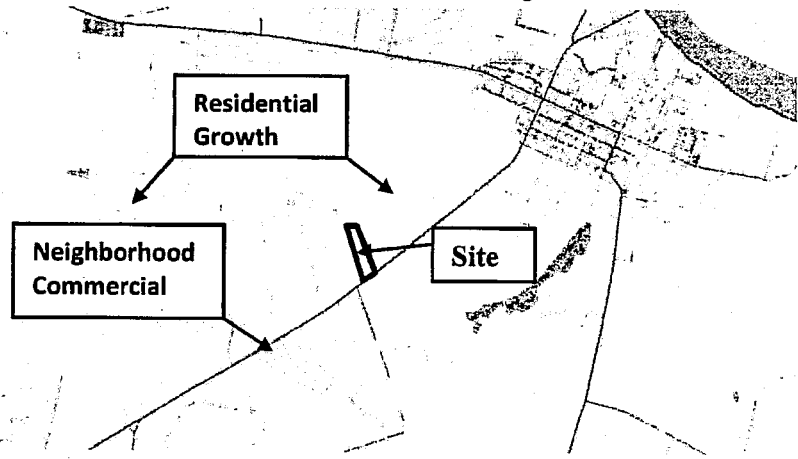
Applicant's Request

The applicant's request is to have the 3.56 acre parcel located at the NW Corner of the intersection of Alternate WV 45/Potomac Farms and WV 480/Kearneysville Pike rezoned from Residential Growth (RG) to General Commercial (GC). The applicant believes that the construction of Alternate 45/Potomac Farms Road, which provides access to this lot, and the residential and commercial development west and southwest of Shepherdstown, would support the development of commercial uses at this intersection.

Background and Context for Subject Property

The applicant's property sits on 3.56 acres of wooded vacant land. This property was previously approved for a 24,640 square foot two-story commercial building to accommodate offices and retail space through a Conditional Use Permit, which has subsequently expired. No development has occurred on the site.

All of the parcels that are immediately adjacent to the subject parcels are zoned Residential Growth and are occupied by residential and/or commercial uses. The property northeast of the parcel subject to this request has an approved Conditional Use Permit for a business known as Sustainable Solutions. The Asbury United Methodist Church is approximately 320 feet to the southwest across Alternate WV 45.



STAFF REPORT

Jefferson County Commission Meeting

October 19, 2017

Statutory Authority and Requirements

The West Virginia State Code, Section 8A-7-9, and Article 12 of the Jefferson County Zoning and Land Development Ordinance detail the process by which boundaries of zoning districts may be amended in response to a petition of 50% or more of the property owners. On September 21, 2017, the applicant presented their zoning map amendment petition to the County Commission. The County Commission scheduled the required Public Hearing for October 19, 2017 and referred the application to the Planning Commission for their recommendation.

Both WV Code and the Zoning Ordinance state that before amending the Zoning Ordinance text or map, “the governing body, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan”, or if it is inconsistent, “then the governing body with the advice of the Planning Commission, must find that there have been major changes of an economic, physical or social nature within the area involved, which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area[See WVC 8A-7-9(c)].”

The Zoning Ordinance further states that the applicant should include discussion of any change of transportation characteristics and neighborhood from when the original zoning was established for the Planning Commission to take into consideration. This information is included in the application.

Scope of this Assessment

Due to the requirements noted above, this report focuses on whether or not the Zoning Map Amendment application is consistent with the *Envision Jefferson 2035 Comprehensive Plan* and provides a staff recommendation for the Planning Commission’s consideration based on relevant sections and elements of the *Plan*. Staff’s professional recommendation is that the request is consistent with the *Envision Jefferson 2035 Comprehensive Plan* because of its location within the County-designated Preferred Growth Area in the immediate vicinity of Shepherdstown and its designation on the Future Land Use Guide as Future Mixed Use Residential/Commercial Land Use. The Planning Commission is required to provide the County Commission with their advice as to whether they also make this finding prior to the County Commission’s Public Hearing. It should be noted that Staff has no statutory authority to make decisions in this regard. The County Commission, with the recommendation of the Planning Commission, has the only authority to approve or deny a zoning map amendment request.

Relevant *Envision Jefferson 2035 Comprehensive Plan* Elements and Commentary

The *Envision Jefferson 2035 Comprehensive Plan* consists of both goals and recommendations in text format as well as a Future Land Use Guide, both of which are relevant to this analysis. Page number references throughout this report relate to the *Envision Jefferson 2035 Comprehensive Plan*.

A. Land Use and Growth Management Element: Shepherdstown Preferred Growth Area (PGA)

One of the key concepts that the Land Use and Growth Management Element of the *2035 Plan* addresses is how to better influence the location of new development within Jefferson County. As the cost of providing services and utilities increases, many communities similar to Jefferson County have come to the realization that it is more sensible to identify specific areas that can handle development and growth, and to focus infrastructure and community service investments in these areas. In Jefferson County, there are four area types that are identified as part of *Envision Jefferson 2035 Plan* (pp.16-17).

STAFF REPORT

Jefferson County Commission Meeting

October 19, 2017

The land use area types include Urban Growth Boundaries (UGB) and Preferred Growth Areas (PGA), which are the sections of Jefferson County where urban scale development is to be targeted over the planning horizon of the *2035 Plan*; and Rural/Agricultural Areas and Villages, where limited development is possible but is not intended for urban-scale development. (p. 17)

In 2014, Shepherdstown adopted a Growth Management Boundary (GMB), which meets the WV code definition of a UGB and which is planned to have growth around the existing core of Shepherdstown and less intense development at the edges of the GMB. While this larger growth and annexation area is recommended in the Shepherdstown 2014 Comprehensive Plan, the *Envision Jefferson 2035 Comprehensive Plan* recognizes a smaller PGA to the southwest of the Shepherdstown core and the existing County zoning if it remains in the unincorporated area. (p.19)

The *Envision Jefferson 2035 Comprehensive Plan* states that the Shepherdstown PGA is “defined predominately by existing residential and commercial development, existing zoning, and access to water and sewer services. It encompasses an area broadly described as properties on either side of WV 45 past the west end of Old Martinsburg Road to Venice Way and to the south along the west side of WV 480 including land on either side of Potomac Farms Road. This area is included within Shepherdstown’s Growth Management Boundary (GMB) and is the primary area outside of Shepherdstown that this Plan anticipates developing at an urban level even if it remains in the unincorporated area.” (pp. 20-21)

The property included in this petition is inside the boundaries of the *2035 Plan*’s Shepherdstown PGA and therefore intended for eventual urban-level development intensity. If this rezoning is approved, the applicant is encouraged to coordinate and collaborate with the Corporation of Shepherdstown to determine when public water and wastewater treatment may be available so this property can develop to the anticipated urban-level intensity.

B. Future Land Use Guide/Shepherdstown PGA Map

The property which is a part of this Zoning Map Amendment request is shown on the Future Land Use Guide and the Shepherdstown Preferred Growth Area Map (shown below; p. 220) as Future Mixed Use Residential/Commercial.

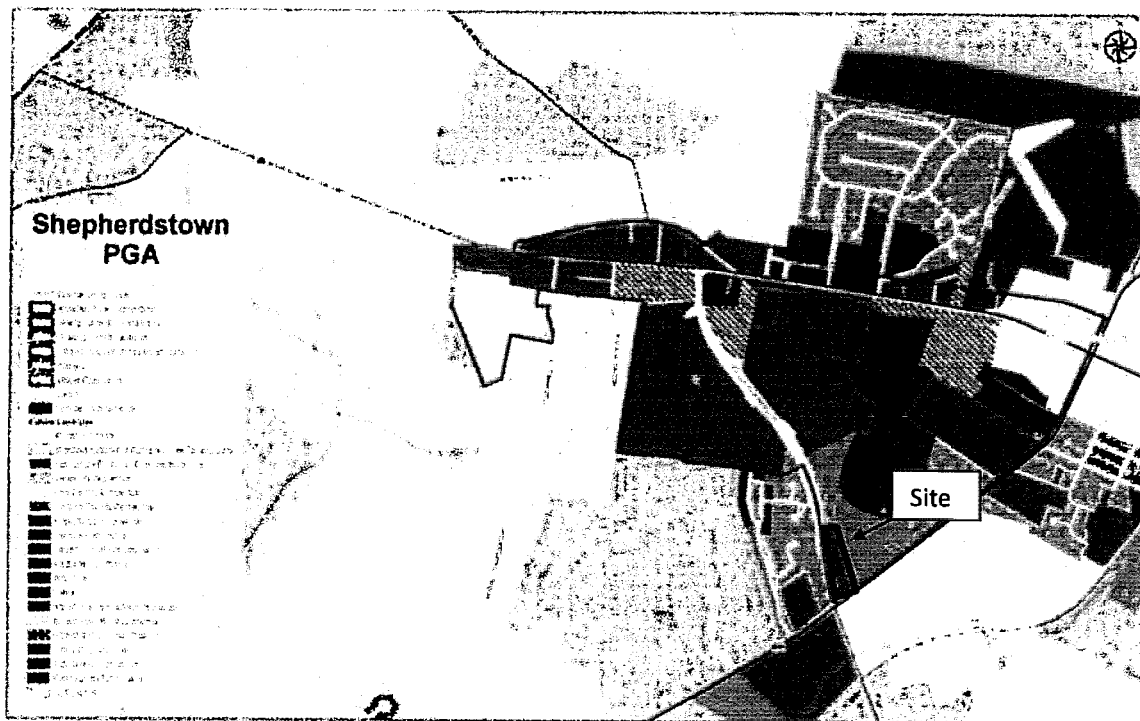
Appendix G of the *Envision Jefferson 2035 Comprehensive Plan* provides a detailed explanation of the Land Use Map Classifications utilized on the Existing Land Use Map and Future Land Use Guide which are intended to provide guidance to the Planning and County Commissions when considering owner-initiated zoning map amendments (rezoning requests). It further notes that while some of the land use classifications may require new zoning categories, the land uses were not intended to be a comprehensive list of possible zoning districts. (p. 235)

Appendix G states that the intent of the Mixed Use Residential/ Commercial land use category is to reflect areas which are intended to support the mixing of residential and commercial uses. The Plan states that this land use classification should result in the creation of a new zoning district that would permit this activity, with a mandatory mix of uses to be determined through the zoning text amendment process. The only zoning district which currently exists and requires such a mix is the Planned Neighborhood Development (PND) District. (pp. 237)

STAFF REPORT

Jefferson County Commission Meeting

October 19, 2017



The property that is included in this rezoning request was incorporated into the Shepherdstown Preferred Growth Area based on the relationship to the road network and potential public water and wastewater service areas. The recommended Mixed Use Residential/ Commercial land use category reflected a previously approved Conditional Use Permit, the location at a major intersection of two state roads, controlled access to a four lane highway and the potential to provide services to the existing and/or approved residential in the area. While rezoning to the requested General Commercial does not create a mixed residential/commercial use development on this 3.56 acre parcel, it does permit the development of a commercial or office development which will complement and be integrated with adjoining residential developments in this quadrant of the PGA.

C. Proposed Zoning District – General Commercial (GC):

The General Commercial (GC) Zoning District (Section 5.12) was a part of the commercial zoning districts approved by the County Commission in May 2014. The purpose of this district is to provide for general destination business uses, which provide a broad range of commercial products and services necessary for large regions. The uses in this district may be characterized by medium-to-large buildings (including retail stores of up to 100,000 square feet of gross floor area for an individual building as per the definition of Retail Store, Large in the ordinance), more intensive commercial activity, and more vehicular traffic than would be permitted for uses in the Neighborhood Commercial District, which is the zoning of the Morgan Grove Market property nearby.

This zoning category is intended for use on properties in locations where the appropriate land use category is designated on the future land use map (and related text) in the *Envision Jefferson 2035 Comprehensive Plan*. The GC District includes numerous Principal Permitted and Conditional Uses listed in Appendix C (attached). Residential uses are not permitted in the GC zoning category. The

STAFF REPORT

Jefferson County Commission Meeting

October 19, 2017

Principal Permitted uses include numerous Institutional Uses, some Industrial Uses, commercial uses and agricultural uses.

As noted previously, the parcel included in this proposal is inside the boundaries of the *2035 Plan's* Shepherdstown PGA and shown for a mixture of commercial and residential uses. While General Commercial can develop structures that are fairly large, the limited size of this property and the relationship to the four-lane road and multiple existing and/or approved residential developments should allow a commercial development that is compatible with the intent of the *Envision Jefferson 2035 Comprehensive Plan*.

Staff Recommendation

Staff finds the proposed rezoning is **consistent** with the *Envision Jefferson 2035 Comprehensive Plan*. It is located within the identified Shepherdstown Preferred Growth Area in the *Envision Jefferson 2035 Plan* and is proposed for a mixture of residential and commercial development on the Future Land Use Guide. The applicant has indicated the intent to integrate the proposed commercial development with existing and approved future residential development on adjoining properties and in the surrounding area.

Planning Commission Action Required

Article 12 of the Zoning Ordinance and the relevant sections of WV State Code requires the County Commission to refer rezoning petitions to the Planning Commission for their review and recommendation as to whether the amendment is consistent with the adopted Comprehensive Plan. Such recommendation is required to be sent to the County Commission prior to the County Commission's public hearing which shall be held within 60 days of the date the petition is presented.

The County Commission has scheduled the required Public Hearing for October 19, 2017 at 1:30 PM. Therefore, the Planning Commission is required to review this application and make a recommendation to the County Commission prior to this Hearing.

Attachments:

- Portion of Appendix C – General Commercial District

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Rankin Properties, LLC, Christopher Rankin (Paul J Raco will attend meeting)

Department or Organization:

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **September 21, 2017**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Map Amendment Request for Rankin Properties, LLC,. 3.56 acre Parcel Identified as District 9, Map 8, Parcel 8.1 for purposes of Scheduling of Public Hearing and Referral to Planning Commission for Advice on Consistency of the Request with the Comprehensive Plan.

Please provide the County Commission with a description of your request or presentation, including any background information: Request for a Rezoning/Map Amendment that is Consistent with the Envision Jefferson 2035 Comprehensive Plan for Rankin Properties, LLC.

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Move to Accept the Request and Schedule a Public Hearing pursuant to the State Code at 1:30 p.m. on October 19, 2017 (or November 2, 2017) and Refer the proposal to the Planning Commission for advice on the application's consistency with the Jefferson County Comprehensive Plan.

Attach supporting documents for request, or request may be denied. Attached
If not attached, explain:

Is equipment needed? Projector Y/N USB Drive Internet/WI FI Y/N No Telephone for conference call Y/N No

Contact information: Paul J Raco, P.J. Raco Consulting, LLC

Email address: pjraco.consulting@gmail.com

Phone Number: 304/676-8256

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, P.O. Box 338
Charles Town, WV 25414

File Number: _____

Staff Initials: _____

Application Fee: \$ _____

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Fax: (304) 728-8126

Zoning Map Amendment (Rezoning)

Pursuant to Article 12, a Zoning Map Amendment is a procedure to amend the official Zoning Map of the County by changing the zoning designation of a property. In order for a proposed amendment to be approved, the County Commission, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of 8A-7-8 et seq of the WV State Code. All Amendments to the Zoning Map require a Public Hearing to be held by the Planning Commission for the purpose of making a recommendation to the County Commission. Subsequently, all recommended map amendments require a Public Hearing before the County Commission prior to a final determination.

Property owner information

Name: Rankin Properties, LLC
Mailing Address: 99 Maddex Square, Shepherdstown, WV 25443
Phone Number: c/o 304/676-8256 Email: _____

Applicant contact information

Name: Christopher Rankin and Paul J Raco
Mailing Address: Above and Below
Phone Number: _____ Email: _____

Applicant representative

Name: P. J. Raco Consulting, LLC Paul J Raco
Mailing Address: P.O. Box 548, Charles Town, WV 25414
Phone Number: 304/676-8256 Email: pjraco.consulting@gmail.com

Physical property details

Physical Address: Route 45 Connector Road/Potomac Farms Road NW Corner at Route 480 Intersection
City: Shepherdstown State: WV Zip Code: 25443
Tax District: 9 Map No: 8 Parcel No: 8.1
Parcel Size: 3.56 +- Acres Deed Book: 1015 Page No: 89

Current Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (RLIC)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/ Commercial Mixed-Use (O/C)
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Place Received Date Stamp Here

Proposed Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (RLIC)	Village (V)	Neighborhood Commercial (NC)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General Commercial (GC)	Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/ Commercial Mixed-Use (O/C)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For a Zoning Map Amendment request, the "burden of proof" is on the applicant to show why the proposed zoning is more appropriate than the existing zoning. Accordingly, please explain how the following factors support your proposal.

Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.

Map Amendment from Residential Growth to General Commercial as supported by the Envision Jefferson 2035 Comprehensive Plan.

Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.

See Attached

Discuss any change(s) of transportation characteristics (i.e., type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.

See Attached

Do you request that the Planning and Zoning Staff present the petition to the Planning Commission for the purpose of setting the public hearing date?

Yes, I request that the Planning and Zoning Staff present the petition

No, I prefer to present the petition

Plat or Sketch Plan (provide as an attachment to this application)

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

Is Plat or Sketch Plan attached?

Yes No

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).

 1 SEPTEMBER 12, 2017

Signature of Property Owner

Date

Signature of Property Owner

Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____.

Recommended Not Recommended

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____.

Approved Disapproved

Final Determination/Other Comments

**REQUEST FOR MAP AMENDMENT/Rezoning
Rankin Properties LLC
District 9, Map 8, Parcel 8.1
September 13, 2017**

Property Owner and Applicant:

Rankin Properties, LLC
Christopher Rankin
99 Maddex Square
Shepherdstown, WV 25443

Request:

Amend the Zoning Map for this 3.56 Acre Parcel Based on its Consistency with the Envision Jefferson 2035 Comprehensive Plan. Currently, the property is Zoned for Residential Growth and this Map Amendment is for General Commercial.

Section of Ordinance:

Article 12 of the Jefferson County Zoning and Development Review Ordinance, as amended.

A Map Amendment is defined as: "An amendment to the Zoning Map which is adopted by reference in the Zoning Ordinance that consists of a change that only applies to a specific property, changing from one existing zoning designation to another existing zoning designation. A map amendment does not permit changes, conditions or alterations to uses permitted within an existing zoning designation as all zoning designations must be uniformly applied to all property which are subject to said designation."

Substantiation for the Request:

1. The request is consistent and very much compatible with the 2015 Jefferson County Comprehensive Plan (Envision Jefferson 2035). This Plan was adopted recently and places this property in the Preferred Growth Area and the Future Land Use Guide identifies this property as a commercial and/or residential property. The plan's applicable recommendations are explained in this narrative.
2. The subject property is within the Shepherdstown Preferred Growth Area and Growth Boundary (UBG per Code). As such, the Comprehensive Plan supports Urban Level Growth in and around this property.

3. Central Water and Sewer services are available in this neighborhood.
4. Since the Zoning Ordinance was adopted in 1988, there have been several significant changes in the neighborhood. The most notable change was the construction of the Connector Road which functions as a bypass around Shepherdstown. This road is adjacent to the Applicant's property and the DOH has constructed an entrance on the Connector Route to serve the property directly. Other changes in the neighborhood include the development of the Maddex Commercial Area (Food Lion, etc.); the construction of the Clarion Conference Hotel and National Training Center; the enhancement to the entrance to the western campus of Shepherd University; the rezoning of the Lowe property located on the other end of the connector road; and, the development of the Colonial Hills Subdivision in this neighborhood. These and other changes are described in this narrative.
5. Since the Zoning Ordinance was adopted in 1988, there has also been a significant change in Transportation Characteristics including the construction of the Connector Route that this property accesses.
6. Current Zoning, Residential Growth, would allow for a dense apartment complex. As such, the map amendment to General Commercial will not have a negative impact in the neighborhood.

Tax Parcel Information:

Shepherdstown Tax District, Map 8, Parcel 8.1

Deed Book Reference:

Deed Book 1015 at Page 89

Sketch Plat:

Attached

Tract Size:

Approximately 3.56 Acres

Ordinance Required Discussion on:

The compatibility of the proposed change with the Jefferson County Comprehensive Plan; and,
The change of transportation characteristics and neighborhood from when the original zoning ordinance was adopted in 1988.

A. Comprehensive Plan Compatibility

Among the many recommendations in the 2015, Envision Jefferson 2035 Jefferson County Comprehensive Plan, the following sections address items pertinent to this map amendment.

As found on page 13 of the 2015 Comprehensive Plan, there are only 6 Preferred Growth Areas (PGAs) in Jefferson County that are targeted for urban scale growth. The subject parcel is within the Shepherdstown PGAs. The attached map shows the Shepherdstown PGA. The Comprehensive Plan was recently adopted after several years of meetings in various neighborhoods of the County and after extensive work by the Staff, the Steering Committee, Planning Commission and County Commission. As common with communities that have just adopted a new Comprehensive Plan, there will be many ordinance amendments and map amendments processed in order for the map and ordinances to better reflect the new Plan. In this case, both the 2004 Plan and the new 2015 Plan show this property within the Growth Area around Shepherdstown. The new Envision Jefferson 2035 Plan is more specific in that it shows this property within the Preferred Growth Area and specifically identifies the property for Commercial and/or Residential Development.

A main difference between the new Comprehensive Plan and the previous versions of the Plans completed in the 80s, 90s, and 00s, this Plan has a Future Land Use Guide (Map) that specifically delineates properties for future uses and map amendments. The subject property is properly located on the Future Land Use map (Guide) as Commercial or Residential in this 2015 Plan. The property is now zoned for Residential Growth including apartments and the Applicant would like to expand the capabilities of the property to allow commercial opportunities. As shown on this guide, this requested change is consistent with the Future Land Use Guide. As described in other sections of this document, the residential development in the neighborhood around Shepherdstown (particularly Colonial Hills is this immediate neighborhood) will need some commercial development to provide services and to provide an increased tax base to supplement the residential tax base provided by the subdivisions in the area.

The Comprehensive Plan's maps and guides continue to show that this property is read for future development, especially commercial development due to its location. This type of use is what the Commission intended when it was added to the Preferred Growth Area and designated as Commercial or Residential on the Future Land Use Guide.

Page 17 of the Comprehensive Plan describes the various categories of land, including PGAs as follows:

"Land Use Activity Areas

This Plan details four broad types of land use activity within Jefferson County where development is to be targeted over the planning horizon of Envision Jefferson 2035.

Four Comprehensive Types of Land Use Activity within the Designated Areas

Urban Growth Boundaries
Preferred Growth Areas (PGAs)
Villages
Rural/Agricultural Areas

The first two area types addressed below, **Urban Growth Boundaries (UGB)** and **Preferred Growth Areas (PGA)** (including one residential growth area), are the sections of Jefferson County where urban scale development is to be targeted over the planning horizon of Envision Jefferson 2035." Emphasis Added.

A further explanation of PGAs is found on Page 20 of the Plan:

"The PGAs are not intended to be promoted in favor of the UGB for the municipalities. Both areas are expected to be viable areas for development and no policy decision is being made to favor one area over another. Each of the PGA Maps can be found in Appendix F – Maps" Emphasis Added.

In this case, the subject property is both in an Urban Growth Boundary (UGB, as defined by the Code) and the Preferred Growth Area (PGA). Therefore, pursuant to the Comprehensive Plan, this location is prime for development since it is in both of these designated areas, along with the fact that the property fronts on the Route 45 Connector Route and is close to both commercial development and residential subdivisions.

The most definitive section of the Envision Jefferson 2035 that supports this map amendment is found on Page 20:

"a. Shepherdstown PGA (an area located south and west of Shepherdstown)

This PGA is defined predominately by existing residential and commercial development, existing zoning, and access to water and sewer services. It encompasses an area broadly described as properties on either side of WV 45 past the west end of Old Martinsburg Road to Venice Way and to the south along the west side of WV 480 including land on either side of Potomac Farms Road. This area is included within Shepherdstown's Growth Management Boundary (GMB) and is the primary area outside of

Shepherdstown that this Plan anticipates developing at an urban level even if it remains in the unincorporated area. (Emphasis Added)

It is clear that this section specifically recognizes the subject property as one of the primary properties that is slated for Urban Level Growth. Furthermore, it cannot be over developed since it is a narrow, 3.56 acre parcel. It is ideal for a small professional office or commercial center that will serve the immediate residential area. This type of project will provide for services, while keeping traffic to a minimum. It should provide an area that will be walkable from the Colonial Hills Residential Subdivision.

Finally, the following recommendation is found in the Urban Level Development Recommendations Table starting on Page 30 of the Plan:

"5. Create urban level land uses within the municipalities, UGBs, PGAs, or Villages through rezoning that is consistent with the Plan recommendations.

The requested Map Amendment is also supported by the following Economic Development portions of the 2015 Comprehensive Plan:

"Focusing Economic Development in Municipalities, Urban Growth Boundaries, and Preferred Growth Areas

Envision Jefferson 2035 expects urban level commercial, office, and industrial activity to be located in the municipalities, within the Urban Growth Boundary and Preferred Growth Areas, where the infrastructure is expected to be available to support these uses." (Page 69)

And on Page 70: Recommendations:

"5. Create a business friendly environment in Jefferson County.

6. Develop methods to promote local business growth which include providing research, support, and marketing resources that would assist business start-ups in Jefferson County."

Based on these portions of the Envision Jefferson 2035 Comprehensive Plan, the Future Land Use Guide, the Future Development Area Map, and the Shepherdstown PGA Map and the Shepherdstown Growth Boundary (GMB/UGB), this map amendment is consistent and compatible with the Plan. The Consistency with, and Compatibility to the existing Comprehensive Plan and the Future Land Use Guide are the two most important criteria to be used for a Map Amendment.

B. Shepherdstown UGB/GMB, Shepherdstown PGA and Future Land Use Guide

The subject property is located squarely in the core of the all the Growth Areas around Shepherdstown. It is also shown on the Future Land Use Guide (Map, Attached) as Commercial and/or Residential. As there is much planned residential in this neighborhood, the rezoning of this property pursuant to the Future Land Use Guide, will allow needed commercial services to support this residential. The PGA UGM/GMB and Future Land Use Guide are thoroughly discussed in A above. The maps are included in this application.

Based on the location of this property within these areas, the property has already been determined to be an intensive growth area. This area was vetted by the Public, Staff, Planning Commission and County Commission as an area for Urban Level Growth. As stated above, these maps and guides that are a Part of the Comprehensive Plan are the primary resources to be utilized by the Commission to approve a Map Amendment.

C. Sewer and Water

This property is within the Shepherdstown Water and Sewer Service area and is part of the reason that this area has been included within the Growth Areas and designated as commercial on the Future Land Use Map. Colonial Hills Subdivision is also served by Shepherdstown Water and Sewer. Any development on this property will be responsible for the extension of any utilities to the property. As the Comprehensive Plan points out in many sections, Urban Level Growth should be directed into the areas served by central sewer and water. Accordingly, the Plan supports this Map Amendment based on the availability of utilities in this area.

As addressed below, the Shepherdstown Wastewater Treatment Plant has just undergone a tremendous quantity expansion and quality renovation.

D. Change of Neighborhood

It is important to point out that the Zoning Ordinance requires a discussion of the changes in an area since the original Zoning Ordinance was adopted in 1988. Some of these neighborhood changes are recent and others were completed years ago.

The neighborhood has undergone significant changes since the zoning ordinance was adopted. In 1988, the Shepherdstown Wastewater Treatment Plant was nearing capacity and that is probably one of the reasons that more land wasn't zoned for residential or commercial uses at that time. That Shepherdstown Treatment Facility has recently completed a major upgrade and can now support additional growth. Another huge change in the neighborhood very specific to the subject property is that the Route 45 Connector Road (Potomac Farms Drive) bisected the property in 2000/2001. The subject 3.56 acre portion of the property is on the northwest corner (Shepherdstown) side of Potomac Farms Drive's intersection with Route 480.

This property is referred to as one of the properties on 'either side of Potomac Farms Drive' which is slated for development in the Plan. This change will be further discussed in the Change of Transportation Characteristics' part of the petition. Finally, the neighborhood has added a considerable number of residential units in several subdivisions including Maddex, Kensington, Tollhouse Woods and Colonial Hills. Along with this residential growth, other commercial areas have also developed since 1988, leaving a deficit of available commercial land in and around the growth areas of the County.

The following are changes in the neighborhood that would specifically support the requested change from Residential Growth to the General Commercial District:

1. Availability of Public Utilities and Services:

Public Water and Sewer is now available in this neighborhood. Furthermore, the recent Wastewater Treatment Plan expansion has increased its capacity to sustain additional growth in the Growth Area Boundaries. The availability of the capacity is a change for this neighborhood since 1988. As stated earlier, one of the Comprehensive Plan's primary objectives is to funnel growth into areas already served by existing infrastructure such as sewer and water:

'This Plan recommends that new development will take place in areas where infrastructure exists and the extension of services to growth in outlying areas will occur in accordance with the goals and objectives of this Plan.' (Page 27)

The allowance of growth in this area because of both the sewer and water and location within the aforementioned UGB/GMA and PGA is also supported by Recommendation 5a found on Page 30:

"Direct new urban level residential developments to locate in preferred areas within the municipalities, UGBs, PGAs, or Villages where water and sewer services are available." (Emphasis added)

In this case, any needed construction of these services on the property will be paid for by the owner. There would be no unreasonable costs to the community, since the additional utility customers would allow the Town to keep the rates stabilized.

Regarding schools, the property is already zoned for high density residential growth. Therefore, the map amendment will only provide for a lessened impact on the schools, since the addition of the commercial component would reduce the number of residential units permitted.

2. Growth in the Area:

Several large residential projects have been completely developed in this area that would benefit from the additional commercial growth that would be permitted with this map amendment. Four of these, Colonial Hills, Tollhouse Woods, Kensington Townhouses and Maddex Subdivision (near the northwest end of Potomac Farms Road), are residential developments that are approved with a considerable number of residential units. Colonial Hills has just started to develop units again and expect substantial growth in the next couple of years. While the Maddex development has a small amount of commercial services available to the residents in the Maddex Subdivision, Colonial Hills, Tollhouse Woods and Kensington Townhouses are approved mostly as residential developments. As these subdivisions build out, they will most certainly need nearby commercial services available to their residents. Due to the limited area of Shepherdstown and the traffic congestion and parking problems within the town, it is imperative that some commercial services be made available to the residents outside of town. Otherwise, the town will only be surrounded by residential development. Furthermore, these new commercial services should not have a negative impact on the businesses within the Central Business District of Shepherdstown, because of the unique collection of eclectic shops that are already in town. As exhibited in other growth areas around small historic town centers, these types of shops continue to be utilized by both residents and tourists.

The other significant development in the area that was built after the zoning ordinance was adopted is the Clarion Conference Hotel and National Training Center. This hotel and conference center hosts many guests and conferences and provides other governmental office space. The people attending these functions will also be able to utilize the commercial services on this property. A participant at the facility would have the ability to walk to both this property and downtown Shepherdstown for commercial services.

The primary area that is zoned for commercial uses in the Shepherdstown Growth area has mostly been developed. The original zoning map only allowed for limited areas for commercial development in the Shepherdstown Growth Area. These areas were zoned for the Mixed-Use District. Most of that commercial area was the Maddex Farm area that is now almost entirely developed for commercial uses. Therefore, it is vital to change some of the residential land into the general commercial district. Otherwise, commercial growth in the Shepherdstown Growth Area will not be able to meet the demands of the residential properties in that growth area. This map amendment is a perfect opportunity to take some property slated for residential use and allow it to develop commercially. It will also provide for some limited commercial development in the area to serve the residential developments in the area.

Most recently, the changes in neighborhood include the conversion of the old service station (just two properties north of the subject property) to a commercial operation called Sustainable Solutions. Also, the rezoning of the former Henry's Restaurant was approved for a mixed used development of commercial and residential uses. The concept plan for that property was recently approved by the County.

Finally, the owner of this property also owns Christian Caine, a Jewelry Designer in Jefferson County for the past 25 years. They are currently located in the Maddex Square Shopping Center and are strongly considering a move to this property if the map amendment is approved. If the business does not move, similar types of limited uses are contemplated for this site that will be subject to setbacks and buffering requirements.

E. Change of Transportation Characteristics:

Please note that this property is already zoned Residential Growth. As such, there should be little significant difference in traffic from this property if it is rezoned to General Commercial. As a matter of fact, it should provide for less traffic than if this property developed into a permitted apartment complex. Additionally, a small-scale commercial and/or office center would have a more favorable outcome regarding traffic since some of the local residents could utilize the commercial services available if the property is rezoned. The major change to this area from a transportation standpoint was when Potomac Farms Drive (Alternate Route 45) was constructed through the Applicant's property. The State left an area for an entrance into the Applicant's property. This would allow the property to develop into a commercial operation using the road and will still obtain DOH approval for any of the entrances onto the State roads. The size and shape of the property should provide an opportunity to plan a small neighborhood commercial and/or office center that can serve the area. The construction of the connector route was to provide for alternative traffic patterns to alleviate congestion within Shepherdstown. A small commercial center on this property will accomplish that goal.

The addition of this connector road (functionally a bypass), along with the expanded entrance into the western campus of Shepherd University, has considerably changed the transportation characteristics of the expanded neighborhood. These two improvements have allowed traffic to bypass Shepherdstown to keep pass through traffic away from the more congested areas of town. The addition of commercial services in the western and southwestern areas of Shepherdstown should further reduce commercial traffic in the downtown area of Shepherdstown, without negatively affecting the unique collection of shops in town.

business enhancement in Jefferson County; and, the changes in the neighborhood from when the original zoning ordinance was adopted, all support the requested map amendment. The requested rezoning will change this property's zoning designation from the Residential Growth District to the General Commercial District. Thank you for the Commission's consideration of the request.



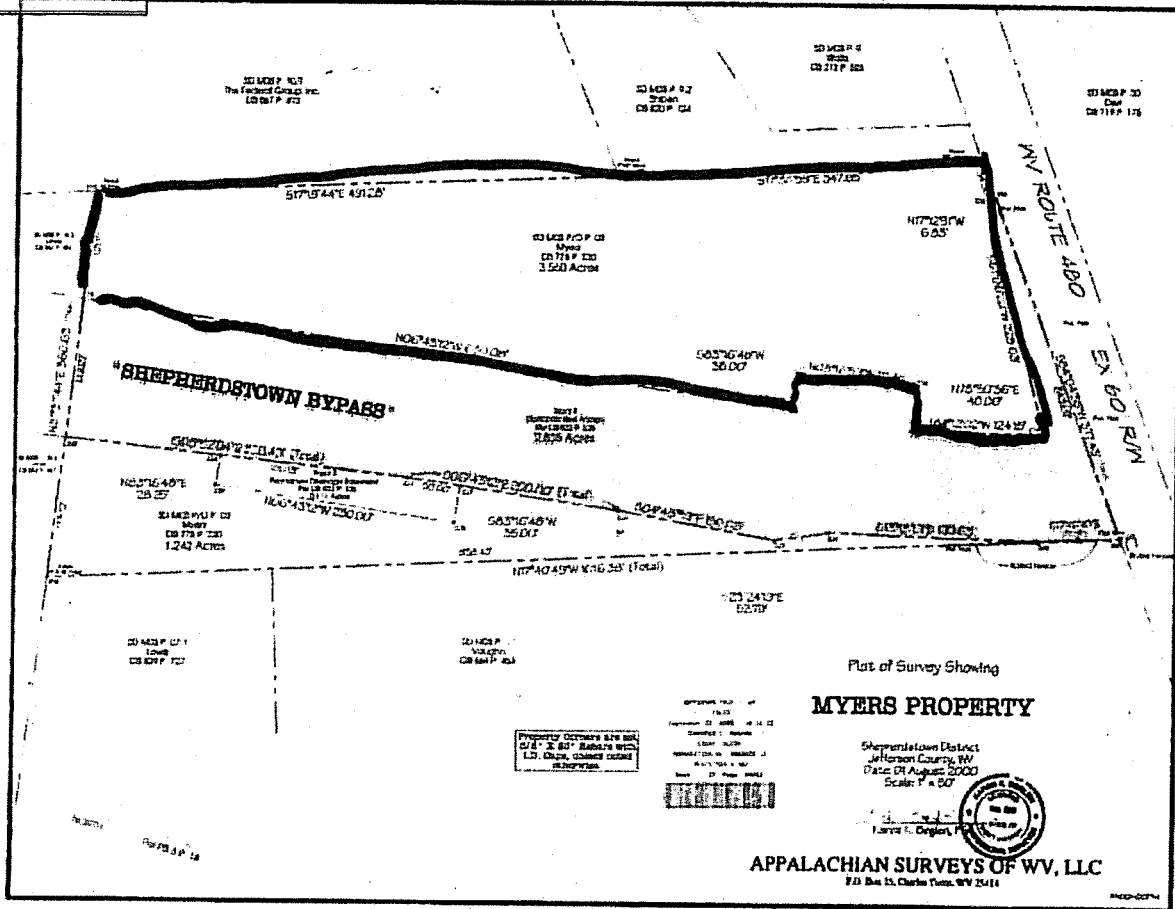
Owner

September 12, 2017

Date

Christopher Rankin
Rankin Properties, LLC

Source JC Clerk's & Assessor's Office



Handwritten initials or signature.

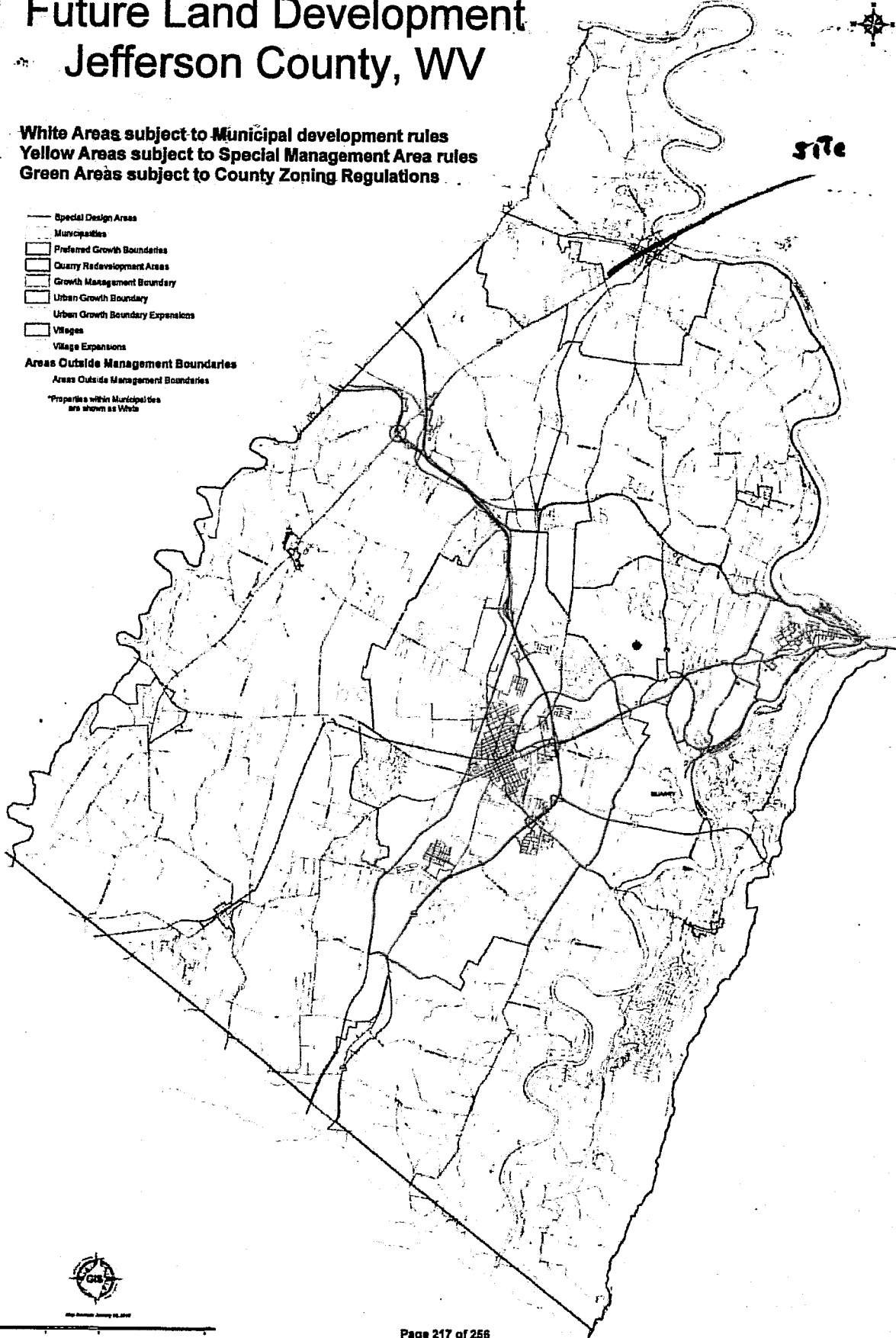
2

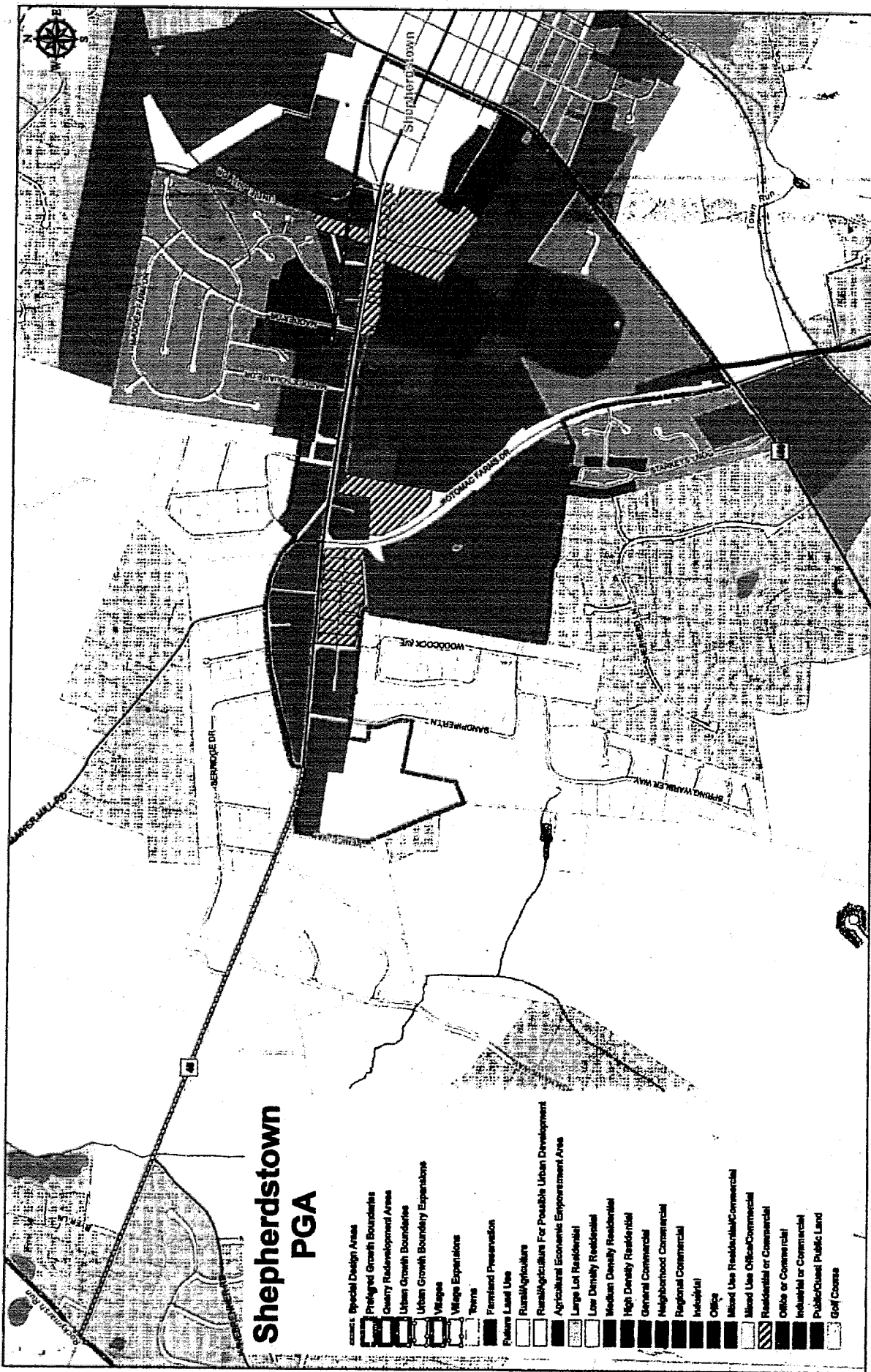
Plats courtesy of the Jefferson County Clerk's Office, Jennifer Maghan, Clerk

Future Land Development Jefferson County, WV

White Areas subject to Municipal development rules
Yellow Areas subject to Special Management Area rules
Green Areas subject to County Zoning Regulations

- Special Design Areas
 - Municipalities
 - ▭ Preferred Growth Boundaries
 - ▭ Quarry Redevelopment Areas
 - ▭ Growth Management Boundary
 - ▭ Urban Growth Boundary
 - ▭ Urban Growth Boundary Expansions
 - ▭ Villages
 - ▭ Village Expansions
 - Areas Outside Management Boundaries**
 - ▭ Areas Outside Management Boundaries
- *Properties within Municipalities
are shown as White





Shepherdstown PGA

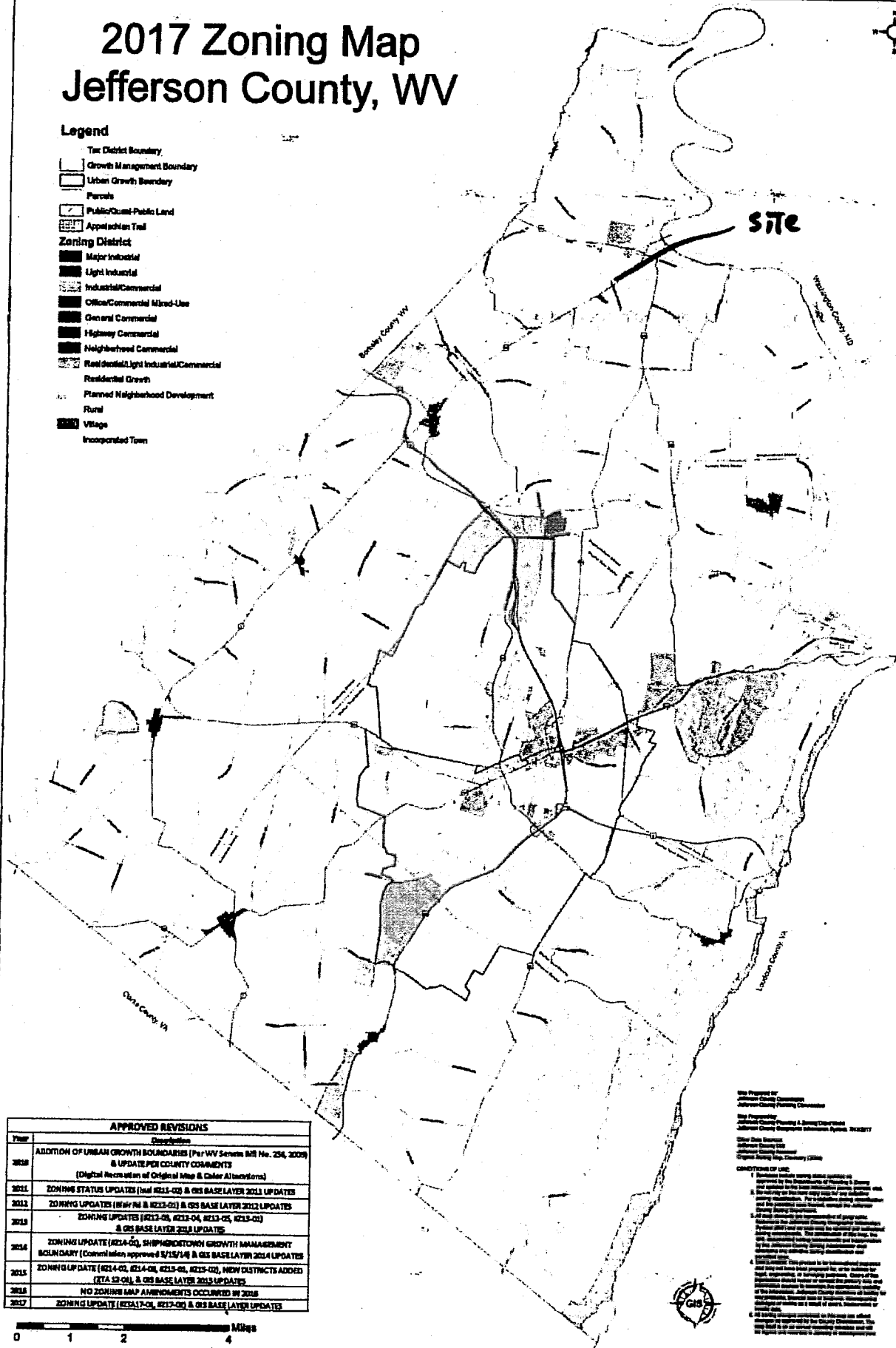
- Special Design Areas
- Prerogative Growth Boundaries
- Quarry Redevelopment Areas
- Urban Growth Boundaries
- Urban Growth Boundary Expansions
- Villages
- Village Expansions
- Towns
- Farmland Preservation
- Future Land Use
- Rural/Agriculture
- Agricultural Economic Empowerment Area
- Residential For Possible Urban Development
- Large Lot Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- General Commercial
- Neighborhood Commercial
- Regional Commercial
- Int'l/Int'l
- Office
- Mixed Use Residential/Commercial
- Mixed Use Office/Commercial
- Residential or Commercial
- Office or Commercial
- Industrial or Commercial
- Public/Quasi Public Land
- Golf Course

2017 Zoning Map Jefferson County, WV



Legend

- Tax District Boundary
- Growth Management Boundary
- Urban Growth Boundary
- Parcels
- Public/Quasi-Public Land
- Appalachian Trail
- Zoning District**
- Major Industrial
- Light Industrial
- Industrial/Commercial
- Office/Commercial Mixed-Use
- General Commercial
- Highway Commercial
- Neighborhood Commercial
- Residential/Light Industrial/Commercial
- Residential Growth
- Planned Neighborhood Development
- Rural
- Village
- Incorporated Town



APPROVED REVISIONS	
Year	Description
2010	ADDITION OF URBAN GROWTH BOUNDARIES (Per WV Senate Bill No. 254, 2009) & UPDATE FOR COUNTY COMMENTS (Digital Recreation of Original Map & Color Alterations)
2011	ZONING STATUS UPDATES (MAY 10, 2011-02) & GIS BASE LAYER 2011 UPDATES
2012	ZONING UPDATES (MAY 10, 2012-02) & GIS BASE LAYER 2012 UPDATES
2013	ZONING UPDATES (MAY 10, 2013-04, 2013-05, 2013-06, 2013-07) & GIS BASE LAYER 2013 UPDATES
2014	ZONING UPDATE (2014-02), SHIPENHEDTOWN GROWTH MANAGEMENT BOUNDARY (Commissioner approval 5/15/14) & GIS BASE LAYER 2014 UPDATES
2015	ZONING UPDATE (2015-02, 2015-03, 2015-04, 2015-05), NEW DISTRICTS ADDED (ITA 12-04) & GIS BASE LAYER 2015 UPDATES
2016	NO ZONING MAP AMENDMENTS OCCURRED BY 2016
2017	ZONING UPDATE (2017-04, 2017-05) & GIS BASE LAYER UPDATE



Map Prepared for:
Jefferson County Planning Commission

Map Preparation:
Jefferson County Planning & Growth Department
Jefferson County Planning Commission, 1000 1st Street, Beckley, WV

Other Data Sources:
Jefferson County GIS Department
Jefferson County Planning Commission

DISCLAIMER: This map was prepared for the Jefferson County Planning Commission and is not intended to be used for any other purpose. The Jefferson County Planning Commission is not responsible for any errors or omissions in this map. The Jefferson County Planning Commission is not responsible for any actions taken based on this map. The Jefferson County Planning Commission is not responsible for any damages or losses resulting from the use of this map. The Jefferson County Planning Commission is not responsible for any actions taken based on this map. The Jefferson County Planning Commission is not responsible for any damages or losses resulting from the use of this map.





WEESEY PT

COMEGY DR

FOLKS PT

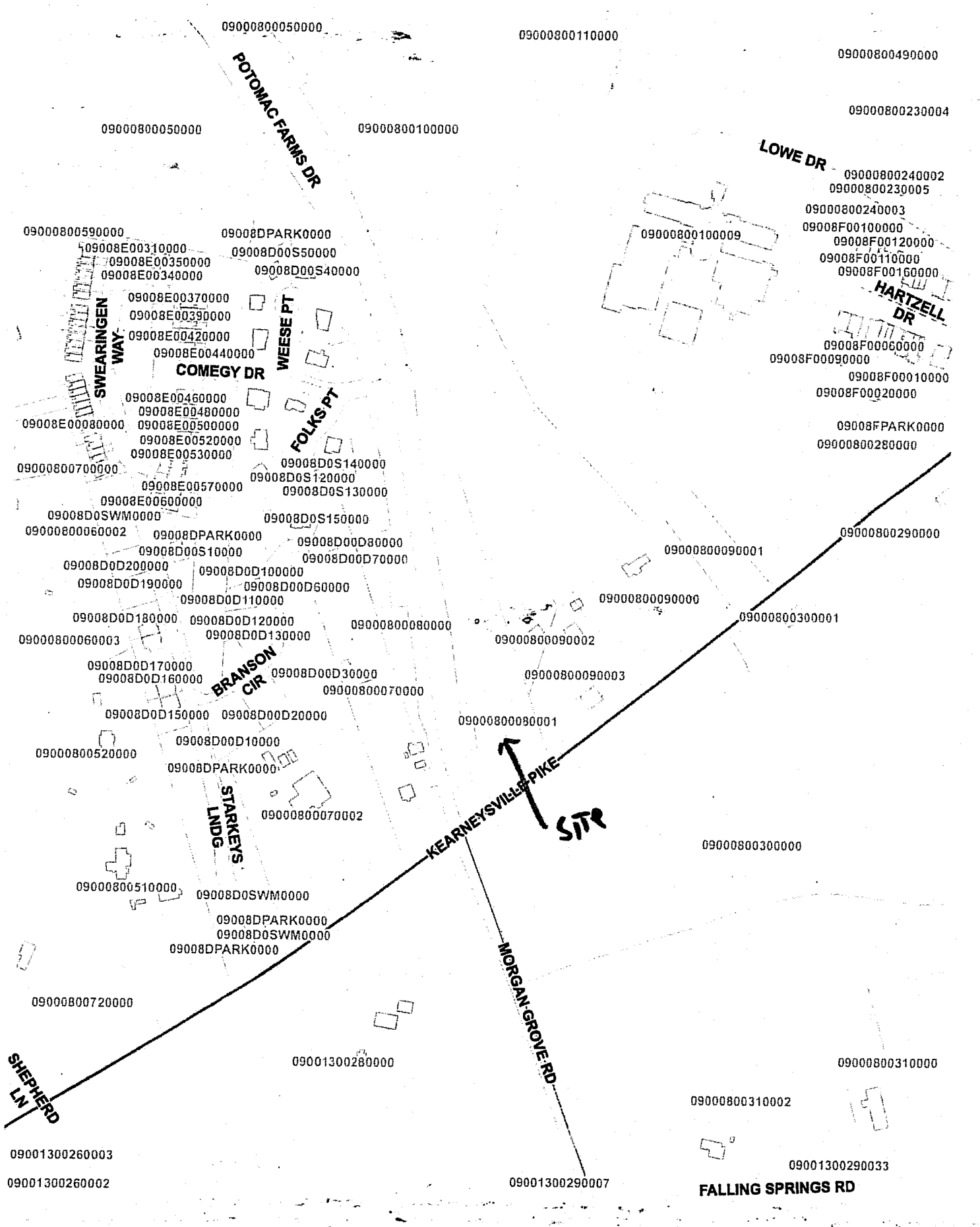
POTOMAC FARMS DR

BRANSON CIR

KEARNEYVILLE PIKE

MORGAN CROVER RD

STARKEYS LIND



09000800050000

09000800110000

09000800490000

09000800050000

09000800100000

09000800230004

LOWE DR

09000800240002
09000800230005

09000800240003
09008F00100000
09008F00120000
09008F00110000
09008F00160000

HARTZELL DR

09008F00060000
09008F00090000
09008F00010000
09008F00020000

09008FPARK0000
09000800280000

09000800590000

09008DPARK0000

09000800100009

09008E00310000
09008E00350000
09008E00340000

09008D00S50000
09008D00S40000

09008E00370000
09008E00390000

WEESE PT

09008E00420000
09008E00440000

COMEGY DR

09008E00460000
09008E00480000
09008E00500000

FOLKS PT

09008E00520000
09008E00530000

09008D0S140000
09008D0S120000
09008D0S130000

09008E00570000
09008E00600000

09008D0SWM0000

09008D0S150000

09000800060002

09008DPARK0000
09008D00S10000

09008D00D80000
09008D00D70000

09008D0D200000
09008D0D190000

09008D0D100000
09008D0D60000
09008D0D110000

09008D0D180000
09008D0D120000

09008D0D130000

09000800080000

09000800060003

09008D0D170000
09008D0D160000

09008D0D30000
09000800070000

09000800090002

09000800300001

BRANSON CIR

09008D0D150000
09008D0D10000

09008D0D20000

09000800080001

09000800520000

09008DPARK0000

09000800090003

STARKEN'S LNDG

09000800070002

KEARNEYSVILLE PIKE

SITE

09000800300000

09000800510000

09008D0SWM0000

MORGAN GROVE RD

09008DPARK0000
09008D0SWM0000
09008DPARK0000

09000800720000

09001300280000

09000800310000

SHEPHERD LN

09000800310002

09001300260003

09001300260002

09001300290007

09001300290033

FALLING SPRINGS RD

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **November 16, 2017**

If a specific date is needed, please provide reason for specific date: Click here to enter text.

Subject (*Wording to be placed on agenda*):

Acknowledgement of the “Assessor’s additional duties” as delineated in WV Code 7-7-6a in the amount of \$15,000 - Discussion/Action

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

Is this a funding request? Y/N Click here to enter text.

If so, how much? \$Click here to enter text.

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

Attach supporting documents for request, or request may be denied.

If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N Click here to enter text. Internet/Wi Fi Y/N Click here to enter text. Telephone for conference call Y/N Click here to enter text.

Contact information:

Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.



STATE OF WEST VIRGINIA

Department of Revenue
State Tax Department

Jim Justice
Governor

Dale W. Steager
State Tax Commissioner

November 6, 2017

President, Jefferson County Commission
Jefferson County Courthouse
100 E. Washington Street
Charles Town, West Virginia 25414

Dear Commission President:

This letter and attachment certify that Angela L. Banks, Assessor of Jefferson County, has substantially complied with the "assessor's additional duties" as delineated in West Virginia Code § 7-7-6a. Substantial completion of the additional duties entitles Ms. Banks to the additional compensation of \$15,000 as provided in West Virginia Code § 7-7-6b.

Sincerely,

A handwritten signature in cursive script that reads "Dale W. Steager".

Dale W. Steager
State Tax Commissioner

DWS/jaj

Attachment

cc: Assessor of Jefferson County
Clerk of Jefferson County



AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name: **Sandy McDonald, Deputy County Administrator**

Department or Organization: County Commission

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **November 16, 2017**

If a specific date is needed, please provide reason for specific date: Click here to enter text.

Date Requested – 2nd Choice: Click here to enter text.

Subject (*Wording to be placed on agenda*): **Approval of 2018 Holiday Schedule**

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

Is this a funding request? Y/N Click here to enter text.

If so, how much? \$Click here to enter text.

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

Motion to approve the 2018 Holiday Schedule

Attach supporting documents for request, or request may be denied.

If not attached, explain: Click here to enter text.

Is equipment needed? Projector Y/N Click here to enter text. Internet/Wi Fi Y/N Click here to enter text.

Telephone for conference call Y/N Click here to enter text.

Contact information:

Email address: Click here to enter text. Phone Number: Click here to enter text.

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

JEFFERSON COUNTY COMMISSION HOLIDAY SCHEDULE 2018

New Year's Day	Monday, January 1, 2018
Martin Luther King's Day	Monday, January 15, 2018
President's Day	Monday, February 19, 2018
Primary Election	Tuesday, May 8, 2018
Memorial Day	Monday, May 28, 2018
West Virginia Day	Wednesday, June 20, 2018
Independence Day	Wednesday, July 4, 2018
Labor Day	Monday, September 3, 2018
Columbus Day	Monday, October 8, 2018
General Election	Tuesday, November 6, 2018
Veteran's Day	Monday, November 12, 2018
Thanksgiving Day	Thursday, November 22, 2018
Day after Thanksgiving	Friday, November 23, 2018
Christmas Eve	½ Day, Monday, December 24, 2018
Christmas Day	Tuesday, December 25, 2018

IN ADDITION TO THE DAYS LISTED ABOVE, THE COMMISSION WILL OBSERVE AS HOLIDAYS, ANY NATIONAL, STATE OR OTHER ELECTION DAY THROUGHOUT THE COUNTY, AND ALL DAYS WHICH MAY BE APPOINTED OR RECOMMENDED BY THE GOVERNOR, OF THIS STATE, OR THE PRESIDENT OF THE UNITED STATES, AS DAYS OF THANKSGIVING, OR FOR THE GENERAL CESSATION OF BUSINESS, ANY DAY OR PART THEREOF DESIGNATED BY THE GOVERNOR AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE, FOR STATE EMPLOYEES STATEWIDE MAY ALSO BE TIME OFF FOR COUNTY EMPLOYEES IF THE COUNTY COMMISSION ELECTS TO DESIGNATE THE DAY OR PART THEREOF AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE FOR COUNTY EMPLOYEES. ANY ENTIRE OR PART STATE WIDE DAY OFF DESIGNATED BY THE GOVERNOR MAY, FOR ALL COURTS BE TREATED AS IF IT WERE A LEGAL HOLIDAY, AS PROVIDED FOR IN 2-2-1 OF THE WEST VIRGINIA CODE, AS AMENDED.

Date: November 16, 2017

PRESIDENT, JEFFERSON COUNTY COMMISSION



**JEFFERSON COUNTY
COMMISSION OFFICES
WILL BE CLOSED ON
THURSDAY NOVEMBER
23rd AND FRIDAY,
NOVEMBER 24TH, 2017 IN
OBSERVANCE OF THE
THANKSGIVING HOLIDAY**

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, November 30, 2017, or as soon thereafter as the Commission may decide:

Summit Point Library Committee: two unexpired terms ending June 30, 2019 and June 30, 2021

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, no later than 12:00 p.m. on the Monday prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

SPIRIT OF JEFFERSON - PLEASE ADVERTISE ON:

November 15 and November 22

THANKS - JEFFERSON COUNTY COMMISSION

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, November 30, 2017, or as soon thereafter as the Commission may decide:

Public Service District - One six year term ending December 1, 2023.

Appointee must be willing to attend monthly meetings at the Public Service District offices and travel to Charleston or another area in the State normally a few hours from Jefferson County for a two day Board Member Training class.

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, by 12:00 pm on the Monday prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

November 15 and November 22

THANKS - JEFFERSON COUNTY COMMISSION

Impact Fee Status Report October 2017

Office of Impact Fees

Summary

Date Range: Sunday 1 through Tuesday 31 October 2017

Report Date: 1 November 2017

Process Number Range: 1700216-1700229

Total Applications: 14

Total Non-Exempt: 14

Of which:

Commercial: 0

Residential: 14

Of which:

County: 10

Municipal: 4

Total Exempt: 0

Of which:

Commercial: 0

Residential: 0

Of which:

County: 0

Municipal: 0

Tables 1 through 7 summarize impact fee processing for October 2017. Table 8 represents account totals, pending the transfer of fees collected as shown in Table 1, including General Impact Fee Account (3111776) interest which is listed in Table 2.

Table 1. Form 100 Tallies

	Exempt	Commercial	Residential	Total
1 – 31 October 2017	0	0	14	14
Fees collected		\$0.00	\$83,517.00	\$83,517.00
<i>Of which</i>				
School Impact Fee			\$75,582.00	\$75,582.00
Law Enforcement Fee		\$0.00	\$1,491.00	\$1,491.00
Parks & Recreation Fee			\$5,808.00	\$5,808.00
EMS Fee		\$0.00	\$636.00	\$636.00

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

Description	Amount
Opening Statement Balance (1 October 2017)	\$166,303.87
September Deposits (1 – 31 October 2017)	\$83,517.00
School September Transactions (withdraws via transfer on 12 Oct. 2017)	(\$151,141.35)
Law September Transactions (withdraws via transfer on 12 October 2017)	(\$2,577.36)
Parks & Rec Sept. Transactions (withdraws via transfer on 12 Oct. 2017)	(\$11,392.77)
EMS September Transactions (withdraws via transfer on 12 October 2017)	(\$1,248.68)
Reimbursement of Re-order of Deposit Slips (deposit 26 October 2017)	\$56.29
Interest Earned (31 October 2017)	\$43.45
Ending Statement Balance (31 October 2017)	\$83,560.45
<i>Outstanding Credits (deposits through 1 November 2017)</i>	<i>\$0.00</i>

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

Description	Amount
Opening Balance (1 October 2017)	\$3,832,088.39
September Transactions (deposits via transfer on 12 October 2017)	\$151,141.35
Impact Fee Refund - PN 1700053 (10 October 2017)	(\$5,700.00)
Interest Earned (31 October 2017)	\$1,667.02
Ending Balance (31 October 2017)	\$3,979,196.76

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

Description	Amount
Opening Balance (1 October 2017)	\$104,131.35
September Transactions (deposits via transfer on 12 October 2017)	\$2,577.36
Impact Fee Refund - PN 1700053 (10 October 2017)	(\$161.00)
Interest Earned (31 October 2017)	\$44.88
Ending Balance (31 October 2017)	\$106,592.59

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

Description	Amount
Opening Balance (1 October 2017)	\$175,759.16
September Transactions (deposits via transfer on 12 October 2017)	\$11,392.77
Impact Fee Refund - PN 1700053 (10 October 2017)	(\$438.00)
Interest Earned (31 October 2017)	\$77.63
Ending Balance (31 October 2017)	\$186,791.56

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

Description	Amount
Opening Balance (1 October 2017)	\$2,879.21
September Transactions (deposits via transfer on 12 October 2017)	\$1,248.68
Impact Fee Refund - PN 1700053 (10 October 2017)	(\$48.00)
Interest Earned (31 October 2017)	\$1.55
Ending Balance (31 October 2017)	\$4,081.44

Table 7. Total Impact Fees as of 1 November 2017/1

Description	Amount
Office of Impact Fees General Account	\$83,560.45
School Impact Fee Account	\$3,979,196.76
Law Enforcement Fee Account	\$106,592.59
Parks & Recreation Impact Fee Account	\$186,791.56
EMS Impact Fee Account	\$4,081.44
Total Impact Fees	\$4,360,222.80

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

Table 8. Pending October 2017 Fee Transfers /1

Account	31 October 2017 Account Totals	Pending Impact Fee Transfers	Account Totals
School Impact Fee Account	\$3,979,196.76	\$75,621.11	\$4,054,817.87
Law Enforcement Fee Account	\$106,592.59	\$1,491.87	\$108,084.46
Parks & Recreation Impact Fee Account	\$186,791.56	\$5,811.04	\$192,602.60
EMS Impact Fee Account	\$4,081.44	\$636.43	\$4,717.87
Total Impact Fees	\$4,276,662.35	\$83,560.45	\$4,360,222.80

/1 This table represents each of the impact fee category account totals as of 31 October 2017 listed in tables 3 – 6. Pending fee transfer amounts, excluding interest and any outstanding credits, collected in October 2017 are listed in table 1 of the General Account (3111776); these transactions will be processed in November 2017. Any outstanding credits, as listed in table 2, will be added to the next month's Impact Fee transfer amounts.

610

Form 100 Transaction Summary

Jefferson County Government – Office of Impact Fees

Impact Fee Applications Processed between dates Sunday through Tuesday 31 October 2017

Process Number	Date	Last Name	First Name	Tax District	Deed Book	Deed Page	Tax Map	Parcel	Impact Fees Collected	Date	Exemption Reason
----------------	------	-----------	------------	--------------	-----------	-----------	---------	--------	-----------------------	------	------------------

Exempt Applications

Category Count: 0

Category Total

\$0.00

Non-Exempt Applications

1700216	10/02/2017	Mayer	Susan	09 Shepherdstown	1172	549	5C	12	\$6,347.00	10/02/2017	N/A
1700217	10/02/2017	Henry	James	04 Harpers Ferry	1193	541	13B	111	\$6,347.00	10/02/2017	N/A
1700218	10/05/2017	Arcadia		03 Charles Town	23	67	12B	245	\$6,186.00	10/05/2017	N/A
1700219	10/05/2017	Arcadia		03 Charles Town	23	67	12B	168	\$6,186.00	10/05/2017	N/A
1700220	10/06/2017	Berk	Austin	02 Charles Town	1068	119	8	32.13	\$1,650.00	10/06/2017	Form 260
1700221	10/11/2017	Carey	Ralph	06 Kabletown	1176	168	12	2.21	\$6,347.00	10/11/2017	N/A
1700222	10/12/2017	Anderson	Tammy	02 Charles Town	1119	760	20B	50	\$6,347.00	10/12/2017	N/A
1700223	10/13/2017	Arcadia		03 Charles Town	23	67	12B	191	\$6,186.00	10/13/2017	N/A
1700224	10/13/2017	Arcadia		03 Charles Town	23	67	12B	236	\$6,186.00	10/13/2017	N/A
1700225	10/18/2017	Gibson	James	04 Harpers Ferry	1112	240	5	11	\$6,347.00	10/18/2017	N/A
1700226	10/24/2017	Beall	Stanley	07 Middleway	1143	150	25	2.2	\$6,347.00	10/24/2017	N/A
1700227	10/26/2017	Boyd	Mark and Elaine	07 Middleway	1197	467	8	2.18	\$6,347.00	10/26/2017	N/A
1700228	10/31/2017	Waybright	Ronald	07 Middleway	1121	448	7	5.14	\$6,347.00	10/31/2017	N/A
1700229	10/31/2017	Joshbeen	ILÀ Properties,	09 Shepherdstown	1093	597	18	19.14	\$6,347.00	10/31/2017	N/A

Category Count: 14

Category Total

\$83,517.00

TOTAL APPLICATIONS: 14

Grand Total

\$83,517.00

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

Week Ending Date	FY18 October 28, 2017
To Be Deposited On	November 3, 2017
Amount Played	\$ 55,389,205.24
Amount Won	49,674,868.74
Amount Promo	496,719.00
MWAP Contribution	<u> -</u>
Adjusted Gross Terminal Revenue	<u>\$ 5,217,617.50</u>
Administrative Costs @ 4%	208,704.72
Excess Lottery Fund @ 4%	<u> -</u>
Net Terminal Revenue	<u>\$ 5,008,912.78</u>
Surcharge @ 10%	-
State Share Excess @ 58% & 10% of 42%	-
Track Share of Capital Reinvestment @ 90% of 42%	<u> -</u>
Track Share of Capital Reinvestment @ 96%	-
Track Share of Capital Reinvestment @ 4%	-
Adjusted Net Terminal Revenue	<u>\$ 5,008,912.78</u>
Racetrack @ 46.50% / 42%	2,329,144.44
Lottery Fund @ 30% / 0%	1,502,673.88
Excess Lottery Fund @ 0% / 41%	-
Excess Lottery Fund @ 12.85% / 9.55%	643,645.27
Racetrack Purses @ 90% of 7% / 4%	315,561.51
Employee Pension @ 1% / 0.5%	50,089.12
Greyhound Development @ 90% of 0.75%	33,810.16
Thoroughbred Development @ 90% of 0.75%	33,810.16
County / Municipality @ 2%	<u>100,178.24</u>
	<u>\$ 5,008,912.78</u>

WEST VIRGINIA LOTTERY
Charles Town
County / Municipality Split
Fiscal Year 2018

Charles Town
1999 Net Terminal Revenue \$ 45,603,174
Benchmark Goal @ 2% \$ 912,063.48

Date	2% of Adj. Net Revenue	Jefferson County	Five Municipalities	Bolivar 7.93%	Charles Town 39.90%	Harpers Ferry 2.17%	Ranson 33.68%	Shepherdstown 16.32%
1 day ending: 7/1/2017	\$ 23,688.48	\$ 23,688.48	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending: 7/8/2017	125,588.96	125,588.96	-	-	-	-	-	-
7/15/2017	99,148.44	99,148.44	-	-	-	-	-	-
7/22/2017	98,965.20	98,965.20	-	-	-	-	-	-
7/29/2017	108,161.52	108,161.52	-	-	-	-	-	-
8/5/2017	104,979.36	104,979.36	-	-	-	-	-	-
8/12/2017	100,184.16	100,184.16	-	-	-	-	-	-
8/19/2017	101,813.88	101,813.88	-	-	-	-	-	-
8/26/2017	97,669.16	97,669.16	-	-	-	-	-	-
9/2/2017	111,442.08	81,653.20	29,788.88	2,362.26	11,885.76	646.42	10,032.89	4,861.55
9/9/2017	110,669.96	55,334.98	55,334.98	4,388.06	22,078.66	1,200.77	18,636.82	9,030.67
9/16/2017	88,536.00	44,268.00	44,268.00	3,510.45	17,662.93	960.62	14,909.46	7,224.54
9/23/2017	92,140.24	46,070.12	46,070.12	3,653.36	18,381.98	999.72	15,516.42	7,518.64
9/30/2017	108,018.60	54,009.30	54,009.30	4,282.94	21,549.71	1,172.00	18,190.33	8,814.32
10/7/2017	97,398.00	48,699.00	48,699.00	3,861.83	19,430.90	1,056.77	16,401.82	7,947.68
10/14/2017	100,794.72	50,397.36	50,397.36	3,996.51	20,108.55	1,093.62	16,973.83	8,224.85
10/21/2017	89,091.32	44,545.66	44,545.66	3,532.47	17,773.72	966.64	15,002.98	7,269.85
10/28/2017	100,178.24	50,089.12	50,089.12	3,972.07	19,985.56	1,086.93	16,870.02	8,174.54
Sub Total	\$ 1,758,468.32	\$ 1,335,265.90	\$ 423,202.42	\$ 33,559.95	\$ 168,857.77	\$ 9,183.49	\$ 142,534.57	\$ 69,066.64

Benchmark Goal \$ 912,063.48

Remainder until split \$ -

VIDEO LOTTERY REPORT

FY 2014		FY 2015		FY 2016		FY 2017		FY 2018	
Date	Amount	Date	Amount	Date	Amount	Date	Amount	Date	Amount
7/6/2013	123,196.88	7/5/2014	106,819.12	7/4/2015	89,446.56	7/1-2/2016	51,477.36	7/1/2017	23,688.48
7/13/2013	128,060.40	7/12/2014	111,792.16	7/11/2015	119,132.68	7/9/2016	125,605.24	7/8/2017	125,588.96
7/20/2013	115,128.84	7/19/2014	116,320.32	7/18/2015	112,706.24	7/16/2016	107,876.48	7/15/2017	99,148.44
7/27/2013	123,049.56	7/26/2014	112,502.48	7/25/2015	109,356.88	7/23/2016	107,196.20	7/22/2017	98,965.20
8/3/2013	116,180.80	8/2/2014	117,145.12	8/1/2015	119,089.60	7/30/2016	111,534.28	7/29/2017	108,161.52
8/10/2013	120,078.64	8/9/2014	114,374.60	8/8/2015	115,689.52	8/6/2016	110,378.32	8/5/2017	104,979.36
8/17/2013	124,888.56	8/16/2014	114,105.32	8/15/2015	108,726.48	8/13/2016	101,561.56	8/12/2017	100,184.16
8/24/2013	89,882.12	8/23/2014	116,097.04	8/22/2015	108,922.12	8/20/2016	115,270.28	8/19/2017	101,813.88
8/31/2013	58,913.18	8/30/2014	60,280.02	8/29/2015	73,285.10	8/27/2016	96,130.52	8/26/2017	97,669.16
9/7/2013	67,758.74	9/6/2014	61,420.28	9/5/2015	55,890.76	9/3/2016	60,448.12	9/2/2017	81,653.20
9/14/2013	53,374.22	9/13/2014	51,364.96	9/12/2015	63,273.30	9/10/2016	61,598.04	9/8/2017	55,334.98
9/21/2013	54,277.94	9/20/2014	50,664.54	9/19/2015	54,233.06	9/17/2016	50,609.64	9/16/2017	44,268.00
9/28/2013	54,881.50	9/27/2014	50,127.22	9/26/2015	52,439.60	9/24/2016	51,199.68	9/23/2017	46,070.12
10/5/2013	55,950.74	10/4/2014	53,531.28	10/3/2015	53,104.94	10/1/2016	54,346.34	9/30/2017	54,009.30
10/12/2013	55,837.92	10/11/2014	51,127.00	10/10/2015	50,291.26	10/8/2016	50,896.18	10/7/2017	48,699.00
10/19/2013	61,327.20	10/18/2014	56,414.64	10/17/2015	53,048.80	10/15/2016	51,557.88	10/14/2017	50,397.36
10/26/2013	52,854.06	10/25/2014	49,890.20	10/24/2015	55,418.72	10/22/2016	53,825.90	10/21/2017	44,545.66
11/2/2013	57,543.54	11/1/2014	52,242.34	10/31/2015	57,023.64	10/29/2016	50,853.22	10/28/2017	50,089.12
11/9/2013	54,666.76	11/8/2014	52,819.26	11/7/2015	55,832.08	11/5/2016	55,958.84		
11/16/2013	56,495.96	11/15/2014	51,810.32	11/14/2015	56,012.86	11/12/2016	53,346.18		
11/23/2013	48,628.62	11/22/2014	46,228.62	11/21/2015	50,193.76	11/19/2016	47,174.90		
11/30/2013	59,645.66	11/29/2014	55,593.44	11/28/2015	60,010.98	11/26/2016	56,826.94		
12/7/2013	47,306.24	12/6/2014	46,792.50	12/5/2015	47,767.86	12/3/2016	48,407.86		
12/14/2013	29,229.02	12/13/2014	40,904.98	12/12/2015	42,938.56	12/10/2016	43,743.14		
12/21/2013	44,581.02	12/20/2014	41,600.84	12/19/2015	43,087.16	12/17/2016	33,602.54		
12/28/2013	62,117.14	12/27/2014	58,114.68	12/26/2015	52,835.48	12/24/2016	40,222.46		
1/4/2014	62,963.88	1/3/2015	68,277.28	1/2/2016	74,963.14	12/31/2016	60,653.90		
1/11/2014	37,935.94	1/10/2015	37,099.34	1/9/2016	41,474.24	1/7/2017	42,634.50		
1/18/2014	49,418.64	1/17/2015	43,217.36	1/16/2016	43,455.58	1/14/2017	37,751.18		
1/25/2014	42,720.80	1/24/2015	41,212.80	1/23/2016	25,025.40	1/21/2017	46,870.58		
2/1/2014	47,681.60	1/31/2015	42,783.32	1/30/2016	36,805.26	1/28/2017	40,692.96		
2/8/2014	45,434.52	2/7/2015	47,859.18	2/4/2016	51,695.74	2/4/2017	44,277.10		
2/15/2014	41,076.08	2/14/2015	48,131.08	2/13/2016	44,941.78	2/11/2017	42,514.28		
2/22/2014	61,523.98	2/21/2015	37,610.66	2/20/2016	50,505.40	2/18/2017	48,086.80		
3/1/2014	57,744.78	2/28/2015	56,982.14	2/27/2016	52,426.86	2/25/2017	55,365.02		
3/8/2014	50,439.94	3/7/2015	43,750.42	3/5/2016	53,474.66	3/4/2017	47,881.24		
3/15/2014	54,414.66	3/14/2015	55,096.66	3/12/2016	51,447.02	3/11/2017	46,274.58		
3/22/2014	50,734.62	3/21/2015	53,081.08	3/19/2016	50,356.80	3/18/2017	43,959.78		
3/29/2014	51,174.60	3/28/2015	50,548.88	3/26/2016	52,217.46	3/25/2017	49,130.62		
4/5/2014	55,229.90	4/4/2015	51,713.78	4/2/2016	54,185.88	4/1/2017	48,124.72		
4/12/2014	48,653.18	4/11/2015	51,024.54	4/9/2016	49,690.04	4/8/2017	46,262.60		
4/19/2014	54,469.22	4/18/2015	49,338.10	4/16/2016	49,071.82	4/15/2017	46,768.98		
4/26/2014	51,637.18	4/25/2015	49,656.62	4/23/2016	49,485.78	4/22/2017	45,614.00		

5/3/2014	54,757.72	5/2/2015	54,079.66	4/30/2016	50,872.46	4/29/2017	48,204.34
5/10/2014	51,011.76	5/9/2015	50,062.82	5/7/2016	52,135.22	5/8/2017	46,890.30
5/17/2014	51,148.34	5/16/2015	48,308.08	5/14/2016	51,441.84	5/13/2017	47,648.16
5/24/2014	53,082.60	5/23/2015	47,705.92	5/21/2016	48,392.48	5/20/2017	43,998.24
5/31/2014	62,642.98	5/30/2015	58,258.10	5/28/2016	49,380.84	5/27/2017	49,930.94
6/7/2014	49,517.18	6/6/2015	53,927.82	6/4/2016	58,228.50	6/3/2017	52,503.12
6/14/2014	50,266.50	6/13/2015	50,110.84	6/11/2016	45,053.42	6/10/2017	42,563.08
6/21/2014	48,768.14	6/20/2015	47,109.22	6/18/2016	46,179.18	6/17/2017	47,653.68
6/28/2014	49,250.32	6/27/2015	55,325.14	6/25/2016	47,230.00	6/24/2017	46,628.62
6/30/2014	12,010.70	6/30/2015	16,018.68	6/30/2016	27,584.00	6/30/2017	37,001.52

3,261,565.02

3,148,372.80

3,167,478.80

3,047,532.94

1,335,265.90

Table Game Revenue

Date	Amount	Date	Amount	Date	Amount	Date	Amount
July/August, 2010	154,185.68	July, 2011	141,718.01	July, 2012	138,663.64	July, 2013	99,274.36
September, 2010	94,247.84	August, 2011	137,473.92	August, 2012	133,245.83	August, 2013	111,427.75
October, 2010	105,903.60	September, 2011	110,375.25	September, 2012	127,532.40	September, 2013	80,857.74
November, 2010	108,717.67	October, 2011	124,273.94	October, 2012	126,482.02	October, 2013	81,066.09
December, 2010	118,721.11	November, 2011	121,118.87	November, 2012	134,443.93	November, 2013	79,853.94
January, 2011	106,189.21	December, 2011	140,509.93	December, 2012	146,677.92	December, 2013	79,617.31
February, 2011	105,776.45	January, 2012	137,812.68	January, 2013	132,650.35	January, 2014	75,093.81
March, 2011	120,927.10	February, 2012	142,770.01	February, 2013	121,636.62	February, 2014	75,170.90
April, 2011	130,654.61	March, 2012	151,845.46	March, 2013	149,033.62	March, 2014	78,201.51
May, 2011	130,492.02	April, 2012	127,862.26	April, 2013	105,545.23	April, 2014	72,380.72
June, 2011	121,576.41	May, 2012	137,905.13	May, 2013	109,747.38	May, 2014	93,191.89
		June, 2012	129,235.38	June, 2013	104,803.37	June, 2014	72,350.70
Total 2010-2011	1,297,391.70	Total 2011-2012	1,602,900.84	Total 2012-2013	1,530,462.31	Total 2013-2014	998,486.72

Date	Amount	Date	Amount	Date	Amount	Date	Amount
July, 2014	78,639.07	July, 2015	75,674.79	July, 2016	77,234.20	July, 2017	59,809.62
August, 2014	84,726.51	August, 2015	70,064.73	August, 2016	63,158.62	August, 2017	54,309.02
September, 2014	71,967.51	September, 2015	64,845.44	September, 2016	67,701.42	September, 2017	49,630.18
October, 2014	66,257.02	October, 2015	68,440.97	October, 2016	63,392.97		
November, 2014	71,046.66	November, 2015	67,488.54	November, 2016	61,087.94		
December, 2014	76,797.24	December, 2015	73,055.05	December, 2016	59,508.00		
January, 2015	73,346.66	January, 2016	67,545.11	January, 2017	63,836.29		
February, 2015	66,262.78	February, 2016	65,518.59	February, 2017	51,478.72		
March, 2015	73,747.70	March, 2016	72,986.23	March, 2017	55,972.27		
April, 2015	76,343.68	April, 2016	68,149.38	April, 2017	54,086.05		
May, 2015	78,424.23	May, 2016	76,415.84	May, 2017	55,545.56		
June, 2015	81,569.83	June, 2016	62,572.11	June, 2017	53,609.09		
Total 2014-2015	899,128.89	Total 2015-2016	832,756.78	Total 2016-2017	726,611.13	Total 2017-2018	163,748.82

Table Game Revenue Distribution - Jefferson County School Board

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
July, 2011	425,154.03	July, 2012	415,990.92	July, 2013	297,823.08	July, 2014	235,917.21
August, 2011	412,421.76	August, 2012	399,737.49	August, 2013	334,283.25	August, 2014	254,179.53
September, 2011	331,125.75	September, 2012	382,597.20	September, 2013	242,573.22	September, 2014	215,902.53
October, 2011	372,821.82	October, 2012	379,446.06	October, 2013	243,198.27	October, 2014	198,771.06
November, 2011	363,356.61	November, 2012	403,331.79	November, 2013	239,561.82	November, 2014	213,139.98
December, 2011	421,529.79	December, 2012	440,033.75	December, 2013	238,851.93	December, 2014	230,391.72
January, 2012	413,438.04	January, 2013	397,951.05	January, 2014	225,281.43	January, 2015	220,039.98
February, 2012	428,310.03	February, 2013	381,857.07	February, 2014	225,512.70	February, 2015	198,788.34
March, 2012	455,536.38	March, 2013	447,100.86	March, 2014	234,604.53	March, 2015	221,243.10
April, 2012	383,586.78	April, 2013	316,635.69	April, 2014	217,142.18	April, 2015	229,031.04
May, 2012	413,715.39	May, 2013	329,242.14	May, 2014	279,575.67	May, 2015	235,272.69
June, 2012	387,706.12	June, 2013	314,410.11	June, 2014	217,052.10	June, 2015	244,709.49
Total 2011-2012	4,808,702.50	Total 2012-2013	4,608,334.13	Total 2013-2014	2,995,460.18	Total 2014-2015	2,697,386.67

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
July, 2015	227,024.37	July, 2016	231,702.60	July, 2017	179,428.86
August, 2015	210,194.19	August, 2016	189,475.86	August, 2017	162,927.06
September, 2015	194,536.32	September, 2016	203,104.26	September, 2017	148,890.54
October, 2015	205,322.91	October, 2016	190,178.91		
November, 2015	202,465.62	November, 2016	183,263.82		
December, 2015	219,165.15	December, 2016	178,524.00		
January, 2016	202,635.33	January, 2017	191,508.87		
February, 2016	196,555.77	February, 2017	154,436.16		
March, 2016	218,958.69	March, 2017	167,916.81		
April, 2016	204,448.14	April, 2017	162,258.15		
May, 2016	229,247.52	May, 2017	166,636.68		
June, 2016	187,716.33	June, 2017	160,827.27		
Total 2015-2016	2,498,270.34	Total 2016-2017	2,179,833.39	Total 2017-2018	491,246.46

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

	FY18
Week Ending Date	November 4, 2017
To Be Deposited On	November 13, 2017
Amount Played	\$ 56,086,270.38
Amount Won	50,104,317.62
Amount Promo	560,981.00
MWAP Contribution	<u>-</u>
Adjusted Gross Terminal Revenue	<u>\$ 5,420,971.76</u>
Administrative Costs @ 4%	216,838.87
Excess Lottery Fund @ 4%	<u>-</u>
Net Terminal Revenue	<u>\$ 5,204,132.89</u>
Surcharge @ 10%	-
State Share Excess @ 58% & 10% of 42%	-
Track Share of Capital Reinvestment @ 90% of 42%	<u>-</u>
Track Share of Capital Reinvestment @ 96%	-
Track Share of Capital Reinvestment @ 4%	-
Adjusted Net Terminal Revenue	<u>\$ 5,204,132.89</u>
Racetrack @ 46.50% / 42%	2,419,921.79
Lottery Fund @ 30% / 0%	1,561,239.92
Excess Lottery Fund @ 0% / 41%	-
Excess Lottery Fund @ 12.85% / 9.55%	668,731.05
Racetrack Purses @ 90% of 7% / 4%	327,860.37
Employee Pension @ 1% / 0.5%	52,041.32
Greyhound Development @ 90% of 0.75%	35,127.90
Thoroughbred Development @ 90% of 0.75%	35,127.90
County / Municipality @ 2%	<u>104,082.64</u>
	<u>\$ 5,204,132.89</u>

WEST VIRGINIA LOTTERY
Charles Town
County / Municipality Split
Fiscal Year 2018

Charles Town
1999 Net Terminal Revenue \$ 45,603,174
Benchmark Goal @ 2% \$ 912,063.48

Date	2% of Adj. Net Revenue	Jefferson County	Five Municipalities	Bolivar 7.93%	Charles Town 39.90%	Harpers Ferry 2.17%	Ranson 33.68%	Shepherdstown 16.32%
1 day ending: 7/1/2017	\$ 23,688.48	\$ 23,688.48	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending: 7/8/2017	125,588.96	125,588.96	-	-	-	-	-	-
7/15/2017	99,148.44	99,148.44	-	-	-	-	-	-
7/22/2017	98,965.20	98,965.20	-	-	-	-	-	-
7/29/2017	108,161.52	108,161.52	-	-	-	-	-	-
8/5/2017	104,979.36	104,979.36	-	-	-	-	-	-
8/12/2017	100,184.16	100,184.16	-	-	-	-	-	-
8/19/2017	101,813.88	101,813.88	-	-	-	-	-	-
8/26/2017	97,669.16	97,669.16	-	-	-	-	-	-
9/2/2017	111,442.08	81,653.20	29,788.88	2,362.26	11,885.76	646.42	10,032.89	4,861.55
9/9/2017	110,669.96	55,334.98	55,334.98	4,388.06	22,078.66	1,200.77	18,636.82	9,030.67
9/16/2017	88,536.00	44,268.00	44,268.00	3,510.45	17,662.93	960.62	14,909.46	7,224.54
9/23/2017	92,140.24	46,070.12	46,070.12	3,653.36	18,381.98	999.72	15,516.42	7,518.64
9/30/2017	108,018.60	54,009.30	54,009.30	4,282.94	21,549.71	1,172.00	18,190.33	8,814.32
10/7/2017	97,398.00	48,699.00	48,699.00	3,861.83	19,430.90	1,056.77	16,401.82	7,947.68
10/14/2017	100,794.72	50,397.36	50,397.36	3,996.51	20,108.55	1,093.62	16,973.83	8,224.85
10/21/2017	89,091.32	44,545.66	44,545.66	3,532.47	17,773.72	966.64	15,002.98	7,269.85
10/28/2017	100,178.24	50,089.12	50,089.12	3,972.07	19,985.56	1,086.93	16,870.02	8,174.54
11/4/2017	104,082.64	52,041.32	52,041.32	4,126.88	20,764.49	1,129.30	17,527.51	8,493.14
Sub Total	\$ 1,862,550.96	\$ 1,387,307.22	\$ 475,243.74	\$ 37,686.83	\$ 189,622.26	\$ 10,312.79	\$ 160,062.08	\$ 77,559.78

Benchmark Goal \$ 912,063.48

Remainder until split \$ -

VIDEO LOTTERY REPORT

FY 2014		FY 2015		FY 2016		FY 2017		FY 2018	
Date	Amount	Date	Amount	Date	Amount	Date	Amount	Date	Amount
7/6/2013	123,196.88	7/5/2014	106,819.12	7/4/2015	89,446.56	7/1-2/2016	51,477.36	7/1/2017	23,688.48
7/13/2013	128,060.40	7/12/2014	111,792.16	7/11/2015	119,132.68	7/9/2016	125,605.24	7/8/2017	125,588.96
7/20/2013	115,128.84	7/19/2014	116,320.32	7/18/2015	112,706.24	7/16/2016	107,876.48	7/15/2017	99,148.44
7/27/2013	123,049.56	7/26/2014	112,502.48	7/25/2015	109,356.88	7/23/2016	107,196.20	7/22/2017	98,965.20
8/3/2013	116,180.80	8/2/2014	117,145.12	8/1/2015	119,089.60	7/30/2016	111,534.28	7/29/2017	108,161.52
8/10/2013	120,078.64	8/9/2014	114,374.60	8/8/2015	115,689.52	8/6/2016	110,378.32	8/5/2017	104,979.36
8/17/2013	124,888.56	8/16/2014	114,105.32	8/15/2015	108,726.48	8/13/2016	101,561.56	8/12/2017	100,184.16
8/24/2013	89,882.12	8/23/2014	116,097.04	8/22/2015	108,922.12	8/20/2016	115,270.28	8/19/2017	101,813.88
8/31/2013	58,913.18	8/30/2014	60,280.02	8/29/2015	73,285.10	8/27/2016	96,130.52	8/26/2017	97,669.16
9/7/2013	67,758.74	9/6/2014	61,420.28	9/5/2015	55,890.76	9/3/2016	60,448.12	9/2/2017	81,653.20
9/14/2013	53,374.22	9/13/2014	51,364.96	9/12/2015	63,273.30	9/10/2016	61,598.04	9/8/2017	55,334.98
9/21/2013	54,277.94	9/20/2014	50,664.54	9/19/2015	54,233.06	9/17/2016	50,609.64	9/16/2017	44,268.00
9/28/2013	54,881.50	9/27/2014	50,127.22	9/26/2015	52,439.60	9/24/2016	51,199.68	9/23/2017	46,070.12
10/5/2013	55,950.74	10/4/2014	53,531.28	10/3/2015	53,104.94	10/1/2016	54,346.34	9/30/2017	54,009.30
10/12/2013	55,837.92	10/11/2014	51,127.00	10/10/2015	50,291.26	10/8/2016	50,896.18	10/7/2017	48,699.00
10/19/2013	61,327.20	10/18/2014	56,414.64	10/17/2015	53,048.80	10/15/2016	51,557.88	10/14/2017	50,397.36
10/26/2013	52,854.06	10/25/2014	49,890.20	10/24/2015	55,418.72	10/22/2016	53,825.90	10/21/2017	44,545.66
11/2/2013	57,543.54	11/1/2014	52,242.34	10/31/2015	57,023.64	10/29/2016	50,853.22	10/28/2017	50,089.12
11/9/2013	54,666.76	11/8/2014	52,819.26	11/7/2015	55,832.08	11/5/2016	55,958.84	11/4/2017	52,041.32
11/16/2013	56,495.96	11/15/2014	51,180.32	11/14/2015	56,012.86	11/12/2016	53,346.18		
11/23/2013	48,628.62	11/22/2014	46,228.62	11/21/2015	50,193.76	11/19/2016	47,174.90		
11/30/2013	59,645.66	11/29/2014	55,593.44	11/28/2015	60,010.98	11/26/2016	56,826.94		
12/7/2013	47,306.24	12/6/2014	46,792.50	12/5/2015	47,767.86	12/3/2016	48,407.86		
12/14/2013	29,229.02	12/13/2014	40,904.98	12/12/2015	42,938.56	12/10/2016	43,743.14		
12/21/2013	44,581.02	12/20/2014	41,600.84	12/19/2015	43,087.16	12/17/2016	33,602.54		
12/28/2013	62,117.14	12/27/2014	58,114.68	12/26/2015	52,835.48	12/24/2016	40,222.46		
1/4/2014	62,963.88	1/3/2015	68,277.28	1/2/2016	74,963.14	12/31/2016	60,653.90		
1/11/2014	37,935.94	1/10/2015	37,099.34	1/9/2016	41,474.24	1/7/2017	42,634.50		
1/18/2014	49,418.64	1/17/2015	43,217.36	1/16/2016	43,455.58	1/14/2017	37,751.18		
1/25/2014	42,720.80	1/24/2015	41,212.80	1/23/2016	25,025.40	1/21/2017	46,870.58		
2/1/2014	47,681.60	1/31/2015	42,783.32	1/30/2016	36,805.26	1/28/2017	40,692.96		
2/8/2014	45,434.52	2/7/2015	47,859.18	2/4/2016	51,695.74	2/4/2017	44,277.10		
2/15/2014	41,076.08	2/14/2015	48,131.08	2/13/2016	44,941.78	2/11/2017	42,514.28		
2/22/2014	61,523.98	2/21/2015	37,610.66	2/20/2016	50,505.40	2/18/2017	48,086.80		
3/1/2014	57,744.78	2/28/2015	56,982.14	2/27/2016	52,426.86	2/25/2017	55,365.02		
3/8/2014	50,439.94	3/7/2015	43,750.42	3/5/2016	53,474.66	3/4/2017	47,881.24		
3/15/2014	54,414.66	3/14/2015	55,096.66	3/12/2016	51,447.02	3/11/2017	46,274.58		
3/22/2014	50,734.62	3/21/2015	53,081.08	3/19/2016	50,356.80	3/18/2017	43,959.78		
3/29/2014	51,174.60	3/28/2015	50,548.88	3/26/2016	52,217.46	3/25/2017	49,130.62		
4/5/2014	55,229.90	4/4/2015	51,713.78	4/2/2016	54,185.88	4/1/2017	48,124.72		
4/12/2014	48,653.18	4/11/2015	51,024.54	4/9/2016	49,690.04	4/8/2017	46,262.60		
4/19/2014	54,469.22	4/18/2015	49,338.10	4/16/2016	49,071.82	4/15/2017	46,768.98		
4/26/2014	51,637.18	4/25/2015	49,656.62	4/23/2016	49,485.78	4/22/2017	45,614.00		

5/3/2014	54,757.72	5/2/2015	54,079.66	4/30/2016	50,872.46	4/29/2017	48,204.34
5/10/2014	51,011.76	5/9/2015	50,062.82	5/7/2016	52,135.22	5/8/2017	46,890.30
5/17/2014	51,148.34	5/16/2015	48,308.08	5/14/2016	51,441.84	5/13/2017	47,648.16
5/24/2014	53,082.60	5/23/2015	47,705.92	5/21/2016	48,392.48	5/20/2017	43,998.24
5/31/2014	62,642.98	5/30/2015	58,258.10	5/28/2016	49,380.84	5/27/2017	49,930.94
6/7/2014	49,517.18	6/6/2015	53,927.82	6/4/2016	58,228.50	6/3/2017	52,503.12
6/14/2014	50,266.50	6/13/2015	50,110.84	6/11/2016	45,053.42	6/10/2017	42,563.08
6/21/2014	48,768.14	6/20/2015	47,109.22	6/18/2016	46,179.18	6/17/2017	47,653.68
6/28/2014	49,250.32	6/27/2015	55,325.14	6/25/2016	47,230.00	6/24/2017	46,628.62
6/30/2014	12,010.70	6/30/2015	16,018.68	6/30/2016	27,584.00	6/30/2017	37,001.52

3,261,565.02

3,148,372.80

3,167,478.80

3,047,532.94

1,387,307.22

Table Game Revenue

Date	Amount	Date	Amount	Date	Amount	Date	Amount
July/August, 2010	154,185.68	July, 2011	141,718.01	July, 2012	138,663.64	July, 2013	99,274.36
September, 2010	94,247.84	August, 2011	137,473.92	August, 2012	133,245.83	August, 2013	111,427.75
October, 2010	105,903.60	September, 2011	110,375.25	September, 2012	127,532.40	September, 2013	80,857.74
November, 2010	108,717.67	October, 2011	124,273.94	October, 2012	126,482.02	October, 2013	81,066.09
December, 2010	118,721.11	November, 2011	121,118.87	November, 2012	134,443.93	November, 2013	79,853.94
January, 2011	106,189.21	December, 2011	140,509.93	December, 2012	146,677.92	December, 2013	79,617.31
February, 2011	105,776.45	January, 2012	137,812.68	January, 2013	132,650.35	January, 2014	75,093.81
March, 2011	120,927.10	February, 2012	142,770.01	February, 2013	121,636.62	February, 2014	75,170.90
April, 2011	130,654.61	March, 2012	151,845.46	March, 2013	149,033.62	March, 2014	78,201.51
May, 2011	130,492.02	April, 2012	127,862.26	April, 2013	105,545.23	April, 2014	72,380.72
June, 2011	121,576.41	May, 2012	137,905.13	May, 2013	109,747.38	May, 2014	93,191.89
		June, 2012	129,235.38	June, 2013	104,803.37	June, 2014	72,350.70
Total 2010-2011	1,297,391.70	Total 2011-2012	1,602,900.84	Total 2012-2013	1,530,462.31	Total 2013-2014	998,486.72

Date	Amount	Date	Amount	Date	Amount	Date	Amount
July, 2014	78,639.07	July, 2015	75,674.79	July, 2016	77,234.20	July, 2017	59,809.62
August, 2014	84,726.51	August, 2015	70,064.73	August, 2016	63,158.62	August, 2017	54,309.02
September, 2014	71,967.51	September, 2015	64,845.44	September, 2016	67,701.42	September, 2017	49,630.18
October, 2014	66,257.02	October, 2015	68,440.97	October, 2016	63,392.97		
November, 2014	71,046.66	November, 2015	67,488.54	November, 2016	61,087.94		
December, 2014	76,797.24	December, 2015	73,055.05	December, 2016	59,508.00		
January, 2015	73,346.66	January, 2016	67,545.11	January, 2017	63,836.29		
February, 2015	66,262.78	February, 2016	65,518.59	February, 2017	51,478.72		
March, 2015	73,747.70	March, 2016	72,986.23	March, 2017	55,972.27		
April, 2015	76,343.68	April, 2016	68,149.38	April, 2017	54,086.05		
May, 2015	78,424.23	May, 2016	76,415.84	May, 2017	55,545.56		
June, 2015	81,569.83	June, 2016	62,572.11	June, 2017	53,609.09		
Total 2014-2015	899,128.89	Total 2015-2016	832,756.78	Total 2016-2017	726,611.13	Total 2017-2018	163,748.82

Table Game Revenue Distribution - Jefferson County School Board

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
July, 2011	425,154.03	July, 2012	415,990.92	July, 2013	297,823.08	July, 2014	235,917.21
August, 2011	412,421.76	August, 2012	399,737.49	August, 2013	334,283.25	August, 2014	254,179.53
September, 2011	331,125.75	September, 2012	382,597.20	September, 2013	242,573.22	September, 2014	215,902.53
October, 2011	372,821.82	October, 2012	379,446.06	October, 2013	243,198.27	October, 2014	198,771.06
November, 2011	363,356.61	November, 2012	403,331.79	November, 2013	239,561.82	November, 2014	213,139.98
December, 2011	421,529.79	December, 2012	440,033.75	December, 2013	238,851.93	December, 2014	230,391.72
January, 2012	413,438.04	January, 2013	397,951.05	January, 2014	225,281.43	January, 2015	220,039.98
February, 2012	428,310.03	February, 2013	381,857.07	February, 2014	225,512.70	February, 2015	198,788.34
March, 2012	455,536.38	March, 2013	447,100.86	March, 2014	234,604.53	March, 2015	221,243.10
April, 2012	383,586.78	April, 2013	316,635.69	April, 2014	217,142.18	April, 2015	229,031.04
May, 2012	413,715.39	May, 2013	329,242.14	May, 2014	279,575.67	May, 2015	235,272.69
June, 2012	387,706.12	June, 2013	314,410.11	June, 2014	217,052.10	June, 2015	244,709.49
Total 2011-2012	4,808,702.50	Total 2012-2013	4,608,334.13	Total 2013-2014	2,995,460.18	Total 2014-2015	2,697,386.67

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
July, 2015	227,024.37	July, 2016	231,702.60	July, 2017	179,428.86
August, 2015	210,194.19	August, 2016	189,475.86	August, 2017	162,927.06
September, 2015	194,536.32	September, 2016	203,104.26	September, 2017	148,890.54
October, 2015	205,322.91	October, 2016	190,178.91		
November, 2015	202,465.62	November, 2016	183,263.82		
December, 2015	219,165.15	December, 2016	178,524.00		
January, 2016	202,635.33	January, 2017	191,508.87		
February, 2016	196,555.77	February, 2017	154,436.16		
March, 2016	218,958.69	March, 2017	167,916.81		
April, 2016	204,448.14	April, 2017	162,258.15		
May, 2016	229,247.52	May, 2017	166,636.68		
June, 2016	187,716.33	June, 2017	160,827.27		
Total 2015-2016	2,498,270.34	Total 2016-2017	2,179,833.39	Total 2017-2018	491,246.46