

AGENDA
JEFFERSON COUNTY COMMISSION
FIRST QUARTERLY SESSION - JANUARY-MARCH 2018
THURSDAY, MARCH 1, 2018
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

- February 12, 2018 - Budget Presentations
- February 13, 2018 - BORE
- February 15, 2018 - Regular Meeting
- February 16, 2018 - Budget Presentations
- February 16, 2018 - BORE

APPROVAL OF PURCHASE ORDERS

- March 1, 2018

APPROVAL OF ACCOUNTS PAYABLE

- February 22, 2018
- March 1, 2018

APPROVAL OF MANUAL CHECKS

- February 23, 2018
- March 2, 2018

APPROVAL OF PAYROLL

- February 22, 2018

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

PRESENTATIONS

1. 9:45 a.m. Jackie Shadle, County Clerk
- Employment approval for Assistant Voter and Elections Clerk - Discussion/Action
2. 10:00 a.m. Nikki Painter, Elections
- Poll Workers and Alternates approval - Discussion/Action
3. 10:15 a.m. Pete Dougherty, Sheriff
- Approve to hire Kevin Breeden, David Bowers, John Paul Jones, and Thomas Jones as part-time bailiffs - Discussion/Action
- Approve the admission of Jessica Rollin, Ramses Coly, and Victor Jones to the Reserve Academy and the subsequent appointment as Jefferson County Sheriff Reserves upon their successful completion - Discussion/Action
4. 10:30 a.m. Ronda Eddy, Director - Jefferson Day Report Center
- Approval FY19 Community Corrections Grant Application - Discussion/Action
5. 10:45 a.m. BREAK
6. 11:00 a.m. Public Hearing - FY2018 HOME (HOME Investment Partnership Program) - Approval of 2018 HOME Resolution - Discussion/Action
7. 11:15 a.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 Jefferson County Civil Action #17-C-282 - Discussion/Action - Possible Executive Session
- FLSA issues regarding ESA Employees - Discussion/Action - Possible Executive Session
- Discussion of Jefferson County Civil Action #18-C-25 - Discussion/Action - Possible Executive Session
- Discussion of Jefferson County Court Administrative Order #18-AD-7 - Discussion/Action - Possible Executive Session
- Discussion of WV Supreme Court Docket #17-0095 - Discussion/Action - Possible Executive Session
- Discussion of Jefferson County Civil Action #17-C-63 - Discussion/Action - Possible Executive Session
- Discussion of WV Supreme Court Docket #17-P-110 - Discussion/Action - Possible Executive Session
- Discussion of Security Issues for the Hunter House - Discussion/Action - Possible Executive Session
- Discussion of EEOC Claim #533-2017-0076 - Discussion/Action - Possible Executive Session

UNFINISHED BUSINESS

8. Determination of Jefferson County PSD service area - Discussion/Action (JC)

NEW BUSINESS

9. Legislative Issues
10. Decision - Proposed amendments to the Jefferson County Zoning and Land Development Ordinance (File #ZTA17-03) which proposes revisions to Section 5.7D Maximum Number of Lots Allowed (in Rural Zoning District) - Public Hearing was held on February 15, 2018 - Discussion/Action
11. Decision - Proposed amendments to the Jefferson County Zoning and Land Development Ordinance (File #ZTA16-02) which includes proposed revisions and additions to multiple sections including Section 2.2, Terms Defined; Section 3.4 Boards and Commissions; Section 4.6, Distance Requirements; Section 4.14 Historic Preservation; Section 5.10 Village (V) District; Section 10.4 Signs Requiring a Zoning Permit; and Appendix C: Principal Permitted and Conditional Uses Table - Public Hearing was held on February 15, 2018 - Discussion/Action
12. Ratify decision made on February 15, 2018 to endorse the Panhandle Crush for the purpose of applying for a permit for the retail sale and consumption of wine and/or beer at their festival - Discussion/Action
13. Request for the late fees for fiscal year 2014-2015 be removed for Paul Spicer - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

- Request employee salary adjustment and reclassify - Discussion/Action
- IT Proposal - Discussion/Action - Possible Executive Session

COUNTY COMMISSION REPORTS

14. 11:45 a.m. Break for Lunch

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

15. 1:30 p.m. Budget Deliberation

**CORRESPONDENCE/INFORMATION**

**Notice of Jefferson County Commission meeting schedule change.**

**Notice of Public Hearing on March 15, 2018 at 7:00 p.m.**

**WV Lottery Weekly Settlement for Charles Town - week ending February 3, 2018.**

**WV Lottery Weekly Settlement for Charles Town - week ending February 17, 2018.**

***At all times the County Commission reserves the right to rearrange agenda times because of time constraints and to accommodate the Commission schedule or the public.***

## **SPECIAL SESSION**

State of West Virginia, County of Jefferson, to-wit:

At a Special Session of the County Commission of said County and State continued and held in the County Commission meeting room of the Old Charles Town Library, 200 E. Washington Street, Charles Town, West Virginia on Monday, February 12, 2018, beginning at 9:30 o'clock a.m.

**PRESENT:** Josh Compton, President  
Caleb Hudson, Vice President  
Patsy Noland, Commissioner  
Peter Onoszko, Commissioner  
Jane Tabb, Commissioner  
Stephanie Grove, County Administrator  
Sandy McDonald, Deputy County Administrator  
Michelle Gordon, Finance Director  
Jessica Carroll, Administrative Assistant

### **In re: FY19 Budget Presentations – Day 1**

The meeting was called to order at 9:31 a.m. by President Compton.

Michelle Gordon, Finance Director, gave an overview of the schedule for the upcoming week and noted a few changes in the day's order of presentations.

The Commissioners then heard budget presentations from the following: Emergency Communications, Eastern Panhandle Conservation District, Jefferson County Parks and Recreation, Jefferson Day Report Center, Local Libraries, Technology, County Commission, Homeland Security and Emergency Management, the Eastern Panhandle Transit Authority, and the Jefferson County Solid Waste Authority. Ms. Grove informed the Commission they needed to discuss a personnel item regarding the County Commission budget in Executive Session.

- **Motion by Mr. Compton to enter into Executive Session to discuss personnel matters. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**

No decisions regarding the County budget were made during this meeting.

There being no further business, the meeting adjourned at 3:40 pm.

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JOSH COMPTON, PRESIDENT

Respectively Submitted:  
Jessica D. Carroll  
Administrative Assistant



FIRST QUARTER TERM: (Board of Review and Equalization)

State of West Virginia, County of Jefferson, to-wit:

At a session of the Jefferson County Commission, sitting as Board of Review and Equalization, continued and held at the Courthouse thereof on Thursday, February 13, 2018, beginning at 1:30 p.m.

PRESENT: Caleb Hudson, Commission Vice President  
Peter Onoszko, Commissioner  
Jane Tabb, Commissioner

STAFF: Angie Banks, Assessor  
June Bowers, Sr. Appraiser  
Nathan Cochran, Assistant Prosecuting Attorney  
Jessica Carroll, Recording Clerk

**In re: 2018 Board of Review and Equalization**

Vice President Hudson opened the meeting at 1:32 pm. Angela Banks, Jefferson County Assessor, notified the Commission that no hearings were scheduled for the afternoon; however, they had one appointment scheduled for Friday, February 16.

- **There being no further business, motion by Ms. Tabb to recess as a Board of Review and Equalization and reconvene in the same capacity on Friday, February 16, 2018 at 1:30 pm. Motion seconded and unanimously approved.**

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JOSH COMPTON, COMMISSION PRESIDENT

## **Minutes**

### **Jefferson County Commission**

**Thursday, February 15, 2018**

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A meeting of the Jefferson County Commission was held on Thursday, February 15, 2018 during the first quarterly session 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 Jacqueline Shadle, County Clerk; Stephanie Grove, County Administrator; Jessica Carroll, Executive Administrative Assistant; and Jim Eddy, Bailiff. (An audio tape of the Thursday, February 15, 2018 meeting is available through the Jefferson County Commission Office.)

#### **PLEDGE OF ALLEGIANCE**

Commissioner Compton began the meeting with a moment of silence for the victims of the Parkland, Florida shooting and then led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

**Motion by Ms. Noland to approve the February 1, 2018 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.**

**Motion by Ms. Tabb to approve the February 1, 2018 Board of Review and Equalization Minutes as presented. Motion seconded and unanimously approved.**

**Motion by Ms. Tabb to approve the February 6, 2018 Board of Review and Equalization Minutes as presented. Motion seconded and unanimously approved.**

**Motion by Ms. Noland to approve the February 6, 2018 Budget 101 Forum Minutes as presented/amended. Motion seconded and unanimously approved.**

**Motion by Ms. Tabb to approve the February 8, 2018 Board of Review and Equalization Minutes as presented. Motion seconded and unanimously approved.**

## APPROVAL OF PURCHASE ORDERS

**Motion by Ms. Tabb to approve the Purchase Orders for February 15, 2018 to include Purchase Order No. 52255 in the amount of \$33,830.52. Motion seconded and unanimously approved.**

## PAYROLL APPROVAL

**Motion by Ms. Tabb to approve the Payroll for February 8, 2018 in the amount of \$250,852.08. Motion seconded and unanimously approved.**

## APPROVAL OF ACCOUNTS PAYABLE

| CHCKNO | DEPT    | VENDOR                    | PONUM | POAMT | NOAMT        | CHECK AMOUNT |
|--------|---------|---------------------------|-------|-------|--------------|--------------|
| 079619 | ALLOC   | AHA/ART&HUMANITIES ALLNC  |       | \$ -  | \$ 628.74    | \$ 628.74    |
| 079620 | P/R DED | BUREAU F/CHILD SUPPORT    |       | \$ -  | \$ 49.85     | \$ 49.85     |
| 079621 | P/R DED | BUREAU F/CHILD SPRT ENF   |       | \$ -  | \$ 212.31    | \$ 212.31    |
| 079622 | P/R DED | BUREAU OF CHILD SUPPORT   |       | \$ -  | \$ 461.54    | \$ 461.54    |
| 079623 | P/R DED | BUREAU OF CHILD SUPPORT   |       | \$ -  | \$ 119.54    | \$ 119.54    |
| 079624 | P/R DED | CHARLES TOWN GNRL HOSPITA |       | \$ -  | \$ 252.56    | \$ 252.56    |
| 079625 | 402     | VIVIAN FIELDS             |       | \$ -  | \$ 19.62     | \$ 19.62     |
| 079626 | 717     | GUTTMAN OIL CO            |       | \$ -  | \$ 3,250.86  | \$ 3,250.86  |
| 079626 | 717     | GUTTMAN OIL CO            |       | \$ -  | \$ 3,421.92  | \$ 3,421.92  |
| 079626 | 717     | GUTTMAN OIL CO            |       | \$ -  | \$ 3,549.83  | \$ 3,549.83  |
| 079626 | 717     | GUTTMAN OIL CO            |       | \$ -  | \$ 3,175.96  | \$ 3,175.96  |
| 079627 | 425     | OX PAPERBOARD CO          |       | \$ -  | \$ 35.00     | \$ 35.00     |
| 079628 | 405     | MATTHEW HARVEY            |       | \$ -  | \$ 68.00     | \$ 68.00     |
| 079629 | 712     | INFORMER SYSTEMS LLC      |       | \$ -  | \$ 4,017.60  | \$ 4,017.60  |
| 079630 | ALLOC   | JEFFERSON COUNTY HISTORI  |       | \$ -  | \$ 931.01    | \$ 931.01    |
| 079631 | P/R DED | JEFFERSON SECURITY BANK   |       | \$ -  | \$ 5,235.00  | \$ 5,235.00  |
| 079632 | P/R DED | LYNDSEY W. MATSCHAT       |       | \$ -  | \$ 1,126.04  | \$ 1,126.04  |
| 079633 | P/R DED | MICHAEL MONAGHAN          |       | \$ -  | \$ 1,354.63  | \$ 1,354.63  |
| 079634 | P/R DED | HELEN M. MORRIS, TRUSTEE  |       | \$ -  | \$ 543.86    | \$ 543.86    |
| 079635 | P/R DED | NATIONWIDE RETIREMENT     |       | \$ -  | \$ 849.00    | \$ 849.00    |
| 079636 | ALLOC   | JEFF CO PARKS &           |       | \$ -  | \$ 14,158.83 | \$ 14,158.83 |
| 079637 | P/R DED | LAURA POPE                |       | \$ -  | \$ 188.55    | \$ 188.55    |
| 079638 | P/R DED | RETIREE HLTH BENEFIT TRS  |       | \$ -  | \$ 6,126.00  | \$ 6,126.00  |
| 079639 | P/R DED | SHERIFF OF JEFFERSON CO   |       | \$ -  | \$ 10,510.44 | \$ 10,510.44 |
| 079639 | P/R DED | SHERIFF OF JEFFERSON CO   |       | \$ -  | \$ 44,940.62 | \$ 44,940.62 |
| 079639 | P/R DED | SHERIFF OF JEFFERSON CO   |       | \$ -  | \$ 34,042.66 | \$ 34,042.66 |
| 079640 | P/R DED | WV DEPUTY SHRF RETIREMEN  |       | \$ -  | \$ 8,753.33  | \$ 8,753.33  |
| 079640 | P/R DED | WV DEPUTY SHRF RETIREMEN  |       | \$ -  | \$ 6,200.28  | \$ 6,200.28  |

|              |         |                         |       |                     |                      |                      |
|--------------|---------|-------------------------|-------|---------------------|----------------------|----------------------|
| 079641       | P/R DED | SHERIFF OF JEFFERSON CO |       | \$ -                | \$ 113.25            | \$ 113.25            |
| 079642       | 700     | STEPHENS AUTO CENTER    | 48582 | \$ 30,989.00        | \$ -                 | \$ 30,989.00         |
| 079642       | 700     | STEPHENS AUTO CENTER    | 48582 | \$ 30,989.00        | \$ -                 | \$ 30,989.00         |
| 079643       | P/R DED | SHERIFF OF JEFFERSON CO |       | \$ -                | \$ 2,255.00          | \$ 2,255.00          |
| 079643       | P/R DED | SHERIFF OF JEFFERSON CO |       | \$ -                | \$ 215.00            | \$ 215.00            |
| 079644       | P/R DED | JANE M. TABB            |       | \$ -                | \$ 94.56             | \$ 94.56             |
| 079645       | ALLOC   | JEFFERSON CO CONVENTION |       | \$ -                | \$ 15,718.58         | \$ 15,718.58         |
| 079646       | P/R DED | WV PUB EMP RETIRE SYS   |       | \$ -                | \$ 2,392.79          | \$ 2,392.79          |
| 079646       | P/R DED | WV PUB EMP RETIRE SYS   |       | \$ -                | \$ 4,386.83          | \$ 4,386.83          |
| 079646       | P/R DED | WV PUB EMP RETIRE SYS   |       | \$ -                | \$ 11,016.21         | \$ 11,016.21         |
| 079646       | P/R DED | WV PUB EMP RETIRE SYS   |       | \$ -                | \$ 26,928.38         | \$ 26,928.38         |
| 079647       | 401     | XEROX CORPORATION       |       | \$ -                | \$ 186.32            | \$ 186.32            |
| 079647       | 402     | XEROX CORPORATION       |       | \$ -                | \$ 387.73            | \$ 387.73            |
| 079647       | 402     | XEROX CORPORATION       |       | \$ -                | \$ 291.92            | \$ 291.92            |
| 079647       | 402     | XEROX CORPORATION       |       | \$ -                | \$ 406.94            | \$ 406.94            |
| 079647       | 402     | XEROX CORPORATION       |       | \$ -                | \$ 106.53            | \$ 106.53            |
| 079647       | 403     | XEROX CORPORATION       |       | \$ -                | \$ 227.22            | \$ 227.22            |
| 079647       | 404     | XEROX CORPORATION       |       | \$ -                | \$ 71.10             | \$ 71.10             |
| 079647       | 405     | XEROX CORPORATION       |       | \$ -                | \$ 380.80            | \$ 380.80            |
| 079647       | 406     | XEROX CORPORATION       |       | \$ -                | \$ 71.10             | \$ 71.10             |
| 079647       | 425     | XEROX CORPORATION       |       | \$ -                | \$ 106.53            | \$ 106.53            |
| 079647       | 440     | XEROX CORPORATION       |       | \$ -                | \$ 460.15            | \$ 460.15            |
| 079647       | 440     | XEROX CORPORATION       |       | \$ -                | \$ 126.42            | \$ 126.42            |
| 079647       | 440     | XEROX CORPORATION       |       | \$ -                | \$ 203.87            | \$ 203.87            |
| 079647       | 700     | XEROX CORPORATION       |       | \$ -                | \$ 337.22            | \$ 337.22            |
| 079647       | 712     | XEROX CORPORATION       |       | \$ -                | \$ 367.62            | \$ 367.62            |
| 079647       | 716     | XEROX CORPORATION       |       | \$ -                | \$ 120.57            | \$ 120.57            |
|              |         |                         |       |                     |                      |                      |
| <b>TOTAL</b> |         |                         |       |                     |                      | <b>\$ 283,174.22</b> |
| <b>TOTAL</b> |         |                         |       | <b>\$ 61,978.00</b> | <b>\$ 221,196.22</b> | <b>\$ 283,174.22</b> |

**Motion by Ms. Noland to approve the Accounts Payable for February 8, 2018 in the amount of \$283,174.22. Motion seconded and unanimously approved.**

| CHCKNO | DEPT    | VENDOR                   | PONUM | POAMT | NOAMT       | CHECK AMOUNT |
|--------|---------|--------------------------|-------|-------|-------------|--------------|
| 079649 | P/R DED | NOEMI BRUN               |       | \$ -  | \$ 1,417.73 | \$ 1,417.73  |
| 079650 | 424     | BOLAND SERVICES          |       | \$ -  | \$ 1,550.00 | \$ 1,550.00  |
| 079650 | 424     | BOLAND SERVICES          |       | \$ -  | \$ 1,830.00 | \$ 1,830.00  |
| 079650 | 424     | BOLAND SERVICES          |       | \$ -  | \$ 462.00   | \$ 462.00    |
| 079651 | 401     | CASTO & HARRIS INC       |       | \$ -  | \$ 217.38   | \$ 217.38    |
| 079652 | 401     | CCAWV CO COMMISSION ASSO |       | \$ -  | \$ 450.00   | \$ 450.00    |
| 079653 | 405     | MARCIA LYNN CHANDLER     |       | \$ -  | \$ 34.65    | \$ 34.65     |
| 079653 | 405     | MARCIA LYNN CHANDLER     |       | \$ -  | \$ 57.75    | \$ 57.75     |

|        |         |                          |  |      |              |              |
|--------|---------|--------------------------|--|------|--------------|--------------|
| 079653 | 405     | MARCIA LYNN CHANDLER     |  | \$ - | \$ 154.00    | \$ 154.00    |
| 079654 | 425     | FIRE SAFETY EQUIP        |  | \$ - | \$ 384.00    | \$ 384.00    |
| 079655 | 401     | FRANKLIN & PROKOPIK CORP |  | \$ - | \$ 19,839.00 | \$ 19,839.00 |
| 079656 | 415     | GENERAL COUNTY FUND-J FE |  | \$ - | \$ 26,861.50 | \$ 26,861.50 |
| 079657 | GRANT   | JEFFERSON DAY REPORT CNT |  | \$ - | \$ 696.50    | \$ 696.50    |
| 079657 | GRANT   | JEFFERSON DAY REPORT CNT |  | \$ - | \$ 13,274.71 | \$ 13,274.71 |
| 079658 | P/R DED | NICOLE NOBREGA           |  | \$ - | \$ 501.22    | \$ 501.22    |
| 079659 | P/R DED | LYNDSEY W. MATSCHAT      |  | \$ - | \$ 2,455.69  | \$ 2,455.69  |
| 079660 | 406     | MILLER'S SUPPLIES AT WOR |  | \$ - | \$ 84.80     | \$ 84.80     |
| 079661 | P/R DED | LAURA POPE               |  | \$ - | \$ 2,061.45  | \$ 2,061.45  |
| 079662 | 402     | RECORD MANAGEMENT SOLUTN |  | \$ - | \$ 35.00     | \$ 35.00     |
| 079662 | 403     | RECORD MANAGEMENT SOLUTN |  | \$ - | \$ 30.00     | \$ 30.00     |
| 079663 | 717     | RICE TIRES CO            |  | \$ - | \$ 254.36    | \$ 254.36    |
| 079664 | 402     | SOFTWARE SYSTEMS, INC    |  | \$ - | \$ 179.50    | \$ 179.50    |
| 079664 | 404     | SOFTWARE SYSTEMS, INC    |  | \$ - | \$ 727.00    | \$ 727.00    |
| 079664 | 406     | SOFTWARE SYSTEMS, INC    |  | \$ - | \$ 52.00     | \$ 52.00     |
| 079664 | 428     | SOFTWARE SYSTEMS, INC    |  | \$ - | \$ 219.00    | \$ 219.00    |
| 079665 | 425     | SHERWIN-WILLIAMS         |  | \$ - | \$ 43.42     | \$ 43.42     |
| 079666 | P/R DED | VINCENT TIONG            |  | \$ - | \$ 88.69     | \$ 88.69     |
| 079670 | 401     | AMAZON                   |  | \$ - | \$ 35.95     | \$ 35.95     |
| 079670 | 401     | EMBASSY SUITES           |  | \$ - | \$ 182.00    | \$ 182.00    |
| 079670 | 401     | SPIRIT OF JEFFERSON      |  | \$ - | \$ 147.14    | \$ 147.14    |
| 079670 | 401     | SPRINT                   |  | \$ - | \$ 55.25     | \$ 55.25     |
| 079670 | 402     | AMERICAN PAYROLL ASSOC   |  | \$ - | \$ 219.00    | \$ 219.00    |
| 079670 | 402     | MONROE SYSTEMS FOR BUSIN |  | \$ - | \$ 182.41    | \$ 182.41    |
| 079670 | 402     | SHOPLET                  |  | \$ - | \$ 199.07    | \$ 199.07    |
| 079670 | 402     | SPECIALTY BUSINESS SUPPL |  | \$ - | \$ 57.90     | \$ 57.90     |
| 079670 | 403     | AMAZON                   |  | \$ - | \$ 37.99     | \$ 37.99     |
| 079670 | 403     | DISPLAYS 2 GO            |  | \$ - | \$ 334.08    | \$ 334.08    |
| 079670 | 403     | MAACM                    |  | \$ - | \$ 40.00     | \$ 40.00     |
| 079670 | 403     | SMART SIGN               |  | \$ - | \$ 22.89     | \$ 22.89     |
| 079670 | 403     | WVU EXTENSION SERIVCE    |  | \$ - | \$ 195.00    | \$ 195.00    |
| 079670 | 405     | AMAZON                   |  | \$ - | \$ 60.03     | \$ 60.03     |
| 079670 | 405     | AMAZON                   |  | \$ - | \$ 51.96     | \$ 51.96     |
| 079670 | 405     | HR DIRECT                |  | \$ - | \$ 53.74     | \$ 53.74     |
| 079670 | 405     | SPRINT                   |  | \$ - | \$ 94.90     | \$ 94.90     |
| 079670 | 405     | WV COALITION AGAINST     |  | \$ - | \$ 202.99    | \$ 202.99    |
| 079670 | 412     | COMCAST                  |  | \$ - | \$ 105.75    | \$ 105.75    |
| 079670 | 412     | DOING BETTER BUSINESS IN |  | \$ - | \$ 528.36    | \$ 528.36    |
| 079670 | 412     | STAPLES                  |  | \$ - | \$ 48.87     | \$ 48.87     |
| 079670 | 412     | WAL-MART                 |  | \$ - | \$ 19.32     | \$ 19.32     |

|        |     |                          |  |      |              |              |
|--------|-----|--------------------------|--|------|--------------|--------------|
| 079670 | 413 | PANHANDLE PRINTING AND D |  | \$ - | \$ 591.63    | \$ 591.63    |
| 079670 | 413 | USPS US POSTAL SERVICE   |  | \$ - | \$ 38.65     | \$ 38.65     |
| 079670 | 415 | FRONTIER                 |  | \$ - | \$ 86.10     | \$ 86.10     |
| 079670 | 415 | SPRINT                   |  | \$ - | \$ 109.83    | \$ 109.83    |
| 079670 | 424 | CHARLES TOWN UTILITIES   |  | \$ - | \$ 97.89     | \$ 97.89     |
| 079670 | 424 | FRONTIER                 |  | \$ - | \$ 9,799.72  | \$ 9,799.72  |
| 079670 | 424 | MICROMAIN CORP           |  | \$ - | \$ 795.00    | \$ 795.00    |
| 079670 | 424 | MILLERS OFFICE PRODUCTS  |  | \$ - | \$ 383.13    | \$ 383.13    |
| 079670 | 424 | POTOMAC EDISON           |  | \$ - | \$ 1,645.39  | \$ 1,645.39  |
| 079670 | 424 | SPRINT                   |  | \$ - | \$ 55.25     | \$ 55.25     |
| 079670 | 424 | WAL-MART                 |  | \$ - | \$ 16.40     | \$ 16.40     |
| 079670 | 424 | WEISS BROS OF HAGERSTOWN |  | \$ - | \$ 767.56    | \$ 767.56    |
| 079670 | 424 | WWW.LOGMEIN.COM          |  | \$ - | \$ 349.99    | \$ 349.99    |
| 079670 | 425 | AMAZON                   |  | \$ - | \$ 149.90    | \$ 149.90    |
| 079670 | 425 | AMAZON                   |  | \$ - | \$ 197.02    | \$ 197.02    |
| 079670 | 425 | CHARLES TOWN UTILITIES   |  | \$ - | \$ 1,127.85  | \$ 1,127.85  |
| 079670 | 425 | COMCAST                  |  | \$ - | \$ 1,040.19  | \$ 1,040.19  |
| 079670 | 425 | CRYSTAL SPRINGS          |  | \$ - | \$ 653.71    | \$ 653.71    |
| 079670 | 425 | JEFFERSON COUNTY P.S.D   |  | \$ - | \$ 456.36    | \$ 456.36    |
| 079670 | 425 | JEFFERSON UTILITIES, INC |  | \$ - | \$ 860.77    | \$ 860.77    |
| 079670 | 425 | MILLERS OFFICE PRODUCTS  |  | \$ - | \$ 208.63    | \$ 208.63    |
| 079670 | 425 | PATRIOR FIRE AND SECURIT |  | \$ - | \$ 1,545.00  | \$ 1,545.00  |
| 079670 | 425 | POTOMAC EDISON           |  | \$ - | \$ 33,651.23 | \$ 33,651.23 |
| 079670 | 425 | RCS/ALARM FUNDING ASSOC  |  | \$ - | \$ 564.00    | \$ 564.00    |
| 079670 | 425 | RCS/ALARM FUNDING ASSOC  |  | \$ - | \$ 170.00    | \$ 170.00    |
| 079670 | 425 | THE HOME DEPOT           |  | \$ - | \$ 6.27      | \$ 6.27      |
| 079670 | 425 | THE HOME DEPOT           |  | \$ - | \$ 235.77    | \$ 235.77    |
| 079670 | 425 | THE HOME DEPOT           |  | \$ - | \$ 69.35     | \$ 69.35     |
| 079670 | 425 | THOMPSON GAS             |  | \$ - | \$ 332.09    | \$ 332.09    |
| 079670 | 425 | THOS SOMERVILLE          |  | \$ - | \$ 987.05    | \$ 987.05    |
| 079670 | 425 | WM WASTE MGNT            |  | \$ - | \$ 739.91    | \$ 739.91    |
| 079670 | 425 | 84 LUMBER                |  | \$ - | \$ 54.38     | \$ 54.38     |
| 079670 | 428 | ADVANTAGE TECH           |  | \$ - | \$ 4,200.00  | \$ 4,200.00  |
| 079670 | 428 | AMAZON                   |  | \$ - | \$ 379.00    | \$ 379.00    |
| 079670 | 428 | AMAZON                   |  | \$ - | \$ 79.29     | \$ 79.29     |
| 079670 | 428 | AMAZON                   |  | \$ - | \$ 128.27    | \$ 128.27    |
| 079670 | 428 | AMAZON                   |  | \$ - | \$ 29.24     | \$ 29.24     |
| 079670 | 428 | AMAZON                   |  | \$ - | \$ 55.12     | \$ 55.12     |
| 079670 | 428 | BATTERY MART             |  | \$ - | \$ 149.50    | \$ 149.50    |
| 079670 | 428 | DELL                     |  | \$ - | \$ 61.88     | \$ 61.88     |
| 079670 | 428 | DELL                     |  | \$ - | \$ 4,121.10  | \$ 4,121.10  |

|        |     |                           |  |      |              |              |
|--------|-----|---------------------------|--|------|--------------|--------------|
| 079670 | 428 | ESRI                      |  | \$ - | \$ 10,950.00 | \$ 10,950.00 |
| 079670 | 428 | MICROSOFT STORE           |  | \$ - | \$ 106.99    | \$ 106.99    |
| 079670 | 428 | OFFICE DEPOT              |  | \$ - | \$ 50.69     | \$ 50.69     |
| 079670 | 428 | OFFICE DEPOT              |  | \$ - | \$ 1,439.41  | \$ 1,439.41  |
| 079670 | 428 | OFFICE DEPOT              |  | \$ - | \$ 179.20    | \$ 179.20    |
| 079670 | 428 | OFFICE DEPOT              |  | \$ - | \$ 868.49    | \$ 868.49    |
| 079670 | 428 | PRINT-O-STAT              |  | \$ - | \$ 8,455.00  | \$ 8,455.00  |
| 079670 | 428 | SERVER SUPPLY             |  | \$ - | \$ 1,338.18  | \$ 1,338.18  |
| 079670 | 428 | SPRINT                    |  | \$ - | \$ 132.89    | \$ 132.89    |
| 079670 | 428 | TEXTEDLY COM              |  | \$ - | \$ 20.00     | \$ 20.00     |
| 079670 | 428 | WV NET                    |  | \$ - | \$ 50.00     | \$ 50.00     |
| 079670 | 440 | ASFPM                     |  | \$ - | \$ 160.00    | \$ 160.00    |
| 079670 | 440 | MILLERS OFFICE PRODUCTS   |  | \$ - | \$ 97.09     | \$ 97.09     |
| 079670 | 440 | SPIRIT OF JEFFERSON       |  | \$ - | \$ 29.58     | \$ 29.58     |
| 079670 | 440 | SPRINT                    |  | \$ - | \$ 165.75    | \$ 165.75    |
| 079670 | 440 | STAPLES                   |  | \$ - | \$ 175.38    | \$ 175.38    |
| 079670 | 440 | USPS US POSTAL SERVICE    |  | \$ - | \$ 6.65      | \$ 6.65      |
| 079670 | 700 | AMAZON                    |  | \$ - | \$ 24.42     | \$ 24.42     |
| 079670 | 700 | AMAZON                    |  | \$ - | \$ 162.12    | \$ 162.12    |
| 079670 | 700 | AMAZON                    |  | \$ - | \$ 42.45     | \$ 42.45     |
| 079670 | 700 | GALLS                     |  | \$ - | \$ 130.00    | \$ 130.00    |
| 079670 | 700 | GLORIA AYALA              |  | \$ - | \$ 48.00     | \$ 48.00     |
| 079670 | 700 | GOWERS FEED INC           |  | \$ - | \$ 127.77    | \$ 127.77    |
| 079670 | 700 | HILLSIDE VETERINARY HOSPT |  | \$ - | \$ 62.50     | \$ 62.50     |
| 079670 | 700 | K-9 GUARDAIN INC.         |  | \$ - | \$ 50.00     | \$ 50.00     |
| 079670 | 700 | MPH INDUSTRIES, INC       |  | \$ - | \$ 422.48    | \$ 422.48    |
| 079670 | 700 | SIRCHIE FINGER PRINT LAB  |  | \$ - | \$ 75.72     | \$ 75.72     |
| 079670 | 700 | SPIRIT OF JEFFERSON       |  | \$ - | \$ 79.92     | \$ 79.92     |
| 079670 | 700 | SPRINT                    |  | \$ - | \$ 1,543.65  | \$ 1,543.65  |
| 079670 | 700 | USPS US POSTAL SERVICE    |  | \$ - | \$ 14.31     | \$ 14.31     |
| 079670 | 700 | USPS US POSTAL SERVICE    |  | \$ - | \$ 21.95     | \$ 21.95     |
| 079670 | 700 | WAL-MART                  |  | \$ - | \$ 35.96     | \$ 35.96     |
| 079670 | 700 | WAL-MART                  |  | \$ - | \$ 19.84     | \$ 19.84     |
| 079670 | 700 | 5 GUYS                    |  | \$ - | \$ 25.60     | \$ 25.60     |
| 079670 | 701 | GALLS                     |  | \$ - | \$ 1,146.00  | \$ 1,146.00  |
| 079670 | 701 | MARKL SUPPLY CO.          |  | \$ - | \$ 636.55    | \$ 636.55    |
| 079670 | 701 | TPS-TOWN POLICE SUPPLY    |  | \$ - | \$ 213.50    | \$ 213.50    |
| 079670 | 701 | TRAPUZZANOS UNIFORMS      |  | \$ - | \$ 801.96    | \$ 801.96    |
| 079670 | 711 | KEEPER SECURITY           |  | \$ - | \$ 29.99     | \$ 29.99     |
| 079670 | 711 | NFPA NATINAL FIRE PROTEC  |  | \$ - | \$ 175.00    | \$ 175.00    |
| 079670 | 711 | SPRINT                    |  | \$ - | \$ 188.14    | \$ 188.14    |

|              |     |                           |  |      |                      |                      |
|--------------|-----|---------------------------|--|------|----------------------|----------------------|
| 079670       | 712 | FRONTIER                  |  | \$ - | \$ 5,099.85          | \$ 5,099.85          |
| 079670       | 712 | MEDICAL PRIORITY CONSULT  |  | \$ - | \$ 7,655.20          | \$ 7,655.20          |
| 079670       | 712 | MOBILE WIRELESS LLC       |  | \$ - | \$ 8,464.50          | \$ 8,464.50          |
| 079670       | 712 | NATIONAL ACADEMY OF EMD   |  | \$ - | \$ 100.00            | \$ 100.00            |
| 079670       | 712 | SPRINT                    |  | \$ - | \$ 597.53            | \$ 597.53            |
| 079670       | 712 | WAL-MART                  |  | \$ - | \$ 61.15             | \$ 61.15             |
| 079670       | 716 | HILLSIDE VETERINARY HOSPT |  | \$ - | \$ 350.12            | \$ 350.12            |
| 079670       | 716 | HILLSIDE VETERINARY HOSPT |  | \$ - | \$ 498.27            | \$ 498.27            |
| 079670       | 716 | SPRINT                    |  | \$ - | \$ 55.25             | \$ 55.25             |
| 079670       | 716 | WV BOARD OF VETERINARY M  |  | \$ - | \$ 62.50             | \$ 62.50             |
| 079670       | 717 | APOLLO OIL LLC            |  | \$ - | \$ 356.95            | \$ 356.95            |
| 079670       | 717 | FISHER AUTO PARTS         |  | \$ - | \$ 814.22            | \$ 814.22            |
| 079670       | 717 | RICE TIRES CORP           |  | \$ - | \$ 1,263.84          | \$ 1,263.84          |
| 079670       | 717 | S&S MOTORS - NAPA PARTS   |  | \$ - | \$ 150.86            | \$ 150.86            |
| 079670       | 717 | WVSP TRAFFICE RECORDS     |  | \$ - | \$ 45.00             | \$ 45.00             |
| 079671       | 412 | EMILY WELLS               |  | \$ - | \$ 162.20            | \$ 162.20            |
|              |     |                           |  |      |                      |                      |
| <b>TOTAL</b> |     |                           |  |      | <b>\$ 199,865.94</b> | <b>\$ 199,865.94</b> |

**Motion by Ms. Tabb to approve the Accounts Payable for February 15, 2018 in the amount of \$199, 865.94 Motion seconded and unanimously approved.**

**MANUAL CHECKS**

**Motion by Mr. Onoszko to approve the Manual Checks for February 9, 2018 in the amount of \$104,576.67. Motion seconded and unanimously approved.**

|                                  |         |                                    |              |
|----------------------------------|---------|------------------------------------|--------------|
| <b>FARMLAND PROTECTION BOARD</b> |         |                                    |              |
| <b>O57</b>                       |         |                                    |              |
| Date                             | Check # | VENDOR                             | Amount       |
| 2/16/2018                        | 297     | <b>JEFFERSON CO FARMLAND PROT.</b> | \$ 47,472.43 |
|                                  |         |                                    |              |
| <b>SHERIFF C/O</b>               |         |                                    |              |
| <b>246</b>                       |         |                                    |              |
| Date                             | Check # | VENDOR                             | Amount       |
| 2/16/2018                        | 1670    | <b>UNITED BANKCARD</b>             | \$ 34.56     |
|                                  |         |                                    |              |

|              |  |  |                     |
|--------------|--|--|---------------------|
|              |  |  |                     |
| <b>TOTAL</b> |  |  | <b>\$ 47,506.99</b> |

**Motion by Ms. Noland to approve the Manual Checks for February 16, 2018 in the amount of \$47,506.99 Motion seconded and unanimously approved.**

**PUBLIC COMMENT**

Sarah Myers, resident – requested the Commission write a letter of endorsement to the WVABCA to allow the sale of alcohol at a fundraising event for the Panhandle Crush softball league.

Eleanor Finn, resident and member of the League of Women Voters – thanked the Commission for co-hosting the Budget 101 Forum and updated the Commission and the audience on additional civic education events that they’re hosting in the future.

Danny Lutz, resident – inquired why the FY19 budget lacked information regarding the amount of public utility taxes the county received.

David Tabb, resident – stated the County isn’t spending taxpayer money properly as he believes the Courthouse is in disrepair.

**PRESENTATIONS**

1. Pete Dougherty, Sheriff
  - a. Request approval to create position and hire Analyst/Special Deputy
    - **Motion by Mr. Compton to approve the creation and hire of the Crime Analyst/Special Deputy as presented, to be filled by Dave Boober with a salary of \$50,000 effective March 4, 2018. Motion seconded and unanimously approved.**
  - b. Request approval of promotion and wage increase for the position of Assistant Chief Tax Deputy - Discussion/Action
    - **Motion by Ms. Noland to approve the promotion and wage increase for DiAnn Brown for the position of Assistant Chief Tax Deputy, with**

**a salary of effective March 4, 2018 . Motion seconded and unanimously approved.**

c. Intergovernmental Agreement with the Corporation of Bolivar

- **Motion by Ms. Noland to approve the intergovernmental agreement between the Jefferson County Sheriff's Department and the Corporation of Bolivar pending review by counsel. Motion seconded and unanimously approved.**

2. Tom Smith, Department of Transportation - Governor's Office – Discussion of MARC Train.

Mr. Smith discussed with the Commission the State's potential defunding of the MARC train service to the Eastern Panhandle. Anne Earling, Deputy Chief of Staff for the Governor's Office, also attended and stated the Governor was aware of the financial implications for the rest of the State should service be discontinued. Delegates Jill Upson and Riley Moore also spoke and asked the counties and municipalities to come together and present a united front on this matter. Other attendees for this discussion included Michael Cook, representative for Senator Blair's Office. Cindy Butler, Director of the State Rail Authority, Stephen Smoot, representing Congressman Mooney's Office, Doug Pixler, Director of the Eastern Panhandle Transit Authority, and Matt Mullenx, Director of the Hagerstown Eastern Panhandle Metropolitan Planning Organization. Mayors Scott Rogers (Charles Town), Helen Dettmer (Bolivar), and Keith Pierson (Ranson) were also in attendance, including Mark Everhart, town council member, representing Shepherdstown, and Kevin Carden, town recorder, representing Harpers Ferry. Together these parties discussed ways in which they could somehow provide the \$3.2 million needed to continue service to the Panhandle, including raising the fare and securing federal funding. The Commission requested the State representatives keep them informed of any happenings in the coming weeks while they attempted to arrange another meeting to receive input on this issue.

3. The Commission recessed for break at 10:30 am.

The Commission reconvened at 11:00 am.

4. Lynn Fields, Probate Office

- a. Probate in Solemn Form - The Last Will and Testament of Betty Lou Bryant, Deceased
- b. Probate in Solemn Form – The Last Will and Testament of Marianne Kolen Lamb, Deceased.
  - o These items were postponed pending review by legal counsel.

5. Annette Gavin Bates, CEO - Jefferson County Convention Visitor's Bureau – Request to use land as collateral for financing of the CVB expansion project
  - **Motion by Ms. Tabb to allow the land conveyed to the Jefferson County Commission by the West Virginia Department of Transportation and more accurately described in the deed recorded on December 10, 2015, in the Office of the Clerk of the County Commission of Jefferson County in Deed Book 1165 at Page 391, to be used as collateral for the financing of the CVB Expansion Project. Motion seconded and unanimously approved.**
6. Tara Jenkins - Panhandle Earth Day, Inc. - Request to have alcohol at the 10<sup>th</sup> Annual Panhandle Earth Day Celebration
  - **Motion by Ms. Tabb to sign a letter to WVABCA endorsing the sale of alcohol at the Panhandle Earth Day Celebration on April 21, 2018 at Sam Michael's Park in Shenandoah Junction, WV, between the hours of 11:00 am and 7:00 pm. Motion seconded and unanimously approved.**
7. Interviews/Appointments to the Eastern Panhandle Transit Authority Board - One 3-year term ending January 31, 2021
  - **Motion by Ms. Noland to appoint Andrew Osentowske to the Eastern Panhandle Transit Authority Board for one three-year term ending January 31, 2021. Motion seconded and unanimously approved.**
- Interviews/Appointments to the Property Safety Enforcement Agency - Discussion/Action
  - **Motion by Ms. Noland to appoint Bill Zaleski to the Property Safety Enforcement Agency as a citizen representative for one two year term ending February 8, 2020. Motion seconded and unanimously approved.**

## **UNFINISHED BUSINESS**

8. 911 Center Outage - Discussion/Action
9. Discuss County Courthouse conditions and issues that needs to be addressed - Discussion/Action

- **Motion by Ms. Noland to enter into Executive Session to discuss personnel matters. Motion seconded and unanimously approved.**

10. Approval of Judicial Elevator Upgrade proposal from Kone Elevators - Discussion/Action

- **Motion by Mr. Compton to approve the Judicial Elevator Upgrade proposal from Kone Elevators as presented pending legal review and insurance verification. Motion seconded and unanimously approved**

## **NEW BUSINESS**

11. Legislative Issues

- Senate Bill 415 to allow sports wagering and betting in the State's casinos.

- **Motion by Mr. Onoszko for the County Commission to publicly support Senate Bill 415 pending any changes before it passes. Motion seconded and unanimously approved.**

12. Proclamation - Proclaim March as National Athletic Training Month for 2018 - Discussion/Action (JC)

- **Motion by Mr. Onoszko to proclaim March 2018 as National Athletic Training Month in Jefferson County. Motion seconded and unanimously approved.**

13. Determination of Jefferson County PSD service area

14. Discussion of County Commission meeting times - Discussion/Action

- **Motion by Mr. Onoszko to change the second meeting of every month from a 9:30 am start time to a 6:00 pm start time beginning in May 2018 for a trial period of six months to be reassessed in October 2018. Motion seconded and passes on a vote of 3-2 with Ms. Noland and Ms. Tabb opposing.**

## **FINANCIAL DIRECTOR REPORTS**

- Review and Approval of FY2018 Internal Budget Revision 1 for the General Fund

- **Motion by Mr. Compton to approve FY18 Internal Budget Revision #1 for the General Fund. Motion seconded and unanimously approved.**
- Review and Approval of FY2018 State Budget Revision 7 for the General Fund - Discussion/Action
  - **Motion by Mr. Compton to approve FY18 State Budget Revision #7 for the General Fund. Motion seconded and unanimously approved.**

## **COUNTY ADMINISTRATOR REPORTS**

- Discuss after hours line regarding Charles Town Utilities – the Commission directed Ms. Grove to contact the City of Charles Town regarding the establishment of an after-hours line for Charles Town Utilities so the non-emergency Communications line is no longer congested with utility calls.

15. The Commission recessed for lunch at 12:30 pm.  
The Commission reconvened at 1:30 pm.

16. Public Hearing - Receive input on the proposed amendments to the Jefferson County Zoning and Land Development Ordinance (File #ZTA17-03) which proposes revisions to Section 5.7D Maximum Number of Lots Allowed (in Rural Zoning District)

Ms. Beaulieu provided the Commission and the audience with an explanation of the amendment. Mr. Compton then opened the floor for public comment, which was made by the following:

- Paul J. Raco, local land use consultant – spoke in favor of the amendment and asked for adoption based on its compatibility with the Comprehensive Plan.

There being no further comment, Commissioner Compton stated the record would remain open for two weeks to allow time for written comment.

17. Public Hearing - Receive input on the proposed amendments to the Jefferson County Zoning and Land Development Ordinance (File #ZTA16-02) which includes proposed revisions and additions to multiple sections including Section 2.2, Terms Defined; Section 3.4 Boards and Commissions; Section 4.6, Distance Requirements; Section 4.14 Historic Preservation; Section 5.10 Village (V) District; Section 10.4 Signs Requiring a Zoning Permit; and Appendix C: Principal Permitted and Conditional Uses Table

Ms. Beaulieu provided and explanation of the above listed amendment and how the

amendment would impact property owners. Mr. Compton then opened to floor for public comment, which was made by the following:

- Paul J. Raco, local land use consultant – made a statement regarding Section 4A concerning nationally registered battlefields.

There being no further comment, Commissioner Compton stated the record would remain open for two weeks to allow time for written comment.

18. Judge Bridget Cohee – Discussion of Elevator at Judicial Building – Ms. Cohee was unable to attend in person due to a death in her family; however, Ms. Grove presented her concerns regarding the elevator in the judicial building.

19. Roger Goodwin, Chief County Engineer

- Request to accept the proposal of Peter H. Lorenzen, in the amount of \$400 to create a final plat of easement for the Smith Mountain View Estates (JCPC File No. 02-06)

- **Motion by Ms. Noland to accept the proposal of Peter H. Lorenzen, in the amount of \$400.00, to create a final plat of easement for the Smith Mountain View Estates Subdivision, JCPC file no. 02-06. Motion seconded and unanimously approved.**

- Request approval to advertise to fill the position of Building Code Plans Reviewer

- **Motion by Mr. Compton to approve advertising for the position of Building Code Plans reviewer. Motion seconded and unanimously approved.**

- Presentation of Calendar Year 2017 Annual Report for the Office of Impact Fees

- Motion by Ms. Noland to accept the 2017 Annual Report for the Office of Impact Fees, as presented. Motion seconded and unanimously approved.

- It was the consensus of the Commission to revisit the decision on the inflationary adjustment during the March 15 regularly scheduled County Commission meeting.

- Presentation of the FY 2019 Capital Improvement Plan for the Office of Impact Fees –

- **Motion by Mr. Compton to approve the FY19 Capital Improvement Plan for the Office of Impact Fees as presented. Motion seconded and unanimously approved.**

20. Nathan Cochran, Assistant Prosecuting Attorney

- Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues –

- Discussion of Jefferson County Civil Action No. 2017-C-282 - Discussion/Action - Possible Executive Session

- FLSA issues regarding ESA Employees - Discussion/Action - Possible Executive Session

- **Motion by Ms. Noland to enter into Executive Session to receive legal advice regarding the PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues; Jefferson County Civil Action No. 2017-C-282; and FLSA issues regarding ESA employees. Motion seconded and unanimously approved.**
- **Motion by Mr. Compton to come out of Executive Session. Motion seconded and unanimously approved.**

21. The Commission meeting was adjourned at 4:04 pm on a motion by Ms. Noland. Motion was seconded and unanimously approved.

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JOSHUA COMPTON, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant



## **SPECIAL SESSION**

State of West Virginia, County of Jefferson, to-wit:

At a Special Session of the County Commission of said County and State continued and held in the County Commission meeting room of the Old Charles Town Library, 200 E. Washington Street, Charles Town, West Virginia on Friday, February 16, 2018, beginning at 9:30 o'clock a.m.

**PRESENT:** Josh Compton, President  
Caleb Hudson, Vice President  
Patsy Noland, Commissioner  
Peter Onoszko, Commissioner  
Jane Tabb, Commissioner  
Stephanie Grove, County Administrator  
Sandy McDonald, Deputy County Administrator  
Michelle Gordon, Finance Director  
Jessica Carroll, Administrative Assistant

### **In re: FY19 Budget Presentations – Day 2**

The meeting was called to order at 9:32 a.m. by President Compton.

Michelle Gordon, Finance Director, provided a recap of the budget presentations heard on Monday, February 12, stating the potential cuts from the prior presentations would reduce the deficit from \$2 million dollars to \$1.8 million dollars.

The Commissioners then heard budget presentations from the following: County Clerk/Elections, WVU Extension Service, Circuit Clerk, Eastern WV Regional Airport, Prosecuting Attorney, Assessor, the Jefferson County Health Department, and Arts and Humanities (Contemporary American Theater Festival). Mrs. Gordon also discussed Employee Pay and insurance premium changes, and suggested merit based increases would be more sustainable and budget friendly opposed to yearly step-based increases.

The Commission recessed at 12:30 for lunch and a Board of Review and Equalization hearing.  
The Commission reconvened at 5:30 pm.

Upon reconvening, the Commission heard additional budget presentations from the Sheriff/Tax Office/Animal Control, Maintenance/Central Garage/Other Buildings, Local Library Capital Projects (Shepherdstown), Development Authority, Jefferson County Historic Landmarks Commission, and Fire & the Jefferson County Emergency Services Agency. Mrs. Gorgon also discussed county Capital Projects during Mr. Polk's presentation for the Maintenance budget.

No decisions regarding the County budget were made during this meeting.

There being no further business, the meeting adjourned at 8:05 pm.

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JOSH COMPTON, PRESIDENT

Respectively Submitted:  
Jessica D. Carroll  
Administrative Assistant

FIRST QUARTER TERM: (Board of Review and Equalization)

State of West Virginia, County of Jefferson, to-wit:

At a session of the Jefferson County Commission, sitting as Board of Review and Equalization, continued and held at the Courthouse thereof on Friday, February 16, 2018, beginning at 1:30 p.m.

PRESENT: Josh Compton, Commission President  
Caleb Hudson, Vice President  
Patricia Noland, Commissioner  
Peter Onoszko, Commissioner  
Jane Tabb, Commissioner

STAFF: Angie Banks, Assessor  
June Bowers, Sr. Appraiser  
Nathan Cochran, Assistant Prosecuting Attorney  
Jessica Carroll, Recording Clerk

**In re: 2018 Board of Review and Equalization – Application for Assessment Review – Shenandoah Sales & Service and David C. and Nadine L. Tabb**

President Compton opened the meeting at 1:31 pm.

Before proceeding, Commissioners Onoszko and Tabb recused themselves from the hearing due to political and familial conflicts.

Mr. Tabb requested that Mr. Cochran, Commissioners Compton, Hudson, and Noland, and Assessor Angela Banks recuse themselves from this hearing as they were currently involved in legal matters pending against Mr. Tabb.

President Compton noted the objection for the record, but stated the hearing would proceed with the inclusion of Mr. Cochran, the current Commissioners, and Assessor Banks.

A hearing was conducted on an appeal by Shenandoah Sales & Service (represented by David Tabb, owner) on Map 10, Parcel 8 in the Harpers Ferry District.

- **After sworn testimony and presentation of exhibits, motion by Ms. Noland to deny the appeal on Map 10, Parcel 8 in the Harpers Ferry District. Motion seconded and unanimously approved.**

A hearing was conducted on an appeal by David C. Tabb on Map 10, Parcel 8.4 in the Harpers Ferry District.

- **After sworn testimony and presentation of exhibits, motion by Ms. Noland to deny the appeal on Map 10, Parcel 8.4 in the Harpers Ferry District. Motion seconded and unanimously approved.**

A hearing was conducted on an appeal by David C. Tabb on Map 2, Parcel 1 in the Bolivar Corporation.

- **After sworn testimony and presentation of exhibits, motion by Ms. Noland to deny the appeal on Map 2, Parcel 1 in the Bolivar Corporation. Motion seconded and unanimously approved.**
- **There being no further business, motion by Ms. Noland to adjourn *sine die* as a Board of Review and Equalization. Motion seconded and unanimously approved.**

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JOSH COMPTON , COMMISSION PRESIDENT

**PURCHASE ORDERS TO BE APPROVED**

**March 1, 2018**

| DEPARTMENT         | P.O. NUMBER | AMOUNT              | VENDOR                                                                   | DESCRIPTION                          |
|--------------------|-------------|---------------------|--------------------------------------------------------------------------|--------------------------------------|
| County Commission  | 52830       | \$ 26,000.00        | <a href="mailto:Ashpaugh@Sculco CPA's PLC">Ashpaugh@Sculco CPA's PLC</a> | Review of Cable fees paid by Comcast |
| <b>GRAND TOTAL</b> |             | <b>\$ 26,000.00</b> |                                                                          |                                      |



# THE COUNTY COMMISSION OF JEFFERSON COUNTY

Charles Town West Virginia 25414

## REQUISITION

No. 52830

VENDOR

DELIVER TO

Ashpaugh & Sculco CPAs PLC  
300 N New York Ave #879  
Winter Park, FL 32790  
407-645-2020

County Commission  
PO Box 250  
Charlestown, WV 25414  
Michelle / Nathan

| QUANTITY | DESCRIPTION - BUDGET LINE - ITEM NUMBER                                                                                                                                                                                                                                                                                                     | PRICE | UNIT | AMOUNT       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|--------------|
|          | <p>Review of Cable Franchise Fees Paid by Comcast for Jefferson County, WV</p> <ul style="list-style-type: none"><li>- Specialized Services</li><li>- proposal is for a 5 year review of fees paid</li><li>- proposal was approved in Executive Session on 2/1/2018</li></ul> <p>Funding - Coal Severance<br/>002-401-02-223-000-66-000</p> |       |      | \$ 26,000.00 |

1. ENTER NAME AND MAILING ADDRESS OF VENDOR IN SPACE PROVIDED
2. PROVIDE MAILING AND/OR SHIPPING ADDRESS. ITEMS THAT ARE SHIPPED MUST HAVE STREET ADDRESS.
3. PROVIDE A DESCRIPTION OF ITEM(S) BEING REQUESTED
4. INCLUDE BUDGET LINE-ITEM NUMBER TO BE CHARGED FOR EACH ITEM.
5. SIGN AND FORWARD TO COUNTY COMMISSION. UPON APPROVAL, A COUNTER-SIGNED COPY WILL BE RETURNED FOR YOUR RECORDS

THE ITEMS REQUESTED ABOVE ARE NECESSARY AND FOR THE EXCLUSIVE USE OF THIS DEPARTMENT.

*Michelle Gordon* 2-15-2018

Signature

Date

PURCHASE OF THE ABOVE REQUESTED ITEMS APPROVED. FUNDS HAVE BEEN ENCUMBERED.

Signature

Date

| DESCRIPTION                 | Fund 001 CO.  | Fund 003 Dog | Total         |
|-----------------------------|---------------|--------------|---------------|
| Gross Wages                 | \$ 374,910.72 | \$ 41.40     | \$ 374,952.12 |
| 6.2% Tax Payable OASDI      | 22,257.32     | \$ 2.35      | \$ 22,259.67  |
| 1.45% Tax Payable HI        | 5,205.44      | \$ 0.55      | \$ 5,205.99   |
| Fed Withholding             | 33,503.32     | \$ 2.51      | \$ 33,505.83  |
| WV State Withholding        | 15,845.04     | \$ 1.70      | \$ 15,846.74  |
| PERS Retirement Deduct 4.5% | 10,960.07     | \$ 1.86      | \$ 10,961.93  |
| PERS Retirement Deduct 6%   | 2,462.40      |              | \$ 2,462.40   |
| Hosp. Pre-Tax               | 13,452.00     |              | \$ 13,452.00  |
| Cancer/ICU Pre-Taxed        | 911.60        |              | \$ 911.60     |
| Cancer/ICU Not Pre-Taxed    | 1,068.73      |              | \$ 1,068.73   |
| Optional Life Not Pre-Taxed | 2,019.65      |              | \$ 2,019.65   |
| Christmas Club              | 5,285.00      |              | \$ 5,285.00   |
| Wage Attach #1              | 1,427.35      |              | \$ 1,427.35   |
| Wage Attach #3              | 212.31        |              | \$ 212.31     |
| DSRS Retirement Deduct 8.5% | 6,087.58      |              | \$ 6,087.58   |
| 457 - Nationwide            | 849.00        |              | \$ 849.00     |
| 457I - Empower              | 2,255.00      |              | \$ 2,255.00   |
| 457R - Roth                 | 215.00        |              | \$ 215.00     |
| MD State Tax                | 581.22        |              | \$ 581.22     |
| D/VF                        | 1,560.85      |              | \$ 1,560.85   |
| VA. State Tax               | 89.72         |              | \$ 89.72      |
| COLONIAL(PLUS)              | 102.55        |              | \$ 102.55     |
| Total Deductions            | \$ 126,351.15 | \$ 8.97      | \$ 126,360.12 |
|                             |               |              |               |
| Net Wages Total             | \$ 248,559.57 | \$ 32.43     | \$ 248,592.00 |
| Payroll Date                | 22-Feb-2018   |              |               |

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



Name: **Jacki Shadle**

Department or Organization: **County Clerk**

Estimation of amount of time needed for appointment: **10 mins**

Date Requested – 1<sup>st</sup> Choice: **March 1, 2018**

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

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

Subject (*Wording to be placed on agenda*): **Employment Approval for Assistant Voter & Elections Clerk**

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

Is this a funding request? **Y/N**

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*):

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:

Email address:

Phone Number:

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION**

not applicable



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



Name: **Nikki Painter**

Department or Organization: **Elections – County Clerk**

Estimation of amount of time needed for appointment: **10 mins**

Date Requested – 1<sup>st</sup> Choice: **March 1, 2018**

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

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

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

**Poll Worker & Alternate Approval**

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

Is this a funding request? **Y/N**

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*):

**To approve the poll workers and alternates as presented**

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:

Email address:

Phone Number:

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION**

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|  |
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**Democrat Alternates- 2018 Primary**

| <b>Name</b>             | <b>Phone</b> | <b>Address</b>                      | <b>Comments</b>             |
|-------------------------|--------------|-------------------------------------|-----------------------------|
| Ken Fanelli             | 304-839-7114 | 1316 Destrier St Ranson             | Poll Comm Experience        |
| Dorothy Dyke            | 304-289-8031 | PO Box 38 Ranson                    | Supply Clerk Experience     |
| Jennifer Schultz        | 304-268-0495 | 185 McGuire Circle Harpers Ferry    | Supply Clerk Experience     |
| Jalen Smith             | 304-820-7617 | PO Box 15 Ranson                    | Worked in December          |
| Paula Bogden            | 304-725-2888 | PO Box 687 Charles Town             |                             |
| Michael Bogden          | 304-725-2888 | PO Box 687 Charles Town             |                             |
| Vivian Engelberg        |              | PO Box 697 Charles Town             |                             |
| Joyce Staubs            | 304-671-4397 | 215 River Valley Dr Harpers Ferry   | worked in December          |
| Tabitha Greenwalt (Ind) | 304-676-7083 | 2723 Summit Point Rd Summit Point   |                             |
| Julie Schnatterly       | 304-707-2343 | 131 Wrens View Ln Harpers Ferry     | Poll Clerk Experience       |
| Jill Plotner            | 304-676-0720 | PO Box 163 Ranson                   |                             |
| Deborah Royalty         | 304-728-0191 | 199 Brannon Ln Charles Town         | Supply Clerk Experience     |
| Reed Flinn (Ind)        | 304-719-5828 | PO Box 164 Charles Town             | Worked in Berkeley County   |
| JoAnn Bailey            | 304-724-8889 | 200 Hackney Ln Charles Town         | Worked in December election |
| Keila Blandin Franco    |              | 136 Weirick St Charles Town         |                             |
| Caroline Hayden (Ind)   | 540-535-6564 | 108 Marie Dr Charles Town           |                             |
| Joannette Jenkins       | 304-279-7059 | 150 W Academy St Apt 4 Charles Town |                             |
| Tina Spriggs            | 304-620-5708 | 150 W Academy St Apt 4 Charles Town |                             |
| Jeri Stitt              | 301-367-2069 | 208 Colonial Dr Charles Town        |                             |



Democrat Poll Workers  
2018 Primary

| Name                                                  | Phone #      | Address                              | Notes | Party |
|-------------------------------------------------------|--------------|--------------------------------------|-------|-------|
| <b>Charles Town District</b>                          |              |                                      |       |       |
| <i>Precinct #2 Wright Denny Elementary</i>            |              |                                      |       |       |
| <b><u>Poll Commissioner</u></b>                       |              |                                      |       |       |
| Antoinette Ringgold                                   | 304-218-4629 | 105 Limited Dr Ranson                |       | Dem   |
| <b><u>Supply Clerk</u></b>                            |              |                                      |       |       |
| Jean Roberts                                          | 725-7435     | 404 S Charles St Charles Town        |       | Dem   |
| <b><u>Poll Clerk</u></b>                              |              |                                      |       |       |
| Ruth McDaniel                                         | 725-2128     | 546 Eagle Ave Charles Town           |       | Dem   |
| <b><i>Precinct #3 Charles Town Baptist Church</i></b> |              |                                      |       |       |
| <b><u>Poll Commissioner</u></b>                       |              |                                      |       |       |
| Devona Snyder                                         | 725-7874     | 110 Cooke St Ranson                  |       | Dem   |
| <b><u>Poll Clerk</u></b>                              |              |                                      |       |       |
| Orville Thompson                                      | 728-6734     | 540 Brooke St Charles Town           |       | Dem   |
| <b><i>Precinct #4A Fellowship Bible Church</i></b>    |              |                                      |       |       |
| <b><u>Poll Commissioner</u></b>                       |              |                                      |       |       |
| Janet Jeffries                                        | 725-4094     | 432 S Lawrence St Charles Town       |       | Dem   |
| <b><u>Supply Clerk</u></b>                            |              |                                      |       |       |
| Vivian Henry                                          | 725-0614     | 302 S George St Ranson               |       | Dem   |
| <b><u>Poll Clerk</u></b>                              |              |                                      |       |       |
| Karla Eister                                          | 283-0368     | PO Box 577 Charles Town              |       | Dem   |
| <b><i>Precinct #4B Fellowship Bible Church</i></b>    |              |                                      |       |       |
| <b><u>Poll Commissioner</u></b>                       |              |                                      |       |       |
| Mary Ella Cogle                                       | 304-886-1192 | 857 Mt Hammond Ln Charles Town       |       | Dem   |
| <b><u>Poll Clerk</u></b>                              |              |                                      |       |       |
| Dottie Ott                                            | 886-0431     | 1510 Flowing Springs Rd Charles Town |       | Dem   |

Democrat Poll Workers  
2018 Primary

|                                             |              |                               |     |
|---------------------------------------------|--------------|-------------------------------|-----|
| <i>Precinct #6 Senior Center</i>            |              |                               |     |
| <b><u>Poll Commissioner</u></b>             |              |                               |     |
| Dorothy Myers                               | 725-5487     | 804 Morison St Charles Town   | Dem |
| <b><u>Supply Clerk</u></b>                  |              |                               |     |
| Gary Henry                                  | 304-725-0614 | 302 S George St Ranson        | Dem |
| <b><u>Poll Clerk</u></b>                    |              |                               |     |
| David White                                 | 304-725-5822 | 102 Lindsey Dr Charles Town   | Dem |
| <i>Precinct #7 Ranson Elementary School</i> |              |                               |     |
| <b><u>Poll Commissioner</u></b>             |              |                               |     |
| Susie Nicodemus                             | 725-0097     | 131 Grace St Kearneysville    | Dem |
| <b><u>Poll Clerk</u></b>                    |              |                               |     |
| Shirley Henry                               | 725-8631     | PO Box 263 Charles Town       | Dem |
| <i>Precinct #12 Jefferson High School</i>   |              |                               |     |
| <b><u>Poll Commissioner</u></b>             |              |                               |     |
| Janice Blackford                            | 725-1293     | 155 Riparian Ln Ranson        | Dem |
| <b><u>Supply Clerk</u></b>                  |              |                               |     |
| Teresa Forsyth                              | 304-725-5326 | 28 Mopsy Ct Ranson            | Dem |
| <b><u>Poll Clerk</u></b>                    |              |                               |     |
| Renee Smith                                 | 304-279-5549 | 143 Ranson Estates Cir Ranson | Dem |

Democrat Poll Workers  
2018 Primary

| <b>Harpers Ferry District</b>                     |              |                                     |     |
|---------------------------------------------------|--------------|-------------------------------------|-----|
| <i>Precinct #13 CW Shipley Elementary</i>         |              |                                     |     |
| <b><u>Poll Commissioner</u></b>                   |              |                                     |     |
| Mike Jenkins                                      | 304-876-0797 | 4290 Chestnut Hill Rd Harpers Ferry | Dem |
| <b><u>Poll Clerk</u></b>                          |              |                                     |     |
| Linda Housden                                     | 535-2478     | 57 Fort Hill Rd Harpers Ferry       | Dem |
| <i>Precinct #14 Camp Hill Wesley Church</i>       |              |                                     |     |
| <b><u>Poll Commissioner</u></b>                   |              |                                     |     |
| Linda Whittington                                 | 304-725-5085 | 120 S Mildred St. Charles Town      | Dem |
| <b><u>Supply Clerk</u></b>                        |              |                                     |     |
| Jim Eddy                                          | 535-8282     | 263 Mara Rose Ln Harpers Ferry      | Dem |
| <b><u>Poll Clerk</u></b>                          |              |                                     |     |
| Pat Humphreys                                     | 885-0192     | 377 Pointfield Dr Harpers Ferry     | Dem |
| <i>Precinct #15 Harpers Ferry Middle School</i>   |              |                                     |     |
| <b><u>Poll Commissioner</u></b>                   |              |                                     |     |
| Judy Carroll                                      | 725-1963     | 214 Veronica Ct Charles Town        | Dem |
| <b><u>Supply Clerk</u></b>                        |              |                                     |     |
| Paul Wilt                                         | 283-3474     | 103 N Reymann St Ranson             | Dem |
| <b><u>Poll Clerk</u></b>                          |              |                                     |     |
| Patricia Morse                                    | 304-535-2714 | PO Box 1038 Harpers Ferry           | Dem |
| <i>Precinct #16 Oakland Methodist Church</i>      |              |                                     |     |
| <b><u>Poll Commissioner</u></b>                   |              |                                     |     |
| Shirley Painter                                   | 304-728-4383 | 520 S George St Apt D9 Charles Town | Dem |
| <b><u>Poll Clerk</u></b>                          |              |                                     |     |
| Debbie Gravatt                                    | 876-6212     | 505 Engle Moler Rd Harpers Ferry    | Dem |
| <i>Precinct #17 Blue Ridge Mountain Fire Hall</i> |              |                                     |     |
| <b><u>Poll Commissioner</u></b>                   |              |                                     |     |
| Sunshine Drummond                                 | 304-839-3232 | 408 E 6th Ave Ranson                | Dem |
| <b><u>Poll Clerk</u></b>                          |              |                                     |     |
| Bobbi Blok                                        | 725-2488     | 341 Wren Ln Harpers Ferry           | Dem |

Democrat Poll Workers  
2018 Primary

| Precinct #21A Blue Ridge Elementary School |              |                                    |     |
|--------------------------------------------|--------------|------------------------------------|-----|
| <b><u>Poll Commissioner</u></b>            |              |                                    |     |
| Barbara Smith                              | 725-6307     | PO Box 165 Ranson                  | Dem |
| <b><u>Supply Clerk</u></b>                 |              |                                    |     |
| Jennifer Baltzell                          | 304-728-9543 | 127 Old Mill Rd Harpers Ferry      | Dem |
| <b><u>Poll Clerk</u></b>                   |              |                                    |     |
| Judy Ott                                   | 676-5617     | 89 Cottonntail Dr Ranson           | Dem |
| Precinct #21B Blue Ridge Elementary School |              |                                    |     |
| <b><u>Poll Commissioner</u></b>            |              |                                    |     |
| Nancy Schaffer                             | 304-410-5907 | PO Box 1130 Charles Town           | Dem |
| <b><u>Poll Clerk</u></b>                   |              |                                    |     |
| Patricia Blevins                           | 725-2234     | 920 General Rogers Rd Charles Town | Dem |

Democrat Poll Workers  
2018 Primary

| <b>Kabletown District</b>                       |              |                                   |     |
|-------------------------------------------------|--------------|-----------------------------------|-----|
| <i>Precinct #19 Charles Town Middle School</i>  |              |                                   |     |
| <b><u>Poll Commissioner</u></b>                 |              |                                   |     |
| Wanda (Hughes) Harris                           | 725-3243     | 23 Georgia Ave Charles Town       | Dem |
| <b><u>Poll Clerk</u></b>                        |              |                                   |     |
| Loretta Jones                                   | 304-279-3736 | 333 Pembroke Way Charles Town     | Dem |
|                                                 |              |                                   |     |
| <i>Precinct #20 Kabletown Methodist Church</i>  |              |                                   |     |
| <b><u>Poll Commissioner</u></b>                 |              |                                   |     |
| James Griffith                                  | 725-2536     | PO Box 482 Charles Town           | Dem |
| <b><u>Supply Clerk</u></b>                      |              |                                   |     |
| Robert Graf                                     | 728-2829     | 2054 Kabletown Rd Charles Town    | Dem |
| <b><u>Poll Clerk</u></b>                        |              |                                   |     |
| Carolyn Wright                                  | 725-7999     | 276 Hawthornedale Rd Charles Town | Dem |
|                                                 |              |                                   |     |
| <i>Precinct #22 Summit Point Baptist Church</i> |              |                                   |     |
| <b><u>Poll Commissioner</u></b>                 |              |                                   |     |
| Elizabeth Stagner                               | 725-7777     | 109 Brin Dr Ranson                | Dem |
| <b><u>Poll Clerk</u></b>                        |              |                                   |     |
| Emma Cook                                       | 304-240-7159 | 625 Mordington Ave Charles Town   | Dem |
|                                                 |              |                                   |     |
| <i>Precinct #23A Country Day School</i>         |              |                                   |     |
| <b><u>Poll Commissioner</u></b>                 |              |                                   |     |
| Darla Treat Courtney                            | 304-725-1645 | 503 W Washington St Charles Town  | Dem |
| <b><u>Poll Clerk</u></b>                        |              |                                   |     |
| Derba Durst                                     | 725-6794     | 6546 Middleway Pike Kearneysville | Dem |
|                                                 |              |                                   |     |
| <i>Precinct #23B Country Day School</i>         |              |                                   |     |
| <b><u>Poll Commissioner</u></b>                 |              |                                   |     |
| Dorothy Sager                                   | 304-725-4439 | 38 Brookline Cir Charles Town     | Dem |
| <b><u>Supply Clerk</u></b>                      |              |                                   |     |
| Nora Drish                                      | 725-5256     | 3190 Summit Point Rd Summit Point | Dem |
| <b><u>Poll Clerk</u></b>                        |              |                                   |     |
| Odbert Courtney                                 | 304-725-1645 | 503 W Washington St Charles Town  | Dem |

Democrat Poll Workers  
2018 Primary

| <b>Precinct #24 Washington High School</b> |          |                         |               |     |
|--------------------------------------------|----------|-------------------------|---------------|-----|
| <b><u>Poll Commissioner</u></b>            |          |                         |               |     |
| Louis Brunswick                            | 725-7892 | 66 Pigtail Ln           | Kearneysville | Dem |
| <b><u>Supply Clerk</u></b>                 |          |                         |               |     |
| Jennifer Cogle                             | 433-1067 | 47 Jefferson Village Dr | Ranson        | Dem |
| <b><u>Poll Clerk</u></b>                   |          |                         |               |     |
| Roger Dailey                               | 724-7901 | 863 Pheasant Hill Rd    | Summit Point  | Dem |

Democrat Poll Workers  
2018 Primary

| <b>Middleway District</b>                             |              |                                      |     |
|-------------------------------------------------------|--------------|--------------------------------------|-----|
| <i>Precinct #25A South Jefferson Elementary</i>       |              |                                      |     |
| <b><u>Poll Commissioner</u></b>                       |              |                                      |     |
| Nancy Jo Upwright                                     | 725-9229     | 12260 Leetown Rd Kearneysville       | Dem |
| <b><u>Supply Clerk</u></b>                            |              |                                      |     |
| Mary (Rosie) Ring                                     | 725-8045     | 277 King St Kearneysville            | Dem |
| <b><u>Poll Clerk</u></b>                              |              |                                      |     |
| Gwendolyn Twyman                                      | 724-2044     | 2507 Lewisville Rd Summit Point      | Dem |
|                                                       |              |                                      |     |
| <i>Precinct #25B South Jefferson Elementary</i>       |              |                                      |     |
| <b><u>Poll Commissioner</u></b>                       |              |                                      |     |
| Charles Henry                                         | 725-8631     | PO Box 263 Charles Town              | Dem |
| <b><u>Poll Clerk</u></b>                              |              |                                      |     |
| Joyce Pifer                                           | 725-3678     | 7417 Queen St Kearneysville          | Dem |
|                                                       |              |                                      |     |
| <i>Precinct #26 Leetown Methodist Church</i>          |              |                                      |     |
| <b><u>Poll Commissioner</u></b>                       |              |                                      |     |
| William Carroll Jr                                    | 725-1963     | 214 Veronica Ct Charles Town         | Dem |
| <b><u>Poll Clerk</u></b>                              |              |                                      |     |
| Deborah Longo                                         | 283-3411     | 146 Paddock Pl Charles Town          | Dem |
|                                                       |              |                                      |     |
| <i>Precinct #27 North Jefferson Elementary School</i> |              |                                      |     |
| <b><u>Poll Commissioner</u></b>                       |              |                                      |     |
| Barbara Branson                                       | 876-2903     | PO Box 907 Shepherdstown             | Dem |
| <b><u>Poll Clerk</u></b>                              |              |                                      |     |
| Kathy Walls                                           | 304-279-3618 | 519 Van Clevesville Rd Kearneysville | Dem |
|                                                       |              |                                      |     |
| <i>Precinct #28 First Baptist Church</i>              |              |                                      |     |
| <b><u>Poll Commissioner</u></b>                       |              |                                      |     |
| Juliane Ford                                          | 725-6135     | 293 Westwoods Ln Charles Town        | Dem |
| <b><u>Supply Clerk</u></b>                            |              |                                      |     |
| Sharon Hall                                           | 725-9318     | 221 Northwinds Dr Charles Town       | Dem |
| <b><u>Poll Clerk</u></b>                              |              |                                      |     |
| Leslie Newman                                         | 304-261-3337 | 250 Barksdale Dr Charles Town        | Dem |

Democrat Poll Workers  
2018 Primary

| <i>Precinct #29 TA Lowery Elementary School</i> |          |               |               |     |
|-------------------------------------------------|----------|---------------|---------------|-----|
| <b><u>Poll Commissioner</u></b>                 |          |               |               |     |
| Judi Brunswick                                  | 725-7892 | 66 Pigtail Ln | Kearneysville | Dem |
| <b><u>Poll Clerk</u></b>                        |          |               |               |     |
| Rebecca Stokes                                  | 725-4098 | 180 Dianne Ct | Charles Town  | Dem |

Democrat Poll Workers  
2018 Primary

| <b>Shepherdstown District</b>                       |              |                                      |     |
|-----------------------------------------------------|--------------|--------------------------------------|-----|
| <i>Precinct #31 Covenant Baptist Church</i>         |              |                                      |     |
| <b><u>Poll Commissioner</u></b>                     |              |                                      |     |
| Lorena Nathan                                       | 760-443-9220 | 105 Limited Dr Ranson                | Dem |
| <b><u>Supply Clerk</u></b>                          |              |                                      |     |
| Anita Fleshman                                      | 876-1865     | 5388 Shepherdstown Pike Shen Jct     | Dem |
| <b><u>Poll Clerk</u></b>                            |              |                                      |     |
| Sandra Moffett                                      | 301-351-3359 | 153 Casorsa Dr Charles Town          | Dem |
| <i>Precinct #32 Bethel United Methodist Church</i>  |              |                                      |     |
| <b><u>Poll Commissioner</u></b>                     |              |                                      |     |
| Velma Greene                                        | 304-270-6726 | 15 Wheat Field Terrace Harpers Ferry | Dem |
| <b><u>Poll Clerk</u></b>                            |              |                                      |     |
| Kimberly Hamilton                                   | 304-671-2498 | PO Box 35 Bakerton                   | Dem |
| <i>Precinct #33 Trinity Episcopal Church</i>        |              |                                      |     |
| <b><u>Poll Commissioner</u></b>                     |              |                                      |     |
| John Thompson                                       | 728-8278     | 492 Thumper Dr Ranson                | Dem |
| <b><u>Supply Clerk</u></b>                          |              |                                      |     |
| Amy Silver                                          | 304-283-7807 | PO Box 285 Charles Town              | Dem |
| <b><u>Poll Clerk</u></b>                            |              |                                      |     |
| Delores Allen                                       | 724-6072     | PO Box 141 Kearneysville             | Dem |
| <i>Precinct #34 Shepherdstown Elementary School</i> |              |                                      |     |
| <b><u>Poll Commissioner</u></b>                     |              |                                      |     |
| Rick Moffett                                        | 304-283-6505 | 153 Casorsa Dr Charles Town          | Dem |
| <b><u>Supply Clerk</u></b>                          |              |                                      |     |
| Locke Wysong                                        | 671-2341     | PO Box 772 Charles Town              | Dem |
| <b><u>Poll Clerk</u></b>                            |              |                                      |     |
| Keila Blandin-Franco                                | 304-671-3053 | 136 Weirick St Charles Town          | Dem |

Democrat Poll Workers  
2018 Primary

|                                              |              |                                      |     |
|----------------------------------------------|--------------|--------------------------------------|-----|
| <i>Precinct #35A Shepherdstown Fire Hall</i> |              |                                      |     |
| <b><u>Poll Commissioner</u></b>              |              |                                      |     |
| Harold Stewart                               | 725-7164     | 9029 Charles Town Rd Charles Town    | Dem |
| <b><u>Poll Clerk</u></b>                     |              |                                      |     |
| Margaret Housden                             | 876-0686     | 466 Ridge Rd Shenandoah Jct          | Dem |
|                                              |              |                                      |     |
| <i>Precinct #35B Shepherdstown Fire Hall</i> |              |                                      |     |
| <b><u>Poll Commissioner</u></b>              |              |                                      |     |
| Patrick Coyle                                | 728-7365     | 1208 Wide Horizon Blvd Kearneysville | Dem |
| <b><u>Supply Clerk</u></b>                   |              |                                      |     |
| Elizabeth Coyle                              | 728-7365     | 1208 Wide Horizon Blvd Kearneysville | Dem |
| <b><u>Poll Clerk</u></b>                     |              |                                      |     |
| Pedro Gonzalez                               | 304-941-8169 | 63 Monumental Dr Charles Town        | Dem |

| Republican Alternates - 2018 Primary |                      |              |                                     |       |                                                                  |
|--------------------------------------|----------------------|--------------|-------------------------------------|-------|------------------------------------------------------------------|
| Num                                  | Name                 | Phone        | Address                             | Party | Notes                                                            |
| 1                                    | Cricket Morgan       | 304-725-6670 | PO Box 130 Rippon                   | R     |                                                                  |
| 2                                    | Misty Davidson       | 304-279-5685 | 100 Northwinds Dr Charles Town      | R     |                                                                  |
| 3                                    | Karla Wells          | 304-725-4409 | 16221 Charles Town Rd Charles Town  | U     |                                                                  |
| 4                                    | Yeunshin Kim         | 304-283-5369 | PO Box 515 Charles Town             | R     | always willing to work anywhere as a commissioner                |
| 5                                    | Nick Quiambao        | 304-820-5098 | 554 Sylvan Ln Harpers Ferry         | R     | worked in December; said he was very interested in working again |
| 6                                    | Angela Breeden       | 304-725-5551 | 1233 Tuscowilla Dr Charles Town     | R     | has worked several elections (including Dec) as a supply clerk   |
| 7                                    | Spencer Howard       | 304-725-1838 | 108 Foxhall Rd Charles Town         | R     |                                                                  |
| 8                                    | Susan Keisler        | 717-688-2692 | 68 Surrey Dr Harpers Ferry          | R     | John Shoedel's neighbor                                          |
| 9                                    | Jessica Norris       | 304-876-3676 | 77 Spring St Harpers Ferry          | R     | Added by Melodie                                                 |
| 10                                   | Douglas Clark        | 304-240-6609 | 211 Huckleberry Ln Harpers Ferry    | R     | filled in at the very last minute in December                    |
| 12                                   | Gail Cordero         | 703-398-8383 | 64 Bullskin St Charles Town         | R     |                                                                  |
| 11                                   | Tyler Hamilton       | 304-671-8223 | 125 Harvest Court Harpers           | R     |                                                                  |
| 13                                   | Anna Baker           | 728-2091     | 94 Tiffany Court Harpers Ferry      | R     |                                                                  |
| 14                                   | Charlene Gaither     | 676-4644     | 5274 Paynes Ford Rd Kearneysville   | R     |                                                                  |
| 15                                   | Tyler Gibson         | 304-876-6926 | 243 Rabbits Rest Ln Shepherdstown   | R     |                                                                  |
| 16                                   | Keila Blandin Franco | 304-725-5075 | 136 Weirick St Charles Town         | U     |                                                                  |
| 17                                   | Shirley Harris       | 804-413-1460 | 77 Colston Rd Charles Town          | R     |                                                                  |
| 18                                   | Chris Kipp           | 886-4251     | PO Box 45 Shenandoah Junction       | R     |                                                                  |
| 19                                   | William McMahon      | 283-5570     | 160 Zachary Taylor St Harpers Ferry | R     |                                                                  |
| 20                                   | Shannon Demir        | 757-768-4541 | 27 Holmes Dr Charles Town           | R     |                                                                  |
| 21                                   | John Fludine         | 216-645-3001 | 137 Barrel Horse Dr Charles Town    | U     |                                                                  |
| 22                                   | Edward Clay          | 304-724-1958 | PO Box 312 Charles Town             | R     |                                                                  |
| 23                                   | Eva Boccia           | 304-820-6724 | PO Box 456 Charles Town             | R     |                                                                  |
| 24                                   | Karen Kressin        | 304-724-2721 | 87 Appaloosa Way Charles Town       | U     |                                                                  |
| 25                                   | Lisa White           | 304-995-5133 | 194 Beauregard Blvd Charles Town    | R     |                                                                  |
| 26                                   | Richard Crossley     | 540-335-5416 | 72 Alla Willa Dr Charles Town       | R     |                                                                  |
| 27                                   | Roxanne Augustin     | 443-766-0074 | 600 W Liberty St Charles Town       | U     |                                                                  |
| 28                                   | Russell Patrick      |              | 85 Buckskin Ct Charles Town         | R     |                                                                  |
| 29                                   | Curt Compton         | 304-725-6462 | 206 Pheasant Hill Rd Summit Point   | R     |                                                                  |
| 30                                   | Courtney Knill       | 304-725-5810 | 516 Morison St Charles Town         | R     |                                                                  |
| 31                                   | Tim Dye              | 304-460-8058 | 4843 Middleway Pike Kearneysville   | R     | worked in December                                               |
| 32                                   | Melinda Maye         | 304-279-8566 | 83 Tall Oak Dr Apt 1, Charles Town  | R     |                                                                  |

Republican Poll Workers  
2018 Primary Election

| Name                                           | Telephone #'s | Address                           | Notes | Party |
|------------------------------------------------|---------------|-----------------------------------|-------|-------|
| <b>Charles Town District</b>                   |               |                                   |       |       |
| <i>Precinct #2 Wright Denny Elementary</i>     |               |                                   |       |       |
| <b>Poll Commissioner #1</b>                    |               |                                   |       |       |
| Terry Knill                                    | 304-725-5810  | 516 Morison St Charles Town       |       | Ind   |
| <b>Poll Clerk #2</b>                           |               |                                   |       |       |
| Andrea Compton                                 | 540-686-5888  | 206 Pheasant Hill Rd Summit Point |       | Rep   |
| <i>Precinct #3 Charles Town Baptist Church</i> |               |                                   |       |       |
| <b>Poll Commissioner #1</b>                    |               |                                   |       |       |
| Emma Espinosa                                  | 304-707-6921  | 107 Hancock Ct, Charles Town      |       | Rep   |
| <b>Supply Commissioner</b>                     |               |                                   |       |       |
| Bob Trainor                                    | 304-283-2946  | 774 Crosswinds Court Charles Town |       | Rep   |
| <b>Poll Clerk #2</b>                           |               |                                   |       |       |
| Cynthia Trainor                                | 304-283-2944  | 774 Crosswinds Court Charles Town |       | Rep   |
| <i>Precinct #4A Fellowship Bible Church</i>    |               |                                   |       |       |
| <b>Poll Commissioner #1</b>                    |               |                                   |       |       |
| Frank Stanley                                  | 725-7505      | 181 Nansefield Dr Harpers Ferry   |       | Rep   |
| <b>Poll Clerk #2</b>                           |               |                                   |       |       |
| Shauna Leaton                                  | 304-283-7682  | PO Box 147 Shenandoah Junction    |       | Rep   |
| <i>Precinct #4B Fellowship Bible Church</i>    |               |                                   |       |       |
| <b>Poll Commissioner #1</b>                    |               |                                   |       |       |
| Brian Higgs                                    | 304-582-0578  | 53 Beekman Place Charles Town     |       | Rep   |
| <b>Supply Commissioner</b>                     |               |                                   |       |       |
| Jessica Ashley                                 | 304-820-3175  | PO Box 45 Shenandoah Jct          |       | Rep   |
| <b>Poll Clerk #2</b>                           |               |                                   |       |       |
| Kevin Tester                                   | 304-724-1182  | 77 Burnlea Rd Charles Town        |       | Rep   |
| <i>Precinct #6 Senior Center</i>               |               |                                   |       |       |
| <b>Poll Commissioner #1</b>                    |               |                                   |       |       |
| Joshua Waggoner                                | 304-886-1069  | PO Box 489 Kearneysville          |       | Rep   |
| <b>Poll Clerk #2</b>                           |               |                                   |       |       |
| Angela Hoffman                                 | 304-725-2295  | 4 Bedford Dr Charles Town         |       | Rep   |
| <i>Precinct #7 Ranson Elementary School</i>    |               |                                   |       |       |
| <b>Poll Commissioner #1</b>                    |               |                                   |       |       |
| Phyllis Fludine                                | 301-514-6858  | 137 Barrel Horse Dr Charles Town  |       | Rep   |
| <b>Supply Commissioner</b>                     |               |                                   |       |       |

Republican Poll Workers  
2018 Primary Election

|                                           |              |                               |  |     |
|-------------------------------------------|--------------|-------------------------------|--|-----|
| Todd Baldau                               | 202-577-8854 | 182 Coventry Ln Harpers Ferry |  | Ind |
| <b>Poll Clerk #2</b>                      |              |                               |  |     |
| Cynthia Waggoner                          | 304-725-2893 | Po Box 489 Kearneysville      |  | Rep |
| <b>Precinct #12 Jefferson High School</b> |              |                               |  |     |
| <b>Poll Commissioner #1</b>               |              |                               |  |     |
| Tim Waggoner                              | 304-886-0776 | PO Box 489 Kearneysville      |  | Rep |
| <b>Poll Clerk #2</b>                      |              |                               |  |     |
| Megan Terris                              | 304-596-3754 | 78 Flopsy Ct Ranson           |  | Rep |

Republican Poll Workers  
2018 Primary Election

| <b>Harpers Ferry District</b>                     |              |                                       |     |
|---------------------------------------------------|--------------|---------------------------------------|-----|
| <i>Precinct #13 CW Shipley Elementary</i>         |              |                                       |     |
| <b>Poll Commissioner #1</b>                       |              |                                       |     |
| Jack Williams                                     | 725-7152     | 143 Potomac Crossing St Charles Town  | Rep |
| <b>Supply Commissioner</b>                        |              |                                       |     |
| Cheryl Huff                                       | 725-4989     | 743 Chickamauga Dr Charles Town       | Rep |
| <b>Poll Clerk #2</b>                              |              |                                       |     |
| Melodie Williams                                  | 725-7152     | 143 Potomac Crossing St Charles Town  | Rep |
| <i>Precinct #14 Camp Hill Wesley Church</i>       |              |                                       |     |
| <b>Poll Commissioner #1</b>                       |              |                                       |     |
| Deb Spatola                                       | 728-4472     | 413 Red Bird Lane Harpers Ferry       | Rep |
| <b>Poll Clerk #2</b>                              |              |                                       |     |
| Michael Buscher                                   | 304-582-8725 | PO Box 1081 Harpers Ferry             | Rep |
| <i>Precinct #15 Harpers Ferry Middle School</i>   |              |                                       |     |
| <b>Poll Commissioner #1</b>                       |              |                                       |     |
| Helen Campanella                                  | 535-1515     | 15 Spruce Street Harpers Ferry        | Rep |
| <b>Poll Clerk #2</b>                              |              |                                       |     |
| Patricia Hannin                                   | 843-706-7053 | 86 Teakwood Ct Harpers Ferry          | Rep |
| <i>Precinct #16 Oakland Methodist Church</i>      |              |                                       |     |
| <b>Poll Commissioner #1</b>                       |              |                                       |     |
| William Poe                                       | 304-261-8351 | 434 Gap View Blvd Harpers Ferry       | Rep |
| <b>Supply Commissioner</b>                        |              |                                       |     |
| Tom Newcomer                                      | 304-886-6048 | PO Box 515 Charles Town               | Rep |
| <b>Poll Clerk #2</b>                              |              |                                       |     |
| Stephanie Poe                                     | 304-261-8352 | 434 Gap View Blvd Harpers Ferry       | Rep |
| <i>Precinct #17 Blue Ridge Mountain Fire Hall</i> |              |                                       |     |
| <b>Poll Commissioner #1</b>                       |              |                                       |     |
| Ramona Thompson                                   | 728-8039     | 272 Woodcutters Ln Harpers Ferry      | Rep |
| <b>Supply Commissioner</b>                        |              |                                       |     |
| Steve Crowe                                       | 304-582-7555 | 2582 Chestnut Hill Road Harpers Ferry | Rep |
| <b>Poll Clerk #2</b>                              |              |                                       |     |
| Wayne Thompson                                    | 728-8039     | 272 Woodcutters Ln Harpers Ferry      | Rep |
| <i>Precinct #21A Blue Ridge Elementary School</i> |              |                                       |     |
| <b>Poll Commissioner #1</b>                       |              |                                       |     |
| Joe Gallop                                        | 304-725-1895 | 59 Derby Pl Charles Town              | Rep |

Republican Poll Workers  
2018 Primary Election

|                                                          |              |                                |     |
|----------------------------------------------------------|--------------|--------------------------------|-----|
| <b><u>Poll Clerk #2</u></b>                              |              |                                |     |
| Daphne Andrews                                           | 703-231-7588 | 120 Eldon Dr Charles Town      | Rep |
| <b><i>Precinct #21B Blue Ridge Elementary School</i></b> |              |                                |     |
| <b><u>Poll Commissioner #1</u></b>                       |              |                                |     |
| Linda Gallop                                             | 304-725-1895 | 59 Derby Pl Charles Town       | Rep |
| <b><u>Supply Commissioner</u></b>                        |              |                                |     |
| Lori Cascio                                              | 571-218-7887 | 28 Newington Ct N Charles Town | Rep |
| <b><u>Poll Clerk #2</u></b>                              |              |                                |     |
| Alicia Rickard                                           | 703-220-8048 | 93 Clems Drive Ranson          | Rep |

Republican Poll Workers  
2018 Primary Election

| <b>Kabletown District</b>                       |              |                                   |  |     |
|-------------------------------------------------|--------------|-----------------------------------|--|-----|
| <i>Precinct #19 Charles Town Middle School</i>  |              |                                   |  |     |
| <b><u>Poll Commissioner #1</u></b>              |              |                                   |  |     |
| Judith Cromwell                                 | 304-728-8827 | 254 Turnberry Dr Charles Town     |  | Rep |
| <b><u>Supply Commissioner</u></b>               |              |                                   |  |     |
| Marty Freeman                                   | 725-0470     | PO Box 945 Charles Town           |  | Rep |
| <b><u>Poll Clerk #2</u></b>                     |              |                                   |  |     |
| Lou Percy                                       | 304-728-8827 | 254 Turnberry Dr Charles Town     |  | Rep |
| <i>Precinct #20 Kabletown Methodist Church</i>  |              |                                   |  |     |
| <b><u>Poll Commissioner #1</u></b>              |              |                                   |  |     |
| Ginny Hoffman                                   | 725-2295     | 4 Bedford Dr Charles Town         |  | Rep |
| <b><u>Poll Clerk #2</u></b>                     |              |                                   |  |     |
| Katie Hoffman                                   | 725-2295     | 4 Bedford Dr Charles Town         |  | Rep |
| <i>Precinct #22 Summit Point Baptist Church</i> |              |                                   |  |     |
| <b><u>Poll Commissioner #1</u></b>              |              |                                   |  |     |
| Doug Parsons                                    | 703-728-4091 | PO Box 55 Rippon                  |  | Rep |
| <b><u>Supply Commissioner</u></b>               |              |                                   |  |     |
| Bruce Terris, Sr                                | 304-279-5752 | 630 New Meadow Dr Kearneysville   |  | Rep |
| <b><u>Poll Clerk #2</u></b>                     |              |                                   |  |     |
| Charles Hoffman                                 | 304-725-2295 | 4 Bedford Dr Charles Town         |  | Rep |
| <i>Precinct #23A Country Day School</i>         |              |                                   |  |     |
| <b><u>Poll Commissioner #1</u></b>              |              |                                   |  |     |
| Jerry Sather                                    | 304-728-4832 | 66 Cypress Point Dr Charles Town  |  | Rep |
| <b><u>Supply Commissioner</u></b>               |              |                                   |  |     |
| Deirdre Catterton                               | 703-431-1940 | 159 Eastland Dr Charles Town      |  | Rep |
| <b><u>Poll Clerk #2</u></b>                     |              |                                   |  |     |
| Karen Phillips                                  | 571-283-1063 | 76 Cirrus Way Kearneysville       |  | Rep |
| <i>Precinct #23B Country Day School</i>         |              |                                   |  |     |
| <b><u>Poll Commissioner #1</u></b>              |              |                                   |  |     |
| Kelly Poplar                                    | 728-0468     | 282 Independence Ln Kearneysville |  | Rep |
| <b><u>Poll Clerk #2</u></b>                     |              |                                   |  |     |
| Martin Durst                                    | 725-6794     | 6546 Middleway Pike Kearneysville |  | Rep |
| <i>Precinct #24 Washington High School</i>      |              |                                   |  |     |
| <b><u>Poll Commissioner #1</u></b>              |              |                                   |  |     |

Republican Poll Workers  
2018 Primary Election

|                      |          |                                       |  |     |
|----------------------|----------|---------------------------------------|--|-----|
| Trixie Carter        | 676-1471 | 19459 Charles Town Road Harpers Ferry |  | Rep |
| <b>Poll Clerk #2</b> |          |                                       |  |     |
| Mason Carter         | 676-1471 | 19459 Charles Town Road Harpers Ferry |  | Rep |

Republican Poll Workers  
2018 Primary Election

| <b>Middleway District</b>                             |              |                                       |     |
|-------------------------------------------------------|--------------|---------------------------------------|-----|
| <i>Precinct #25A South Jefferson Elementary</i>       |              |                                       |     |
| <b><u>Poll Commissioner #1</u></b>                    |              |                                       |     |
| Joan L. Hough                                         | 725-5025     | 12771 Leetown Road Kearneysville      | Rep |
| <b><u>Poll Clerk #2</u></b>                           |              |                                       |     |
| Marsha Gardner                                        | 725-1586     | 259 King St Kearneysville             | Rep |
| <i>Precinct #25B South Jefferson Elementary</i>       |              |                                       |     |
| <b><u>Poll Commissioner #1</u></b>                    |              |                                       |     |
| Tracey Rissler                                        | 725-2476     | 616 Uinta Farm Lane Charles Town      | Rep |
| <b><u>Supply Commissioner</u></b>                     |              |                                       |     |
| Amy Ringer-Flint                                      | 304-283-9347 | 91 Oakmont Drive Charles Town         | Rep |
| <b><u>Poll Clerk #2</u></b>                           |              |                                       |     |
| Barbara Sullivan                                      | 876-6774     | 3658 Bakerton Road Harpers Ferry      | Rep |
| <i>Precinct #26 Leetown Methodist Church</i>          |              |                                       |     |
| <b><u>Poll Commissioner #1</u></b>                    |              |                                       |     |
| Kenny Mitchell                                        | 304-283-3221 | 211 Huckleberry Ln, Harpers Ferry     | Rep |
| <b><u>Supply Commissioner</u></b>                     |              |                                       |     |
| Pamela Carroll                                        | 304-579-7052 | 53 Beekman Place Charles Town         | Rep |
| <b><u>Poll Clerk #2</u></b>                           |              |                                       |     |
| Jean Garretson                                        | 876-7114     | 69 Ashley Dr Shepherdstown            | Rep |
| <i>Precinct #27 North Jefferson Elementary School</i> |              |                                       |     |
| <b><u>Poll Commissioner #1</u></b>                    |              |                                       |     |
| Robin Carper                                          | 725-4522     | 185 Jefferson Terrace Rd Charles Town | Rep |
| <b><u>Supply Commissioner</u></b>                     |              |                                       |     |
| Tim Collins                                           | 304-535-2626 | 52 Spring St Harpers Ferry            | Rep |
| <b><u>Poll Clerk #2</u></b>                           |              |                                       |     |
| Robyn Painter                                         | 728-8210     | PO Box 4 Kearneysville                | Rep |
| <i>Precinct #28 First Baptist Church</i>              |              |                                       |     |
| <b><u>Poll Commissioner #1</u></b>                    |              |                                       |     |
| Bruce Terris, Jr                                      | 304-596-3754 | 78 Flopsy Ct Ranson                   | Rep |
| <b><u>Poll Clerk #2</u></b>                           |              |                                       |     |
| Jayne Metzgar                                         | 304-535-3115 | PO Box 461 Harpers Ferry              | Rep |
| <i>Precinct #29 TA Lowery Elementary School</i>       |              |                                       |     |
| <b><u>Poll Commissioner #1</u></b>                    |              |                                       |     |
| Beverly Raines                                        | 304-283-6290 | 125 E View Ct, Charles Town           | Rep |

Republican Poll Workers  
2018 Primary Election

|                            |              |                                     |  |     |
|----------------------------|--------------|-------------------------------------|--|-----|
| <b>Supply Commissioner</b> |              |                                     |  |     |
| William Lukenbill          | 304-433-7656 | 16221 Charles Town Rd, Charles Town |  | Rep |
| <b>Poll Clerk #2</b>       |              |                                     |  |     |
| Giordana Baker             | 728-2091     | 94 Tiffany Court Harpers Ferry      |  | Rep |

Republican Poll Workers  
2018 Primary Election

| <b>Shepherdstown District</b>                       |              |                                     |     |
|-----------------------------------------------------|--------------|-------------------------------------|-----|
| <i>Precinct #31 Covenant Baptist Church</i>         |              |                                     |     |
| <b><u>Poll Commissioner #1</u></b>                  |              |                                     |     |
| Bruce Fleshman                                      | 304-876-1865 | 5388 Shepherdstown Pike Shen Jct    | Ind |
| <b><u>Poll Clerk #2</u></b>                         |              |                                     |     |
| Ernest Hannin                                       | 843-706-7053 | 86 Teakwood Ct Harpers Ferry        | Rep |
| <i>Precinct #32 Bethel United Methodist Church</i>  |              |                                     |     |
| <b><u>Poll Commissioner #1</u></b>                  |              |                                     |     |
| Richard Gibson                                      | 876-6926     | 243 Rabbits Rest Ln Shepherdstown   | Rep |
| <b><u>Supply Commissioner</u></b>                   |              |                                     |     |
| John Shoedel                                        | 910-797-5700 | 303 Carriage Dr Harpers Ferry       | Rep |
| <b><u>Poll Clerk #2</u></b>                         |              |                                     |     |
| Tiffany Hamilton                                    | 304-671-8997 | PO Box 35 Bakerton                  | Rep |
| <i>Precinct #33 Trinity Episcopal Church</i>        |              |                                     |     |
| <b><u>Poll Commissioner #1</u></b>                  |              |                                     |     |
| Mike Kressin (Bruce)                                | 304-724-2721 | 87 Appaloosa Way Charles Town       | Rep |
| <b><u>Poll Clerk #2</u></b>                         |              |                                     |     |
| Ben Svendsen                                        | 908-343-6717 | 295 Hawthorne Ave, Summit Point     | Rep |
| <i>Precinct #34 Shepherdstown Elementary School</i> |              |                                     |     |
| <b><u>Poll Commissioner #1</u></b>                  |              |                                     |     |
| Mike Cenate                                         | 728-6120     | 138 Scottie Drive Charles Town      | Rep |
| <b><u>Poll Clerk #2</u></b>                         |              |                                     |     |
| Tracey Cenate                                       | 728-6120     | 138 Scottie Drive Charles Town      | Rep |
| <i>Precinct #35A Shepherdstown Fire Hall</i>        |              |                                     |     |
| <b><u>Poll Commissioner #1</u></b>                  |              |                                     |     |
| Trevor Craker                                       | 703-999-4073 | 1435 Engle Moler Road Harpers Ferry | Rep |
| <b><u>Supply Commissioner</u></b>                   |              |                                     |     |
| Tara Morgan                                         | 671-1585     | PO Box 1142 Shepherdstown           | Rep |
| <b><u>Poll Clerk #2</u></b>                         |              |                                     |     |
| George Moxley                                       | 725-6857     | 56 Starlight Lane Harpers Ferry     | Rep |
| <i>Precinct #35B Shepherdstown Fire Hall</i>        |              |                                     |     |
| <b><u>Poll Commissioner #1</u></b>                  |              |                                     |     |
| Dawn Timberlake                                     | 703-574-3279 | 77 Fosters Cir, Shenandoah Jct      | Rep |
| <b><u>Poll Clerk #2</u></b>                         |              |                                     |     |
| Barbara Yano                                        | 724-5338     | 468 Ira Way Kearneysville           | Rep |

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



Name: Pete Dougherty

Department or Organization: Sheriff's Office

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: next meeting March 1, 2018  
If a specific date is needed, please provide reason for specific date:

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

Subject (Wording to be placed on agenda): Bailiffs  
Reserves

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

Approve the hire of Kevin Breeden, David Bowers, John Paul Jones, and Thomas Jones as part-time bailiffs.

Approve the admission of Jessica Rollin, Ramses Coly, and Victor Jones, to the Reserve Academy and the subsequent appoint as Jefferson County Sheriff Reserves upon their successful completion.

All of the above individuals have passed a pre-employment background investigation and have been deemed eligible for hire/appointment.

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 approve the hire of Kevin Breeden, David Bowers, John Paul Jones, and Thomas Jones as part time bailiffs.

I move to approve the appointment of Jessica Rollin, Ramses Coly, and Victor Jones as Reserves on the successful completion of the Reserve Academy.

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:

Email address: [pdougherty@jcsdvw.com](mailto:pdougherty@jcsdvw.com)

Phone Number: 304-728-3205

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable







**West Virginia Community Corrections  
Grant Program Application**

**General Administrative Information  
Page 1**

|                                                             |                                      |                                                    |
|-------------------------------------------------------------|--------------------------------------|----------------------------------------------------|
| <b><u>Applicant Agency:</u></b> Jefferson County Commission |                                      | <b><u>Type of Agency:</u></b>                      |
| <b>Address:</b>                                             | PO Box 250<br>Charles Town, WV 25414 | <input type="checkbox"/> Municipality              |
| <b>Phone:</b>                                               | 304-728-3284                         | <input checked="" type="checkbox"/> County         |
| <b>Fax Number:</b>                                          | 304-728-7916                         | <b><u>Type of Application:</u></b>                 |
|                                                             |                                      | <input type="checkbox"/> For State Funds           |
|                                                             |                                      | <input checked="" type="checkbox"/> No State Funds |

|                                                         |                                                |
|---------------------------------------------------------|------------------------------------------------|
| <b><u>Project Director:</u></b> Ronda Eddy              | <b><u>Fiscal Officer:</u></b> Stephanie Grove  |
| <b>PD Title:</b> Director                               | <b>FO Title:</b> County Administrator          |
| <b>Address:</b> 121 W. Third Avenue<br>Ranson, WV 25438 | <b>Address:</b> PO Box 250<br>Charles Town, WV |
| <b>Phone:</b> 304-728-3527                              | <b>Phone:</b> 304-728-3284                     |
| <b>Fax:</b> 304-728-3614                                | <b>Fax:</b> 304-728-7916                       |
| <b>Email:</b> reddy@jeffersondrc.com                    | <b>Email:</b> sgrove@jeffersonwv.org           |

**State Funds Requested:** 170,145

**Amount Awarded:**

**Local Funds Committed:** 150,000

*(for DJCS use only)*

**Project Period:** July 1, 2018 – June 30, 2019

**Number of years previously funded:** 8

**Previous Years Number admitted:** 982

**Geographic Area(s)** 54,504

**Project Title:** Jefferson Day Report Center

**Project Description:** The JDRC is an alternative sentence program that combines close community supervision with intensive treatment programs to offenders sentenced or referred by criminal justice agencies as an alternative to incarceration.

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

|                                                         |                                      |
|---------------------------------------------------------|--------------------------------------|
| <b><u>Authorized Official:</u></b> Josh Compton         | <b><u>AO Title:</u></b> President    |
| <b>Address:</b><br>PO Box 250<br>Charles Town, WV 25414 | <b>Phone:</b> 304-728-3284           |
|                                                         | <b>Fax:</b> 304-725-7916             |
|                                                         | <b>E-Mail:</b> jjcompton05@gmail.com |
| <b>Signature:</b>                                       | <b>Date:</b>                         |



**West Virginia Community Corrections  
Grant Program Application**

**Budget Summary  
Page 2**

Applicant: **Jefferson County  
Commission**

FEIN Number: **55-60000296**

| Budget Category       | WV Community Corrections Requested Funds (A) | Local (Match) Funds (B) | Total Budget (A + B) |
|-----------------------|----------------------------------------------|-------------------------|----------------------|
| Personnel/Contractual | 152,145                                      | 70,506                  | 222,651              |
| Travel/Training       |                                              |                         |                      |
| Equipment             |                                              |                         |                      |
| Other                 | 18,000                                       | 79,494                  | 97,494               |
| Totals                | 170,145                                      | 150,000                 | 320,145              |

*\*All funds must be rounded to the nearest whole dollar amount*

**Funding Strategy**

| Funding Source(s)                   | Amount  | Status |
|-------------------------------------|---------|--------|
| Jefferson County Commission         | 150,000 | P      |
| JRI - Treatment Supervision         | 122,969 | A      |
| CARA -Technology Assisted Treatment | 226,066 | A      |
| DHHR Drug Screen Agreement          | 35,000  | P      |
| Parole Per Diem                     | 5,600   | P      |
| Medical Billing Reimbursements      | 175,889 | P      |
| Total                               | 710,151 |        |

Funding Source - Separately list each source of funds that will be used in the program.

Amount - Enter the amount received or anticipated for each

Status - Indicate the status of each funding source as follows:

P – Projected grant, loan or donation

A – Application submitted (**apart from this CC Grant Application**) and under review

C – Funds Committed

R – Funds received, appropriated or on hand

## **RESOLUTION**

The **Commission** of **Jefferson County** met on \_\_\_\_\_ (date) with a quorum present and passed the following resolution.

Be it resolved that the County Commission hereby authorizes **The Honorable Josh Compton, President** of the **Jefferson County Commission**, to act on its behalf to enter into a contractual agreement with the Division of Justice and Community Services to receive and administer grant funds pursuant to provisions of the Community Corrections Program.

Signed: \_\_\_\_\_

**County Clerk**



**RESOLUTION OF THE COMMUNITY CORRECTIONS SUBCOMMITTEE OF THE  
GOVERNOR'S COMMITTEE ON CRIME, DELIQUENCY AND CORRECTION**

WHEREAS,

The Provision of West Virginia Code 62-11C-6 place the responsibilities for establishing, maintaining and supervising local community corrections programs in the community criminal justice boards, and there has been persistent confusion in some parts of the state on this issue, in that these powers have been shared with, or delegated to, the fiscal agent for the grant, it is hereby RESOLVED,

THAT, since the responsibility for establishing, maintaining and supervising local community corrections program is fully vested in the community criminal justice board, which is the governing board (Code of state rules 149-4-2.(4)., further expanded upon and clarified in the duly adopted Community Corrections Grant Program Guideline 11.3.b.) a local board may not allow any other local agency or entity to veto, divest or usurp any of these responsibilities even if the agency serves as the fiscal agent. The subcommittee finds that client eligibility hiring, personnel and budgetary issues are foremost among those duties that must be approved by the community criminal justice board provided that when the local community corrections program administrative office uses the West Virginia Supreme Court of Appeals as a fiscal agent, then the advisory board and chief probation officer shall assume day to day oversight and control just as a local community criminal justice board would. The local advisory board shall consult with the local judges(s) on the programs that are to be offered.

---

PRESIDENT  
JEFFERSON COUNTY COMMISSION



**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

All correspondence to DJCS, which is required and/or occurs as a result or action of any of the following Standard Conditions and Assurances, or as a result of the administration of any DJCS grant program, should be mailed to the following address:

West Virginia Division of Justice & Community Services  
1124 Smith Street-Suite 3100  
Charleston, West Virginia 25301-1323

**1. LAWS OF WEST VIRGINIA:**

This grant 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 DJCS, regardless of the original funding source. This grant is on a "REIMBURSEMENT ONLY" mechanism.

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

**4. COMMENCEMENT WITHIN 60 DAYS:**

This project must be operational within 60 days of the project starting date, as specified in the grant contract agreement. If the project is not operational within 60 days of the specified project starting date, the grantee must report by letter to DJCS, the steps taken to initiate the project, the reasons for delay, and the expected starting date.

**5. OPERATIONAL WITHIN 90 DAYS:**

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

**6. WRITTEN APPROVAL OF CHANGES:**

The grantee must obtain prior written approval from DJCS for all project changes (programmatic, fiscal or otherwise).

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**7. CIVIL RIGHTS COMPLIANCE:**

Grantee will comply with any applicable federal nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. §10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Violence Against Women Act (42 U.S.C. § 13925(b)(13)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); Executive Order 13279, Equal Protection of the Laws for Faith-Based and Community Organizations; Executive Order 13559, Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations; and the DOJ implementing regulations at 28 C.F.R. Part 38. Subrecipients of grants under the Violence Against Women Act (VAWA) of 1993, as amended, are prohibited from discriminating on the basis of sexual orientation or gender identity.

In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of age, disability, race, color, religion, national origin, or sex against a recipient of funds, the grantee will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs and the West Virginia Division of Justice and Community Services.

**8. PRESS RELEASE:**

Pursuant to the Stevens Amendment, any release of information pertaining to this grant must include the following information:

1. grant amount;
2. State involvement (name of state entity responsible for administering the grant); and,
3. Federal involvement if applicable (name of federal entity responsible for administering the grant).

**9. LOBBYING:**

Grantee will comply with any and all lobbying provisions and/or restrictions as outlined in OMB circular A-122, and/or relevant State laws.

**10. ACCESS TO RECORDS:**

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

**11. CONFLICT OF INTEREST:**

No public official or employee of the 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 reasonably be expected to result in any benefit or remuneration to that individual or that individual's immediate family.

**12. POLITICAL ACTIVITY:**

The Hatch Act restricts the political activity of executive branch employees of the federal government, District of Columbia government and some state and local employees who work in connection with federally funded programs. In 1993, Congress passed legislation that significantly amended the Hatch Act as it applies to federal and D.C. employees (5 U.S.C. §§ 7321-7326). (These amendments did not change the provisions that apply to state and local employees. 5 U.S.C. §§ 1501- 1508.)

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**13. RELEASE OF INFORMATION:**

All records, papers and other documents kept by recipients of grant funds are required to be made available to DJCS. These records and other documents submitted to DJCS and its grantees, including plans and application for funds, reports, etc., may be subsequently required to be made available to entities under Federal Freedom of Information Act, 5. U.S.C. §552, or Chapter 29B, Article 1 (West Virginia Freedom of Information) of the West Virginia Code.

DJCS 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, personnel or juvenile 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 state control is subject to requests made pursuant to the Chapter 29B, Article 1 of the West Virginia Code, all determinations concerning the release of information of this nature are made on a case-by-case basis by DJCS, and may fall within one or more of the available exemptions under the Act.

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 DJCS regarding concerns or questions about the release of potentially sensitive information under state and local laws.

**14. NATIONAL AND STATE EVALUATION EFFORTS:**

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

**15. OBLIGATION OF PROJECT FUNDS:**

Funds may not, without prior written approval from DJCS, be obligated prior to the effective start date or subsequent to the termination date of the project period. Obligations outstanding as of the project termination date shall be liquidated within thirty (30) days.

**16. USE OF FUNDS:**

Funds awarded through DJCS may be expended **ONLY** for the purposes and activities specifically covered by the grantee's approved project description and budget. By attaching their signature, the grantee recognizes that any deviations from the original grant budget are unallowable.

**17. ALLOWABLE AND UNALLOWABLE COSTS:**

Allowable and unallowable costs incurred under this grant shall be determined in accordance with General Accounting Office principles and standards.

**18. PEER REVIEW SUB GRANTEE EVALUATION PROCESS:**

The applicant agrees to discharge if necessary - at the request of DJCS - knowledgeable, competent personnel (preferably a Project Director) to participate in a contemplated "peer review" process/advisory council. The purpose of this process would be to assist DJCS in making grant funding recommendations and furthered policy development regarding individual grant programs throughout the State. This would be no more than 2-3 days per annum.

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**19. NON-SUPLANTING:**

Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) 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 state grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The grantee hereby certifies that funds made available under this grant will not be used to supplant other funding sources.

**20. MATCHING CONTRIBUTION:**

The grantee will have available, and will expend as needed, adequate resources to defray that portion of the total costs as set forth in this application as "match" and as approved by the West Virginia Division of Justice & Community Services. The applicant assures that the matching funds required to pay the grant portion of the cost of each program and project, for which funds are made available, 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. Matching contributions are subject to the same expenditure guidelines established by the West Virginia Division of Justice & Community Services for this program. All grantees must maintain records that clearly show the source, the amount and the timing of all matching contributions. Please be reminded that if match is not "required" by the grant program for which you are making application, but committed and indicated on the budget pages of this application, then this special condition shall be affected.

**21. PROJECT INCOME:**

All income earned by the 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 DJCS as are established for granted funds. All 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.

**22. CONSULTANT FEES:**

Approval of this grant does not indicate an approval of consultant rates in excess of \$450 per day. Specific and detailed justification must be submitted to, and approved by DJCS prior to obligation or expenditure of such funds.

**23. SUSPENSION OF FUNDING:**

DJCS may suspend, in whole or in part, terminate, or impose other sanctions on any 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;
- If reports are more than 60 days late the money for that month is forfeited and MAY NOT be recouped; or
- Other cause shown.

**24. SANCTIONS FOR NONCOMPLIANCE:**

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

- Withholding of payments to the grantee until the grantee complies or if reports are more than 60 days late the money for that month is forfeited and MAY NOT be recouped.;
- Cancellation, termination or suspension of the contract, in whole or in part; or,
- Refrain from extending any further assistance to the grantee until satisfactory assurance of future compliance has been received.

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**25. SUBMISSION/RELEASE OF PUBLICATIONS/PRESS RELEASES**

The grantee shall submit one copy of all reports and proposed publications resulting from this agreement to DJCS 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 West Virginia Division of Justice & Community Services (or simply "DJCS"). 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 State of West Virginia or the Division of Justice & Community Services."

"This project supported by Grant No. \_\_\_\_\_ awarded by the West Virginia Division of Justice & Community Services and the U.S. Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also included the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United State Department of Justice."

**26. PROPERTY ACCOUNTABILITY:**

The 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 grant by DJCS. This obligation continues as long as the property is retained by the grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from DJCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to DJCS. Property must be used for the intended grant purposes, if not being used in accordance with terms of the grant property will revert back to DJCS.

**27. CRIMINAL PENALTIES:**

Whoever embezzles or endeavors to embezzle, willfully misapplies, steals or obtains by fraud any funds, assets, or property which are the subject of grant or contractor or other form of assistance pursuant to this title, whether received directly or indirectly from the administration; or whether receives, conceals, or retains such funds, assets, or property to his use or gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to the Act shall be subject to prosecution under the provisions of Section 1011 of Title 18, United States Code. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to the Act, whether received directly or indirectly from the administration, shall be subject to the provisions of Section 871 of Title 18, United States Code.

**28. REPORTS:**

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

**29. PURCHASING:**

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

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**30. COLLABORATION W/OTHER FED. AND STATE GRANTS:**

Where warranted, this initiative/grantee shall make every effort to support or assist other federally funded or State grant programs in any manner, including but not limited to, providing personnel, supplies, equipment and any other resources deemed necessary by DJCS.

**31. INFORMATION SYSTEMS:**

With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

- a. That all computer programs (software produced under this grant) will be made available to DJCS for transfer to authorized users in the criminal justice 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 DJCS. 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 be written in standardized programming languages (i.e. Cobol, Fortran, C, C++, XML, etc.) or 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.
- d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Criminal Justice Systems Clearinghouse (916/392-2550) should be contacted to determine availability of software prior to any development effort.

**32. INCIDENT BASED REPORTING COMPLIANCY:**

Grant applicants (cities & county commissions) will not be considered for funding if the applicant is not current with submitting Incident Based Reporting (IBR) information to the West Virginia State Police (if applicable). Grantees must remain current with submitting IBR information to the West Virginia State Police or grant funding will be withheld until such time as that grantee becomes IBR compliant.

**33. TIME EXTENSIONS:**

In general, time extensions for this program will not be granted. Unexpended grant funds remaining at the close of the grant period shall be deobligated.

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

Grantee understands and agrees that it cannot use any 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.

**35. LIMITED ENGLISH PROFICIENCY:**

Title VI's prohibition of national origin discrimination includes discrimination against individual who are limited in their English proficiency (LEP) because of their national origin. Under Title VI (and the Safe Streets Act), recipients are required to take reasonable steps to ensure that LEP individuals have meaningful access to the recipient's programs and services. Providing "meaningful access" will generally involve some combination of oral interpretation services and written translation of vital documents. More information can be found at <http://www.lep.gov>.

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**36. COMPUTER EQUIPMENT:**

Grantees purchasing computer equipment (hardware, software, or peripherals) with grant funds are required to adhere to the established bidding procedures for their respective units of government or agency. To ensure reputable vendors are obtained, grantees may consider utilizing the current applicable State computer contract. The following are minimum hardware requirements, as well as software requirements, established by DJCS for this grant program, which must be recognized when purchasing computer equipment, in whole or in part, utilizing grant funds:

**Minimum Hardware Requirements:**

- Processor: Intel Core i3, 3.00 GHz
- RAM: 4 GB minimum
- Hard Drive: 500 GB, 7200 RPM SATA, upgradable
- Keyboard: Standard USB
- Mouse: Optical USB 2 button W/scroll
- DVD/RE: Multi DVD/RW optical drive
- USB Ports: 4 back, 2 front, with a minimum one USB 2.0 port or higher
- Ethernet Port: Standard integrated
- 101/104-Key Keyboard (PS/2)
- PS/2 Port Compatible Mouse

**Recommended Hardware Components:**

- Mid-tower case
- 16-Bit 3D Sound Blaster Compatible w/ 64 voice wavetable and speakers (may be integrated)
- APC UPS Backup power protection (adequate size to handle power load)

**Software Requirements:**

Whenever possible, software should operate within open industry standards. For example, Windows 7 Enterprise 32 bit

**Warranty Requirements:**

3 Year on-site warranty

**37. PUBLIC SAFETY AND JUSTICE INFORMATION SHARING:**

Grantees must support public safety and justice information sharing. The grantee is required to use the Global Justice Data Model specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at [www.it.ojp.gov/gjxdm](http://www.it.ojp.gov/gjxdm).

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**38. PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:**

Federal Office of Management and Budget (OMB) sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending Federal awards. If applicable, this grant shall adhere to the audit requirements set forth at the time of award. (2CFR Part 200 or OMB Circular A-133 – for further information go to OMB Uniform Guidelines at: [https://search.whitehouse.gov/search?affiliate=wh&form\\_id=usasearch\\_box&query=Indirect+Costs](https://search.whitehouse.gov/search?affiliate=wh&form_id=usasearch_box&query=Indirect+Costs)

§200.501(a) *Audit required.* A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.

(b) *Single audit.* A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.

(c) *Program-specific audit election.* When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a sub-recipient, approves in advance a program-specific audit.

(d) *Exemption when Federal awards expended are less than \$750,000.* A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

I.) If an audit must be conducted pursuant to the Uniform Guidelines, a copy of the audit shall be submitted to DJCS as well as to the Federal clearinghouse.

The Federal clearing house is as follows:

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

**39. PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:**

I.) Sub grantee assures that it has read, understands, and is in full compliance with all requirements as set forth in §12-4-14., Code of West Virginia, or as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with §12-4-14. Sub grantee further understands that if it is currently debarred or is not in compliance with §12-4-14., it is ineligible to receive funding from the West Virginia Division of Justice Community Services.

**40. CONFIDENTIALITY OF RESEARCH INFORMATION:**

Pursuant to Section 229 of the Act, research information identifiable to an individual, which was obtained through a project funded wholly or in part with United States Department of Justice program funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).

**41. LEASE AGREEMENTS:**

Grantee agrees to provide DJCS with a description of proposals to use grant funds to enter into lease arrangements with private entities for the purpose of fulfilling the goals and objectives of this project.

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**42. EQUAL EMPLOYMENT OPPORTUNITY PLAN:**

The grantee will provide an Equal Employment Opportunity Plan (EEO) to the Office for Civil Rights, Office of Justice Programs (OCR) and the West Virginia Division of Justice and Community Services. Each grantee certifies that it has executed and has on file an Equal Employment Opportunity Plan which conforms with the provisions of 28 CFR Section 42.301, et. seq., Subpart E; or that in conformity with the foregoing regulations, no Equal Employment Opportunity Plan is required. The grantee further certifies that it has filed an EEO Certification form and, if required, an EEO Utilization Report, through the EEO Reporting Tool at <https://ojp.gov/about/ocr/eeop.htm>.

**43. VETERANS PREFERENCE:**

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

**44. IMMIGRATION AND NATURALIZATION VERIFICATION:**

The 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 state funds to verify that employees are eligible to work in the United States.

**45. PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:**

It is the sense of DJCS that to the greatest extent practicable, all equipment and products purchased with state funds made available under this grant should be American-made.

**46. PERSONNEL TRAINING:**

For projects involving payment of personnel or overtime pay, DJCS reserves the right to require training as a condition of the grant before or at any time during the project period.

**47. ACCOUNTING REQUIREMENTS:**

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 grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material, must be retained and be available for audit purposes.

**48. OFFICE OF JUSTICE PROGRAMS (OJP) FINANCIAL GUIDE:**

Grantee agrees to comply with the financial and administrative requirements as set forth in the current edition of the OJP Financial Guide.

**49. TRANSFER OF FUNDS PROHIBITION:**

The grantee is expressly prohibited from transferring funds between any DJCS programs.

**50. MARKING OF EQUIPMENT:**

Grantee will ensure that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the West Virginia Division of Justice & Community Services."

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**51. PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:**

Grantee acknowledges that DJCS 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.

Grantee agrees to consult with DJCS re the allocation of any patent rights that arise from, or are purchased with, this funding.

**52. CENTRAL CONTRACTOR REGISTRATION:**

Grantee agrees to register with the Central Contractor Registration (CCR), [www.ccr.gov](http://www.ccr.gov) and provide documentation to DJCS within 30 days of award notification that they have done so.

**53. DATA UNIVERSAL NUMBERING SYSTEM:**

Grantee agrees to acquire a Data Universal Numbering System (DUNS) number, [www.dnb.com](http://www.dnb.com) and provide documentation to DJCS within 30 days of award notification that they have done so.

**54. JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT:**

Grantee agrees to comply with the four core protections under the Juvenile Justice & Delinquency Prevention (JJDP) Act of 1974, reauthorized 2002.

- Deinstitutionalization of status offenders (DSO).
- Separation of juveniles from adults in institutions (separation).
- Removal of juveniles from adult jails and lockups (jail removal).
- Reduction of disproportionate minority contact (DMC), where it exists.

This includes, but is not limited to, completing the annual the WV Certification of Non-Secure Facilities and submitting to DJCS, if applicable, and submitting a monthly Secure Holding Log, if applicable.

**55. BIDDING PROCEDURES:**

Funds for renovation, expansion or construction awarded to grantees or subgrantees, which require the letting of any single contract amounting to \$100,000 or more to a private company or individual shall require: a bid guarantee equivalent to 5% (five percent) of the bid price; the bid guarantee must consist of a firm commitment such as a bid bond, certified check, or negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified after forms are presented to the successful bidder; a performance bond on the part of the 100% (one hundred percent) of the contract price ("Performance bond" means a bond executed in connection with a contract to ensure payments required by all persons supplying labor and materials in the execution of the work provided for in the contract.); a payment bond on the part of the contractor for 100% (one hundred percent) of the contract price. ("Payment bond" is one executed in connection with a contract to ensure payment as required by law, of all persons supplying labor or materials in the execution of the work provided for in the contract.) Recipient/subgrantee is expected to follow the competitive bid process in the award of contracts involving Federal grant funds.

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**56. COMPLIANCE WITH FEDERAL PROCEDURES:**

The applicant assures that it will comply with the provisions of 28 Code of Federal Regulation (CFR) applicable to grants and cooperative agreements, including:

- a. Part 11, Applicability of Office of Management and Budget Circulars.
- b. Part 18, Administrative Review Procedures.
- c. Part 20, Criminal Justice Information Systems.
- d. Part 22, Confidentiality of Identifiable Research and Statistical Information.
- e. Part 23, Criminal Intelligence Systems Operating Policies.
- f. Part 30, Intergovernmental Review of Department of Justice Programs and Activities
- g. Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures

**57. ADDITIONAL REGULATIONS AND PROCEDURES:**

In addition, all grantees must comply with the following applicable federal regulations and/or the United States Department of Justice, Office of Justice Programs - M 7100.1D manual, OMB Circulars No. A-21, A-110, A-122, A-128, A-87, E.O. 12372, Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common Rule, and all other applicable Federal regulations, policies, acts and guidelines.

- a. National Environmental Policy Act of 1969 (NEPA).
- b. National Historic Preservation Act of 1966.
- c. Flood Disaster Protection Act of 1973.
- d. Clean Air Act and Federal Water Pollution Control Act Amendments of 1972.
- e. Control Act Amendments of 1972.
- f. Safe Drinking Water Act.
- g. Endangered Species Act of 1973.
- h. Wild and Scenic Rivers Act.
- i. Fish and Wildlife Coordination Act.
- j. Historical and Archaeological Data Preservation.
- k. Coastal Zone Management Act of 1979.
- l. Animal Welfare Act of 1970.
- m. Impoundment Control Act of 1974.
- n. Uniform Relation Assistance and Real Property Acquisitions Policies Act of 1970.
- o. Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended
- p. Death in Custody Act of 2000.

**58. RELIGIOUS ACTIVITIES**

Grantees must ensure that services are offered without regard to religious affiliation and that receipt of services is not contingent upon participation in a religious activity or event. Furthermore, all religious activities must be separate in time or place from the funded project. Participation in such activities by individuals receiving services must be voluntary.

To the best of my knowledge the applicant has and will comply with all of the attached Standard Conditions and Assurances.

**Authorized Official:**

**Title:**



\_\_\_\_\_

\_\_\_\_\_

**Signature:**

**Date:**

\_\_\_\_\_

\_\_\_\_\_

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



Name: Nancy Strine, Community Development Administrator

Department or Organization: **City of Martinsburg, Eastern Panhandle HOME Consortium of WV**

Estimation of amount of time needed for appointment: 5-10 minutes for 2018 HOME Investment Partnership Program Public Hearing

Date Requested – 1<sup>st</sup> Choice: **March 1st**

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

Date Requested – 2<sup>nd</sup> Choice: March 8<sup>th</sup>

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

FY 2018 HOME (HOME Investment Partnership Program) Public Hearing and approval of 2018 HOME Resolution

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

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*):

FY 2018 HOME (HOME Investment Partnership Program) Public Hearing and approval of 2018 HOME Resolution

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: Nancy Strine

Email address: [nstrine@cityofmartinsburg.org](mailto:nstrine@cityofmartinsburg.org)

Phone Number: 304-264-2131 ext. 278

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION**

not applicable.



**JEFFERSON COUNTY COMMISSION, JEFFERSON COUNTY, WEST VIRGINIA  
FY 2018 HOME INVESTMENT PARTNERSHIP PROGRAM**

Notice is hereby given by the Jefferson County Commission that it will hold a public hearing on **Thursday, March, 1st 2018 at 11 a.m.**, prevailing time, in the County Commission meeting room located at the Old Charles Town Library, 200 E. Washington Street, Charles Town, West Virginia. The Jefferson County Commission Chambers are accessible to persons with physical disabilities. If special arrangements need to be made to accommodate citizens in order for them to participate in the public hearing, please call **Sandy Slusher McDonald, Deputy County Administrator, at 304-728-3284** to make those arrangements.

The purpose of this public hearing is to discuss the specific housing needs of Jefferson County, WV. The Jefferson County Commission is a member of the Eastern Panhandle HOME Consortium of West Virginia which consists of the City of Martinsburg, Berkeley County, part of Jefferson County and part of Morgan County, West Virginia. The HOME Consortium is eligible to receive a HOME Investment Partnership Grant in FY 2018. The U.S. Department of Housing and Urban Development will be notifying the City of Martinsburg in the future of the amount of HOME funds that will be available for FY 2018. In order to receive those funds, the member jurisdictions in the Eastern Panhandle HOME Consortium must develop a program for the use of HOME funds as a part of the City of Martinsburg's FY 2018 Consolidated Annual Action Plan. The HOME Consortium will be preparing their HOME Program and they intend to afford citizens, local agencies, and interested parties the opportunity to become involved in the planning process.

The following general types of activities are eligible for funding under the HOME program: Homeowner Rehabilitation, including repair, rehabilitation or reconstruction of owner occupied houses; Homebuyer Activities, including funds for purchase and/or rehabilitation of existing houses or new construction of houses for homebuyers; Rental Housing, including acquisition and/or rehabilitation of existing rental housing or new construction of rental housing; and Tenant Based Rental Assistance, including financial assistance for rent, security deposits and under certain conditions, utility deposits for tenants. All HOME funds must be used for persons and households that meet the HUD income guidelines and definition of low- and moderate-income.

Notice is also hereby given that the JEFFERSON COUNTY COMMISSION is accepting proposals for the use of its portion of the HOME Consortium funds for FY 2018 beginning January 12, 2018. Application packets, instructions and information are available on an open basis. All interested applicants are encouraged to contact the Jefferson County Commission office, in order to obtain the application packet and to address any questions. **Please contact Sandy Slusher McDonald at 124 E. Washington Street, Charles Town, WV 25414 or 304-728-3284.**

All interested citizens are encouraged to attend this public hearing and they will be given the opportunity to present oral or written testimony concerning the housing needs of Jefferson County and the use of HOME funds to address those needs. Written comments may be addressed to **Sandy Slusher McDonald, Deputy County Administrator, 124 E. Washington Street, Charles Town, WV 25414 or 304-728-3284**

**Josh Compton, President**  
Jefferson County Commission

## RESOLUTION

**A RESOLUTION OF THE County Commission of Jefferson County, West Virginia AUTHORIZING PARTICIPATION IN THE EASTERN PANHANDLE HOME CONSORTIUM OF WEST VIRGINIA FOR THE PERIOD OF JULY 1, 2018 TO JUNE 30, 2019.**

**WHEREAS**, TITLE II of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnership Program (hereinafter referred to as "HOME"); and

**WHEREAS**, the HOME regulations promulgated by the U.S. Department of Housing and Urban Development (HUD) under 24 CFR Part 92 authorizes units of general local government to enter into Housing Consortium Cooperation Agreements; and

**WHEREAS**, there is a need throughout the Eastern Panhandle of West Virginia to provide affordable housing for the low and moderate- income residents; and

**WHEREAS**, the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, City of Charles Town, City of Ranson, Corporation of Shepherdstown, Town of Bolivar, Town of Harpers Ferry, County of Morgan Town of Paw Paw, Town of Bath West Virginia, have formed a Consortium that has been designated as a Participating Jurisdiction under the HOME Program, thereby entitling the Consortium to seek annual funding; and

**WHEREAS**, the Jefferson County Commission entered into a three (3) year Housing Consortium Cooperation Agreement with an annual renewal clause for participation in the HOME Consortium for the Eastern Panhandle; and

**WHEREAS**, the U.S. Department of Housing and Urban Development is expected to award the HOME Consortium of the Eastern Panhandle a HOME grant upon request and consideration for Fiscal Year 2018; and

**WHEREAS**, the Jefferson County Commission recognizes the need to obtain funding for affordable housing and has identified the HOME Program as a source of funds to meet this need.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY THAT:**

1. Jefferson County will cooperate with the City of Martinsburg, County of Berkeley, Town of Hedgesville, City of Charles Town, City of Ranson, Corporation of Shepherdstown, Town of Bolivar, Town of Harpers Ferry, County of Morgan, Town of Paw Paw, Town of Bath West Virginia, in a Consortium for participation in the HOME Program; and
2. The President of the Jefferson County Commission is hereby authorized to enter into a one-year Cooperation Agreement for the period of July 1, 2018 to June 30, 2019 with the other members which form the Eastern Panhandle HOME Consortium of West Virginia; and

3. A copy of this resolution is to be submitted in the request to US. Department of Housing and Urban Development to approve funding of the Eastern Panhandle HOME Consortium of West Virginia for the above Fiscal Year 2018 HOME Investment Partnership Program.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**BY:**

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President, Jefferson County Commission

**ATTEST:**

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Jacqueline C. Shadle, County Clerk



**AGENDA REQUEST FORM**  
**www.jeffersoncountywv.org**



Name: **Nathan Cochran, Assistant Prosecuting Attorney**  
Department or Organization:  
Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **March 1, 2018**  
*If a specific date is needed, please provide reason for specific date:*  
Date Requested – 2<sup>nd</sup> Choice:

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

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

1. Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues. Discussion/Action. Possible Executive Session.
2. Discussion of Jefferson County Civil Action #17-C-282. Discussion/Action. Possible Executive Session.
3. FLSA issues regarding ESA Employees. Discussion/Action. Possible Executive Session.
4. Discussion of Jefferson County Civil Action #18-C-25. Discussion/Action. Possible Executive Session.
5. Discussion of Jefferson County Court Administrative Order #18-AD-7. Discussion/Action. Possible Executive Session.
6. Discussion of WV Supreme Court Docket #17-0095. Discussion/Action. Possible Executive Session.
7. Discussion of Jefferson County Civil Action #17-C-63. Discussion/Action. Possible Executive Session.
8. Discussion of Jefferson County Civil Action #17-P-110. Discussion/Action. Possible Executive Session.
9. Discussion of Security Issues for the Hunter House. Discussion/Action. Possible Executive Session.
10. Discussion of EEOC Claim #533-2017-0076. Discussion/Action. Possible Executive Session.

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*):

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:  
Email address: Phone Number:

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION**



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



Name: **Josh Compton, Commissioner**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **March 1, 2018**

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

Subject (*Wording to be placed on agenda*): **Determination of Jefferson County PSD Service Area - 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.





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

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **March 1, 2018**

*If a specific date is needed, please provide reason for specific date:* [Click here to enter text.](#)

Date Requested – 2<sup>nd</sup> Choice: [Click here to enter text.](#)

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

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.](#)



Decision  
3-1-18

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



**Name:** Alexandra Beaulieu, Zoning Administrator

**Department or Organization:** Office of Planning and Zoning

**Estimation of amount of time needed for appointment:** 15 Minutes

**Date Requested – 1<sup>st</sup> Choice:** January 4, 2018

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

**Date Requested – 2<sup>nd</sup> Choice:**

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

On December 12, 2017, the Jefferson County Planning Commission voted to recommend to the County Commission the attached proposed text amendment to the Jefferson County Zoning and Land Development Ordinance (File# ZTA16-02). The purpose of this request is to provide an overview of the recommended amendment and to request scheduling the required Public Hearing to be held by the County Commission. The text amendment, in accordance with WV Code § 8A-4-5, proposes revisions and additions to multiple sections of the Zoning Ordinance including Section 2.2, Terms Defined; Section 3.4 Boards and Commissions; Section 4.6, Distance Requirements; Section 4.14 Historic Preservation; Section 5.10 Village (V) District; Section 10.4 Signs Requiring a Zoning Permit; and Appendix C: Principal Permitted and Conditional Uses Table.

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

On May 12, 2015, the Planning Commission directed the Historic Landmarks Commission to work with Staff in drafting a text amendment to the Zoning Ordinance to incorporate regulations relative to the demolition of and adaptive reuse of historic resources. On July 11, 2017 the Planning Commission held a Public Hearing on the proposed text amendment. The Planning Commission held three subsequent work sessions to revise the additional historic preservation standards in the Zoning Ordinance. The version before you today is the final product recommended by the Planning Commission for consistency with the Comprehensive Plan on December 12, 2017.

**Is this a funding request?** Y/N **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 schedule a public hearing on \_\_\_\_\_, 2018 at \_\_\_ a.m./p.m. to receive input on the proposed amendments to the Jefferson County Zoning and Land Development Ordinance (File #ZTA16-02) which includes proposes revisions and additions to multiple sections including Section 2.2, Terms Defined; Section 3.4 Boards and Commissions; Section 4.6, Distance Requirements; Section 4.14 Historic Preservation; Section 5.10 Village (V) District; Section 10.4 Signs Requiring a Zoning Permit; and Appendix C: Principal Permitted and Conditional Uses Table.

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

- Pages 117 & 118 of the Comprehensive Plan, Historical and Cultural Resources Recommendations (Goals 14 & 15) (see Goal 4)
- Proposed draft amendment to the Zoning Ordinance (ZTA16-02) forwarded from the Planning Commission with a finding that the amendment is consistent with the Envision Jefferson 2035 Comprehensive Plan on December 12, 2017.

If not attached, explain:

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

Contact information:

Email address: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)      Phone Number: 304-728-3228

**FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION**

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| <b>Historical and Cultural Resources Recommendations (Goals 14 &amp; 15)</b> |                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.                                                                           | Coordinate with the Jefferson County Historic Landmarks Commission (JCHLC) to build a Countywide inventory of historic, cultural, and heritage landscape resources to aid officials, planners, preservationists, property owners and researchers to better understand the County's significant resources.                                                             |
|                                                                              | a. Identify and implement ways to balance accessibility to, and awareness of, historic sites with privacy and property rights of landowners.                                                                                                                                                                                                                          |
|                                                                              | b. Embark on a collaborative effort with the JCHLC and the County's Convention and Visitors Bureau to educate the County's residents and visitors about historic preservation, goals and current projects in Jefferson County.                                                                                                                                        |
| 2.                                                                           | Create a non-profit leadership track as part of the Jefferson County Chamber of Commerce's Leadership Jefferson program that could be used to better connect the for profit and non-profit fields to the County's cultural and historic assets.                                                                                                                       |
|                                                                              | a. Work with the Chamber, local philanthropic organizations, and with Leadership Jefferson sponsors to create additional scholarships for the Leadership Jefferson program that would be available to non-profit cultural agencies serving Jefferson County.                                                                                                          |
|                                                                              | b. Partner with local arts and cultural organizations and other key stakeholders to create a countywide public art program for local artists to display sculpture or other art works depicting the area's history and scenic beauty in public areas.                                                                                                                  |
| 3.                                                                           | Coordinate with the West Virginia Division of Highways (WVDOT) to ensure the protection of historic and cultural resources is considered when making decisions related to the location of future highway projects.                                                                                                                                                    |
| 4.                                                                           | Review and amend the Zoning Ordinance and Subdivision Regulations to improve historic and cultural resource protections.                                                                                                                                                                                                                                              |
|                                                                              | a. Collaborate with the JCHLC to develop and incorporate language into the County Zoning Ordinance that supports the JCHLC's classification of the County's historic resources into four different levels of importance and varying levels of protection.                                                                                                             |
|                                                                              | b. Collaborate with County residents, Jefferson County's development community, and members of the JCHLC to create voluntary design guidelines and standards related to historic sites to encourage development or redevelopment of properties in a way that would be reflective of the site's historic nature and context, while respecting property owner's rights. |
|                                                                              | c. In collaboration with property owners, the development community, and the JCHLC, identify and utilize a series of incentives to encourage the use of the voluntary design guidelines discussed above to ensure the historic integrity of the site is protected.                                                                                                    |

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | d. Identify archaeological and historically significant built resources as part of a developer's Concept Plans.                                                                                                                                                                                                                                                                                                                           |
|    | e. Collaborate with property owners and the JCHLC to protect historically and/or culturally significant resources during development of a site by providing a credit or reallocation of the density rights on a property or to another property located in Jefferson County in exchange for the retained historic or cultural resource.                                                                                                   |
| 5. | Create a program, with the input of property owners and the JCHLC, that would allow property owners to convey architectural and historical assets to the JCHLC (or similar agency) under protective easement.                                                                                                                                                                                                                             |
| 6. | Collaborate with the Harpers Ferry National Historical Park on the following concepts:                                                                                                                                                                                                                                                                                                                                                    |
|    | a. Build upon intergovernmental efforts to develop strategies to entice visitors who come to the Harpers Ferry National Historical Park to stay in Jefferson County for more than a one-day visit to the Park.                                                                                                                                                                                                                            |
|    | b. Promote the development of an interconnected trail network that would move visitors from Harpers Ferry and the C&O Canal National Historical Park in Maryland to other areas of the County.                                                                                                                                                                                                                                            |
|    | c. Develop interconnected and broader public transit opportunities for the Heritage Tourism visitor.                                                                                                                                                                                                                                                                                                                                      |
|    | d. Expand upon the existing interconnected marketing of the County's multiple historic resources and the National Historical Park.                                                                                                                                                                                                                                                                                                        |
| 7. | Partner with the American Battlefield Protection Program/National Park Service, the Civil War Trust, the Land Trust of the Eastern Panhandle, and the States of West Virginia and Maryland to help maintain the historic and natural features associated with properties in the Pack Horse Ford area and/or identified in the National Landmarks nomination documents submitted to the States of West Virginia and Maryland by the JCHLC. |
| 8. | Explore the creation of a County or regional battlefield trust to fund the purchase of, and the stewardship of, battlefield sites and corridors in Jefferson County, in partnership with local, state, and national organizations:                                                                                                                                                                                                        |
|    | a. Explore opportunities to collaborate with other land trusts and private entities with other preservation goals.                                                                                                                                                                                                                                                                                                                        |
| 9. | Encourage the County's municipalities to work toward membership in the State's Main Street program.                                                                                                                                                                                                                                                                                                                                       |
|    | a. Assist communities in the creation and administration of revitalization efforts and obtaining funding that would aid in façade improvements and restoration, the utilization of upper stories in existing buildings, and streetscape improvements.                                                                                                                                                                                     |



ZTA16-02 - Historic Preservation

|                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Adaptive Reuse of Historic Structures</u> <sup>32</sup> | Adaptive reuse refers to the process of reusing a <u>historic site or building</u> <del>an old site or building</del> for a purpose other than that for which it was built or designed.                                                                                                                                                                                                                                                                                                                                                                                               |
| Addition, Major                                            | A major addition shall include those additions which will directly affect the function of the site or those areas surrounding the site. Any substantial change of use classification, alteration of on-site parking requirements, potential adverse impacts of off-site storm water drainage, increased demand for public water and sewerage or additions which will cause the rerouting of traffic circulation shall be considered "major additions".                                                                                                                                |
| Adjacent/Confronting Affected Property Owner <sup>7</sup>  | The owner of property adjacent to or confronting a proposed development (including the properties across any road, right of way or easement) which will be impacted either positively or negatively by that proposed development. Names and addresses of affected property owners will be taken from current tax records in the Jefferson County Court House.                                                                                                                                                                                                                         |
| Adult Arcade <sup>15</sup>                                 | An establishment where, for any form of consideration, one or more motion picture projectors, slide projectors, or similar machines for viewing by five or fewer persons each are used to show films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.                                                                                                                                                             |
| Adult Bookstore <sup>15</sup>                              | An establishment that has as a substantial portion of its stock-in-trade and offers for sale, for any form of consideration, any one or more of the following (1) books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations that are characterized by emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or (2) instruments, devices, or paraphernalia that are designed for use in connection with specifies sexual activities. |
| Adult Cabaret <sup>15</sup>                                | A nightclub, bar, restaurant, facility, or similar establishment that regularly features live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities, or films, motion pictures, video cassettes, slides or other photographic reproductions of material that is characterized by any emphasis upon the depiction of specified sexual activities or specifies anatomical areas.                                                                                                                                          |
| Adult Mini Motion Picture Theatre <sup>15</sup>            | An enclosed building with a capacity for fewer than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas as herein defined, for observation by patrons therein. The phrase "used for" in this definition shall mean a regular and substantial course of conduct and not a one-time presentation of such material.                                                                                                                          |
| Adult Sauna <sup>15</sup>                                  | A sauna which excludes minors by reason of age, or which provides a steam bath or heat bathing room used for the purpose of bathing, relaxation, or reducing, using steam or hot air as a cleaning, relaxing or reducing agent, if the service provided by the sauna is distinguished or characterized by an                                                                                                                                                                                                                                                                          |

ZTA16-02 - Historic Preservation

|                                         |                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Battlefield <sup>22</sup>               | <del>There are</del> Federally recognized battlefields in Jefferson County as determined by the Civil War Sites Advisory Commission. <del>For the purpose of this Ordinance, green space includes battlefield core areas.</del>                                                                                                               |
| Bed and Breakfast <sup>23</sup>         | A single-family dwelling where lodging is offered for compensation, having no more than seven (7) bedrooms for this purpose, and meeting the requirements for such a use in Article 8 of this Ordinance.                                                                                                                                      |
| Bicycle Parking Space <sup>27</sup>     | A volume of space that can accommodate locked storage of one (1) bicycle at a bicycle rack, i.e. a fixture to which one or more bicycles can be securely locked.                                                                                                                                                                              |
| Billboard                               | A structure on which is portrayed information which directs attention to a business commodity, service or entertainment not necessarily related to the other uses permitted on the premises upon which the structure is located. (See Sign, Outdoor Advertising)                                                                              |
| Blue Ridge Line <sup>11</sup>           | The common surveyed boundary between Jefferson County, West Virginia and Loudoun County, Virginia.                                                                                                                                                                                                                                            |
| Board <sup>17, 21</sup>                 | The Jefferson County Board of Zoning Appeals.                                                                                                                                                                                                                                                                                                 |
| Boarding or Rooming House <sup>24</sup> | A building other than a Hotel, Motel, Bed and Breakfast, Residential Care Home, Group Residential Home, Group Residential Facility, or Country Inn where lodging is provided for compensation for more than 6 unrelated persons. Meals may or may not be served but are not provided to outside guests. There is one common kitchen facility. |
| Brewer                                  | Any person manufacturing craft beer from malt and hops by infusion, boiling, and fermentation for sale at wholesale to any licensed distributor.                                                                                                                                                                                              |
| Brewpub                                 | An establishment owned by a resident brewer in which craft beer is manufactured and sold on premises in accordance with WV State Code licensing requirements. A brewpub may include the incidental sale of food.                                                                                                                              |
| Broadcast Tower <sup>22</sup>           | A structure situated on a lot that is intended for transmitting television or AM/FM radio signals.                                                                                                                                                                                                                                            |
| Buffer <sup>5</sup>                     | An area on a property defined by a distance from the property line or other specifically designed line such as flood plain, wetland limit or stream bank. Said area is intended to absorb, lessen or neutralize the impacts of one land use from another. The nature of the buffer will depend on the impact(s) being neutralized.            |
| Building                                | Any structure which is permanently affixed to the land and has one or more floors and a roof. The term building shall include manufactured homes.                                                                                                                                                                                             |
| Building Line                           | The line established by law beyond which a building shall not extend as determined by front, side and rear yards, herein.                                                                                                                                                                                                                     |

ZTA16-02 - Historic Preservation

|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Condominium <sup>5</sup>                         | A common interest community in which portions of the real estate are designated for separate fee simple ownership of cubic air interior spaces and the remainder of the real estate is designated for common ownership solely by the owners of those portions. Said common interest community may be residential, commercial or industrial depending on other provisions of this Ordinance. All such projects are subject to the West Virginia Uniform Common Interest Ownership Act. In the event that a specific requirement within the Uniform Common Interest Ownership Act is inconsistent with a commercial or industrial project, that specific requirement shall not apply. |
| Contiguous <sup>17,21</sup>                      | Lots, parcels, municipal boundaries or county boundaries that are next to, abutting and having a boundary, or portion thereof, that is coterminous. Streets, highways, roads or other traffic or utility easements, streams, rivers, and other natural topography are not to be used to determine lots, parcels, municipal boundaries or county boundaries as contiguous.                                                                                                                                                                                                                                                                                                           |
| Contractor with No Outdoor Storage <sup>27</sup> | Use of a site for the business office of a general contractor or builder engaged in the construction of buildings, either residences or commercial structures. The premises may include an enclosed space used for the housing and/or operating of machinery, the provision of services, the fabrication of building-related products, and interior storage, but which does not use any exterior storage area other than incidental storage.                                                                                                                                                                                                                                        |
| Contractor with Outdoor Storage <sup>27</sup>    | Use of a site for the business office of a general contractor or builder engaged in the construction of buildings, either residences or commercial structures. The premises may include an enclosed space used for the housing and/or operating of machinery, the provision of services, the fabrication of building-related products, and interior storage. This use may include outdoor storage of building materials and heavy equipment such as road graders, dump trucks, cement mixers.                                                                                                                                                                                       |
| <u>Contributing Structure</u>                    | <u>Buildings, structures, or sites that add to the historical association, architectural quality, or archeological value of a property or district because (a) they were present during the period of significance and possess historical integrity reflecting their character at the time or potential for yielding historical information; or (b) their potential to qualify independently for the National Register of Historic Places.</u>                                                                                                                                                                                                                                      |
| Convenience Store <sup>27</sup>                  | An establishment, not exceeding 10,000 square feet of gross floor area, engaged in the retail sale, from the premises, of food, beverages and other frequently or recurrently needed items for household use. This land use does not include a gas station.                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Convenience Store, Limited <sup>27</sup>         | A convenience store not exceeding 1,500 square feet of retail floor, with hours of operation limited to the period between 6:00 A.M. and 11:00 P.M.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Convention Center <sup>27</sup>                  | A facility designed to accommodate 500 or more persons and used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with accessory functions including                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

ZTA16-02 - Historic Preservation

Group Residential Home<sup>23</sup>

A building owned or leased by developmentally disabled or behaviorally disabled persons for purposes of establishing a personal residence, and complying with all applicable requirements of the state of West Virginia. Per Chapter 17 of the West Virginia Code, as amended, a Group Residential Home shall be a permitted residential use of property for the purposes of zoning and shall be a permitted use in all zones or districts.

Harpers Ferry Overlay District<sup>22</sup>

For purposes of regulating Wireless Telecommunication Facilities, an area bounded on the north by a line running west from the Potomac River shore to and along Engle Switch Road to its intersection with Route 230; thence south along Route 230 to its intersection with the CSX Railroad Valley Line; thence south along said railroad to Milepost 4 on the railroad at its intersection with Millville Road; thence east from that point to and across the Shenandoah River to a point 1000 feet distant on the eastern shore of the said Shenandoah River; then following a line 1000 feet inland from that opposite shore of the Shenandoah River to its confluence with the Potomac River; then along a line 1000 feet inland from the Potomac river shore running east to the Virginia state line; thence north to the Potomac River shore; thence west along the shore of the Potomac River to the point of origin. This district excludes the area within the jurisdictional boundaries of the town of Harpers Ferry and the town of Bolivar.

Heavy Industrial Use<sup>27</sup>

Manufacturing or other enterprises with significant external effects including but not limited to noise, dust, glare, odors or vibrations, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials in the manufacturing or other process. This use also includes those land uses characterized by heavy trucking activity or extensive warehousing.

Helipad<sup>27</sup>

A facility without the logistical support provided by a heliport where helicopters take off and land. Helipads do not include facilities for maintenance, repair, fueling, or storage of helicopters.

Heliport<sup>27</sup>

An area designed to be used for the landing or takeoff of helicopters including operations facilities, such as maintenance, loading and unloading, storage, fueling, or terminal facilities.

Historic District

A geographically definable area possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Historic Landmark

A site, building, structure, or object designated as a "Landmark" either on a national, state, or local register.

Historic Landmarks Commission<sup>32</sup>

A five member commission, appointed by the Jefferson County Commission. Powers, Membership, terms of office, jurisdiction, and rules of procedure are established in the Bylaws of the Jefferson County

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Historic Landmarks Commission and Chapter 8, Article 26A of the West Virginia Code.

|                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| Historic Resource <sup>22</sup>                                               | <del>A site, structure, area, or district possessing historic importance as defined by the U.S. Department of Interior, West Virginia State Historic Preservation Office, Jefferson County Historic Landmarks Commission, or other governmental agency.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Historic Site/Property                                                        | Any lot, parcel, historic structure, or designated area which has been listed on the West Virginia or the National Register of Historic Places, <u>which may include the location of a significant event, landscape feature, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historical, cultural, or archeological value regardless of the value of any existing structure.</u>                                                                                                                                                                                                                                     |
| Home Occupation, Level 1 <sup>8, 24</sup>                                     | An occupation conducted in a residential premises, as described in Article 4A of this Ordinance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Home Occupation, Level 2 <sup>8, 24</sup>                                     | An occupation conducted in a residential premises, as described in Article 4A of this Ordinance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Horse Racing Facility <sup>27</sup>                                           | A facility licensed by the State of West Virginia to offer, for public viewing and amusement, on-site horse racing events with on-site related wagering thereupon. This use can also include the conduct of other occasional special events. In addition to the race course and spectator areas, this use also includes accessory uses (including but not limited to eateries, off-street parking structures, public, community or private utilities, exhibits, and shops). This use may also include the provision of resident employee and guest lodging services for both humans and animals incidental to the visit or stay on the site. This use may also include veterinary care for animals kept or visiting the site. |
| Hotel/Motel <sup>27</sup>                                                     | A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a Bed and Breakfast, Residential Care Home, Group Residential Home, Group Residential Facility, or Country Inn (as defined in this Ordinance). A hotel/motel may include a restaurant, bar, personal and retail services, and entertainment as accessory uses.                                                                                                                                                                                                                                                                                                                           |
| Hunting, Shooting, Archery and Fishing Clubs, Public or Private <sup>23</sup> | Land owned by an organized group of persons formed as a club that is used for hunting, fishing, shooting, archery and similar types of passive recreation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Impervious Surface                                                            | Any structure, material, or surface which reduces and prevents absorption of storm water into the earth.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Improvements                                                                  | Modifications to land which increase its value or utility. Improvements include, but are not limited to, buildings and structures, road grading, road surfacing, landscaping, curbs, gutters, storm sewers and drains,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| Mixed Use Building <sup>32</sup>                  | A mixed use unit consisting of a commercial or office use and a residential use. The commercial or office use must be located on the first floor.                                                                                                                                                                                                                                                                                                                                        |
| Mobile Home Park                                  | A lot, site, or parcel of land used or intended to accommodate two (2) or more mobile homes for residential purposes with adequate public or community water and sewerage service meeting Health Department standards. A mobile home park does not include mobile home sales lots, which unoccupied mobile homes are parked for inspection and sale. This term includes all buildings, structures, vehicles, accessories and appurtenances used or intended as equipment in such a park. |
| Mobile Home, Boat and Trailer Sales <sup>27</sup> | Use of a site for the sale, rental or servicing of mobile homes, boats and trailers. This use includes outdoor display of items for sale or rent, and accessory retail sale of merchandise related to mobile homes, boats and trailers. This use does not include a gas station.                                                                                                                                                                                                         |
| Mobile Home <sup>23, 32</sup>                     | A manufactured single family detached home built prior to the Federal Manufactured Home Construction and Safety Standards which became effective June 15, 1976.                                                                                                                                                                                                                                                                                                                          |
| Model Home/<br>Sales Office <sup>23</sup>         | A dwelling unit temporarily used for display purposes as an example of dwelling units available for sale in a residential development approved by Jefferson County. Model homes may include sales offices for dwellings within the development.                                                                                                                                                                                                                                          |
| Modular Home <sup>32</sup>                        | A single family detached structure built in a factory that meets the State or Local Building Codes where the homes will be sited.                                                                                                                                                                                                                                                                                                                                                        |
| Monopole <sup>9, 22</sup>                         | A support structure constructed of a self-supporting hollow metal tube securely anchored to a foundation.                                                                                                                                                                                                                                                                                                                                                                                |
| Motor Vehicle <sup>17, 21</sup>                   | Any self-propelled vehicle designed primarily for transportation of persons or goods along public streets or other public ways.                                                                                                                                                                                                                                                                                                                                                          |
| Movie Theater <sup>27</sup>                       | A building containing audience seating and one or more screens and auditoriums intended for the viewing of films. A movie theater may contain a lobby and refreshment stand, and may include service of food and beverages to seated patrons. Incidental use of a movie theater for community events and live performances is permitted. This use does not include an adult use or a bar/nightclub.                                                                                      |
| Multi-Residential Use                             | A deeded lot or parcel on which two or more dwelling units is located.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Natural Undisturbed<br>Conditions <sup>5</sup>    | This exists where the terrain has not been altered in form by human activities such as cutting, filling, blasting or leveling and where natural vegetation exists.                                                                                                                                                                                                                                                                                                                       |
| <u>National Historic<br/>Landmark</u>             | <u>Authorized in 1935 and implemented in 1960, National Historic Landmarks are nationally significant historic places designated by the Secretary of the</u>                                                                                                                                                                                                                                                                                                                             |

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|                                                    | <p><u>Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States.</u></p>                                                                                                                                                                                                                                                                                                                                  |
| <p><u>National Register of Historic Places</u></p> | <p><u>The National Register of Historic Places, authorized by the National Historic Preservation act of 1966, is the official list of culturally significant buildings, structures, objects, sites, and districts in the United States. Authorized by the National Historic Preservation Act of 1966. The list is maintained by the U.S. Department of Interior.</u></p>                                                                                                     |
| <p>Natural Vegetation<sup>5</sup></p>              | <p>This occurs when a property is allowed to revert to a wild condition with native plants. No cutting, trimming or cultivation takes place in areas of natural vegetation.</p>                                                                                                                                                                                                                                                                                              |
| <p>Nature Center and Preserve<sup>32</sup></p>     | <p>A land use providing environmental and conservation education for adults and youth.</p>                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Neighborhood<sup>17, 21</sup></p>               | <p>An area generally confined to a one-mile radius from the perimeter of a proposed development.</p>                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Nightclub<sup>27</sup></p>                      | <p>A commercial establishment where the primary activity is dancing and musical entertainment and in which alcoholic beverages are dispensed for consumption on the premises. This use may include live entertainment (other than an adult use) that complies with Jefferson County noise restrictions.</p>                                                                                                                                                                  |
| <p>Nonconforming Lot<sup>32</sup></p>              | <p>A lot or parcel that lawfully existed at the time this Ordinance became effective and which does not conform with the dimensional requirements of the district in which it is located. This includes the dimensions, acreage, and/or access, etc. Any new lines of division within a subdivision of a parcel that is a nonconforming lot shall meet the regulations of this Ordinance.</p>                                                                                |
| <p>Nonconforming Use<sup>32</sup></p>              | <p>A land use that lawfully existed at the time this Ordinance became effective and which does not conform with the use regulations of the district in which it is located.</p>                                                                                                                                                                                                                                                                                              |
| <p>Nonconforming Structure<sup>32</sup></p>        | <p>A building that lawfully existed at the time this Ordinance became effective and which does not conform with the site coverage, setback, height, open space, or other regulations describing the physical development standards of the district in which it is located. Any new lines of division within a subdivision of a parcel that contains a nonconforming structure shall not create a further nonconformity and shall meet the regulations of this Ordinance.</p> |
| <p>Non-Residential<sup>17, 21</sup></p>            | <p>A commercial, industrial, or institutional use.</p>                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Nursing or Retirement Home</p>                  | <p>This term includes rest homes, nursing homes, convalescent homes for children and homes providing chronic and convalescent care.</p>                                                                                                                                                                                                                                                                                                                                      |
| <p>Open Space<sup>32</sup></p>                     | <p>Land area to be left undeveloped as part of a natural resource preservation, recreation, bufferyards, or other open space provision of the Subdivision Regulations. Open space excludes areas in lots, street right-of-ways, or parking. Private open space is designed and intended for</p>                                                                                                                                                                              |

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| <u>Preservation of a Historic Site</u>        | <u>The act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property. Work including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.</u>                                                                                                                                                                   |
| Primary Public Safety Provider <sup>22</sup>  | An FCC licensed governmental user that uses wireless telecommunication facilities to provide primary communications for law enforcement, fire, ambulance or related emergency services. Primary Public Service Provider does not include Commercial Wireless Service Providers, or Competitive Local Exchange Carriers (CLEC), who provide telecommunication services on a commercial basis to Primary Public Service Providers, or who deliver emergency calls or messages from its customers to a Public Safety Answering Point (PSAP). |
| Principal Permitted Use <sup>23, 31, 32</sup> | Any use included on the Principal Permitted and Conditional Uses Table (Appendix C) which is or may be lawfully established in a particular district, approved by the Office of Planning and Zoning without requirement of approval by a board or commission, provided the use conforms with all applicable requirements of this Ordinance. Such use does not include Conditional Uses as defined in this Ordinance.                                                                                                                      |
| Principal Use <sup>23</sup>                   | The primary or predominant use of any site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Printing and Publishing <sup>27</sup>         | A printing operation of an industrial scale, involving a process that is considered printing, imprinting, reproducing, or duplicating images and using printing methods including but not limited to offset printing, lithography, web offset, flexographic, and screen process printing. This use may include the production of books, magazines, newspapers and other printed matter.                                                                                                                                                   |
| Private Business User <sup>22</sup>           | Persons or entities which operate radio facilities (including microwave) requiring an FCC license solely for intra-company communications and who do not employ those facilities to offer fixed or mobile wireless communication services, or point-to-point microwave links for commercial wireline communication services, to third parties for compensation.                                                                                                                                                                           |
| Professional Office, Small <sup>32</sup>      | A professional office, as defined herein, limited to two professionals/practitioners and related support staff.                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Professional Office <sup>27</sup>             | A building used primarily for offices for administrative, executive, professional, research, or similar organizations; and for real estate, advertising, and insurance agencies and similar firms. No merchandise is sold on the premises. An office building may include ancillary services for employees, such as a restaurant or coffee shop. This land use does not include a Medical/Dental/Optical Office.                                                                                                                          |
| Prohibited Use                                | A use that is not permitted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| <u>Protection Radius</u>                | <u>The area surrounding a historic site or historic resource not exceeding the boundary lines of the property. The size of the protection radius is governed by Section 4.6G of this Ordinance.</u>                                                                                                                                                                                                                                                                                                                                             |
| Public Highway                          | Any highway or road in Jefferson County which is part of the Federal or West Virginia public highway system and which is so identified by and numbered on the most recent General Highway Map published by the West Virginia Department of Highways.                                                                                                                                                                                                                                                                                            |
| Public Safety Facility <sup>23</sup>    | Facilities that provide health and safety services to the general public including, but not limited to fire stations, police stations, and emergency medicine or ambulance stations or facilities.                                                                                                                                                                                                                                                                                                                                              |
| Publicly Owned Facility <sup>23</sup>   | Use of a site for government operations or activities, and not otherwise defined as a public safety facility; school, elementary or secondary; school, university or college; school, vocational or professional; hospital; cultural facility; or essential utility equipment.                                                                                                                                                                                                                                                                  |
| Recycling Drop-Off Center <sup>27</sup> | A building or site used for a drop-off location for temporary storage of recyclable, recoverable or reusable materials such as paper, cardboard, glass, metal, plastic, batteries and motor oil. Processing of materials is limited to separation. This land use is intended for household or consumer use rather than commercial or industrial use.                                                                                                                                                                                            |
| Research and Development <sup>13</sup>  | Research, development and testing laboratories that do not involve the mass manufacture, fabrication, processing or sale of products.                                                                                                                                                                                                                                                                                                                                                                                                           |
| Residential Care Home <sup>23</sup>     | The use of a site for the provision of a family-based facility in a single-family dwelling unit providing 24 hour care in a protected living arrangement with not more than two supervisory personnel and not more than six residents who are suffering from mobility, orthopedic, visual, speech, or hearing impairments, Alzheimer's disease, pre-senile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, cognitive disability, autism, emotional illness, or similar conditions. |
| Residential <sup>1</sup>                | Any detached or attached structure that is used for permanent living quarters and has kitchen facilities.                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Restaurant <sup>27</sup>                | A commercial establishment where food and beverages are prepared, served, and consumed primarily within the principal building. A restaurant may include the incidental sale of alcohol for on-premises consumption; however, sale of food and non-alcoholic beverages is the principal use of the site. This use does not include the uses Bar or Nightclub.                                                                                                                                                                                   |
| Restaurant, Fast Food <sup>27</sup>     | Any establishment whose principal business is the sale of foods and/or beverages in ready-to-consume individual servings, for consumption either inside or outside the restaurant building or for carry-out. Customer orders and/or service may be by means of a window or walk-up counter. A fast food restaurant whose design or method of operation includes a drive-up window or drive-through service or includes service                                                                                                                  |

**Section 3.4 Boards and Commissions<sup>23, 32</sup>**

**A. Board of Zoning Appeals**

1. The Board of Zoning Appeals will consist of five members to be appointed by the County Commission. Their terms of office, succession, removal, filing of vacancies, and their powers and duties shall be provided in Chapter 8A of the West Virginia Code, as amended.
2. Meetings of the Board of Zoning Appeals shall be conducted according to the Rules of Procedure adopted by the Board of Zoning Appeals. In the event of a conflict between this Ordinance and the Rules of Procedure, the Rules of Procedure shall prevail.<sup>2</sup>
3. The powers and duties of the Board of Zoning Appeals include but are not limited to the following:
  - a. The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination made by an administrative official in regard to the enforcement of this Ordinance or of any ordinance adopted thereto.<sup>32</sup>
  - b. The Board of Zoning Appeals shall consider requests for variances, seasonal use permits, and special exceptions from the terms of this Ordinance.<sup>32</sup>
  - c. The Board of Zoning Appeals shall have authority over the issuance or denial of a Conditional Use Permit.<sup>32</sup>

**B. Planning Commission<sup>23</sup>**

1. Membership, terms of office, jurisdiction, and rules of procedure are established in the Bylaws of the Jefferson County Planning Commission and Chapter 8A of the West Virginia Code, as amended.
2. The powers and duties of the Jefferson County Planning Commission include but are not limited to the following:
  - a. Review applications for major site plans, major subdivisions, and waivers from minimum standards, pursuant to the Subdivision and Land Development Regulations;
  - b. Review requests for amendments to the County zoning map and Zoning and Land Development Ordinance;
  - c. Research and recommend to the County Commission improvements to the Zoning and Land Development Ordinance and the Subdivision and Land Development Regulations;
  - d. Make recommendations to the County Commission concerning planning and zoning issues;
  - e. Make an annual report to the County Commission concerning the operation of the Planning Commission and the status of planning within its jurisdiction;
  - f. Prepare the Jefferson County Comprehensive Plan and recommend to the County Commission for adoption or amendment.

**C. County Commission<sup>23</sup>**

1. General. The County Commission shall have all powers conferred upon it by the Constitution, the laws of the State of West Virginia, and the County Charter. With respect to development approval and amendments to this Ordinance and the County's Comprehensive Plan, the powers that the County Commission retains and shall exercise include but are not limited to the powers set out in this Section.
2. Approvals. Following a public hearing and the submittal of recommendations by Staff and the Planning Commission, the County Commission may take action on the proposed adoption of, or amendments to, the following, including text, maps, and other elements:

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- a. Comprehensive Plan
- b. Zoning and Land Development Ordinance
- c. Subdivision and Land Development Regulations
- d. The Jefferson County Zoning Map
- e. An Urban Growth Boundary in accordance with Chapter 8 of the West Virginia Code, as amended:
  - i. A boundary shall be established by the County Commission in agreement with each individual municipality regarding that municipality's boundary.
  - ii. If the County Commission and municipality cannot agree upon the location or size of the boundary, either party may file for declaratory judgment relief in the circuit court which shall submit the dispute to mediation or arbitration prior to final resolution by the circuit court.
  - iii. Once the county has adopted an urban growth boundary by its designation on an adopted county zoning map, the gross area inside the boundary may not be reduced without written consent of the municipality.
  - iv. The County Commission shall review each urban growth boundary at a period not to exceed ten years or upon request of the individual municipality.
3. Hiring. The County Commission shall hire staff of the Office of Planning and Zoning.
4. Appointments. The County Commission shall appoint the members of the Planning Commission and the Board of Zoning Appeals.
5. Fees. The County Commission shall adopt a fee schedule for processing applications pursuant to this Ordinance. The fee schedule may be amended from time to time as determined appropriate by the County Commission.

D. Historic Landmarks Commission

1. A five member commission, appointed by the Jefferson County Commission. Powers, membership, terms of office, jurisdiction, and rules of procedure are established in the Bylaws of the Jefferson County Historic Landmarks Commission and Chapter 8 Article 26A of the West Virginia Code.
2. The Jefferson County Historic Landmarks Commission does not have the authority to nominate or designate a historic site for inclusion on the National Register without the property owner's consent and does not have the authority to create a Historic District due to the restrictions in WV State Code §8-26A-3 and related statutes.
3. Historic Preservation is not to infringe on the property owner's rights. The Jefferson County Historic Landmarks Commission is encouraged to protect historic sites in Jefferson County by raising capital to purchase historic sites and battlefields at fair market value.
4. This Ordinance encourages the preservation of historic buildings and historic sites by working with the landowner on a voluntary basis. All historic sites in Jefferson County are classified by their Category of Importance, used to determine the level of protection afforded that site. The categories are as follows:
  - a. Category I. These are the most important historic sites in Jefferson County. This category includes individually listed National Register structures and properties; Historic Districts including their contributing structures; and Federally recognized Civil War Battlefields. These properties retain a high level of original condition and integrity.

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- b. Category II. These sites are classified as important. This category includes Jefferson County Landmarks, historic sites that may be National Register eligible, and other Civil War battle sites. Sites in this Category may have been altered or changed to such a degree that they no longer retain the same level of integrity as the original condition.**
- c. Category III. These sites have moderate importance.**
- d. Category IV. These are sites that are at least 50 years old, have little or no significance, but are listed on the Landmarks Commission's inventory.**

**Refer to Section 4.6 for distance requirements and protection radius standards.**

**Section 4.6 Distance Requirements**

- A. Industrial uses are subject to this subsection, unless otherwise specified in this Ordinance. Any uses (not including parking) or buildings subject to compliance with this Section shall be located at least 200 feet from:<sup>27</sup>
1. Any lot in the Residential Growth District;<sup>27</sup>
  2. A dwelling, school, church or institution for human care not located on the same lot as the said use or buildings;<sup>1</sup>
  3. Any lot which is part of a recorded subdivision; and
  4. Any parcel, historic structure, or designated historic district which has been listed on the West Virginia or National Register of Historic Places.
- B. Commercial uses are subject to this subsection, unless otherwise specified in this Ordinance. Adjacent uses (not including parking) or buildings subject to compliance with this Section shall be located at least 75 feet from:<sup>7, 27</sup>
1. Any lot in the Residential Growth District;
  2. Any lot with a dwelling, school, church, or institution for human care not located on the same lot as said use or building;
  3. Any parcel, historic structure, or designated historic district which has been listed on the West Virginia or National Register of Historic Places.<sup>23</sup>
- C. A commercial use (not including parking) located in the Neighborhood Commercial District or the Office/Commercial Mixed Use shall be located at least 25 feet from a land use identified in Section 4.6B.1-3.<sup>27</sup>
- D. Housing for farm animals and feeding pens shall be set back a minimum of 50 feet from all property lines; excluding chicken coops which may be set back 25 feet from all property lines, if no roosters are housed there.<sup>32</sup>
- E. Structure used to store manure shall comply with distance requirements specified in 4.6A.<sup>32</sup>
- F. All portions of a kennel land use must be buffered pursuant to Article 4 and set back at least 300' from any other property line that contains a residence. If the adjacent use is a commercial use, setbacks shall conform with commercial setbacks in Appendix B.<sup>32</sup>
- G. Historic Sites are subject to this subsection, unless otherwise specified in this Ordinance. All properties designated as a historic site shall be subject to a protection radius as described in this section when a non-residential development or major residential subdivision is proposed. A protection radius is the area surrounding a historic site not exceeding the boundary lines of the property.
1. Protection Radius: Category I historic sites shall be subject to a 200-foot protection radius, as measured from the center of the site or principal structure. When an entire site is placed on the National Register and contains historic structures, preference shall be given to the Property Owner as to whether the protection radius is applied to the center of the principal historic structure or the center of the area of property on the National Register.
  2. Uses permitted within the Protection Radius include Residential Uses as listed in Appendix C, barns, and residential accessory structures as defined by this Ordinance. Existing structures (which existed prior to the adoption of this text amendment) within the protection radius may be converted to a non-residential use in accordance with Appendices B & C and shall comply with applicable district regulations as required by Article 5.

**ARTICLE 4B: WIRELESS TELECOMMUNICATION FACILITIES<sup>10, 22</sup>**

**Section 4B.1 Purpose and Legislative Intent**

The purpose of Article 4B, Wireless Telecommunication Facilities, is to balance the needs of residents of and visitors to Jefferson County for reliable access to wireless telecommunication networks and services with the community's desire to preserve the County's rural, historic and agricultural character and the quality of its residential neighborhoods.

To accomplish these objectives and to ensure that the placement, construction or modification of wireless telecommunication facilities complies with the provisions of the Telecommunications Act of 1996 and other Federal laws, and is consistent with Jefferson County's land use policies and Comprehensive Plan, this Article is intended to regulate the construction, placement and operation of wireless telecommunication facilities within Jefferson County. When any provision of this article is in conflict with any provision of the Jefferson County Zoning Ordinance or the Jefferson County Subdivision and Land Development Regulations, the stricter regulation shall apply.

This Article establishes parameters for the siting of Wireless Telecommunication Facilities. It is Jefferson County's intent to:

- A. Ensure access to reliable and robust wireless communications services throughout Jefferson County consistent with the aforementioned objectives;
- B. Encourage the use of existing structures such as buildings, water towers, silos, church steeples, monopoles, lattice towers, utility poles, electric distribution and transmission structures and other existing structures for the co-location of Wireless Telecommunication Facilities;
- C. Encourage the location of new Wireless Telecommunication towers in non-residential areas, with taller towers limited to the Industrial-Commercial zoning district;
- D. Minimize the number of new Wireless Telecommunication Towers that would otherwise need to be constructed by providing incentives for the use of existing structures;
- E. Encourage the location of new Wireless Telecommunication Towers, to the greatest extent possible, in areas where the adverse impact on the community will be minimal; and by encouraging the use of camouflage or concealment to create structures such as silos, faux trees and flagpoles that mimic elements that typically are found on Jefferson County's agricultural landscape and that appear in scale and context with their surroundings;
- F. Minimize or mitigate the potential adverse visual effects associated with the construction of Wireless Telecommunication Towers through the implementation of reasonable design, landscaping and construction practices;
- G. Ensure public health, safety, welfare, and convenience; and
- H. Conform to Federal and State laws that allow certain antennas to be exempt from local regulations.

**Section 4B.2 Classification of Wireless Telecommunication Facilities<sup>32</sup>**

For purposes of administering this Article, Wireless Telecommunication Facilities (hereafter "Facilities" or "Facility") shall be classified as follows:

- A. Exempt Facilities as specified in Section 4B.3
- B. Concealed Wireless Telecommunication Facilities
- C. Co-located Wireless Telecommunication Facilities
- D. Temporary Wireless Telecommunication Facilities
- E. Wireless Telecommunication Towers

Exempt Facilities are allowed by right. Prior to the issuance of a Zoning Certificate, all other types of new Wireless Telecommunications Facilities listed above require approval of a Minor Site Plan as described in the Jefferson County Subdivision and Land Development Regulations and also meeting the submittal and design requirements of this Article. Additionally, Wireless Telecommunication Towers shall require submittal of a Concept Plan and a public hearing to allow for an analysis of demonstration of need, neighborhood compatibility, impact on cultural and historic sites/resources, and visual mitigation.

Within ten (10) days of receiving a Concept Plan application for a Facility, Staff shall notify the applicant in writing (1) that the application is sufficient or (2) the particular information needed as required by the provisions of this Article and the Jefferson County Subdivision and Land Development Regulations, to constitute a sufficient application. Once the additional information is received and the application is found to be sufficient, Staff shall notify the applicant of that finding.

#### **Section 4B.3 Exempt Facilities Allowed by Right**

This section covers antennas other than those associated with commercial wireless telecommunication facilities, such as facilities associated with governmental users, television and radio broadcast facilities, and private business users requiring an antenna support structure of twelve feet or less.

Antennas allowed by right subject to special requirements of this section include:

- A. Amateur radio facilities mounted on supporting structures less than 100 feet in height provided however, that commercial wireless providers and private business users may not co-locate antennas on an amateur radio tower irrespective of its height.
- B. Residential antennas for receiving television or AM or FM radio broadcast signals.
- C. Residential or business customer premise antennas for receiving microwave, satellite or broadcast television signals, provided such antennas are less than one meter (39.4 inches) in diameter and are mounted on a support structure less than twelve (12) feet in height.

#### **Section 4B.4 Concealed Wireless Telecommunication Facilities**

Concealed Facilities are permitted in all zoning districts. The Zoning Administrator may issue a Zoning Certificate for a Concealed Facility consistent with the following terms and conditions:

- A. Concealed Facilities are permitted on buildings and alternative structures (other than telecommunication towers).
- B. For purposes of this section antennas mounted on electric transmission towers shall qualify as Concealed Facilities provided that antennas associated with such facilities do not extend more than twenty (20) feet above the top of the supporting structure. Equipment enclosures associated with such facilities may be mounted on the structure, placed underground or on the ground. If placed on the ground, equipment enclosures shall be placed on a concrete pad, metal skid or platform, or other foundation and screened so as to make them unobtrusive.
- C. For purposes of this section antennas mounted on an electric distribution pole, utility or street lighting pole or traffic light pole shall qualify as a Concealed Facility provided antennas associated with such facilities shall not extend more than twenty (20) feet above the top of the existing support structure.
- D. Utility poles may be extended up to twenty (20) feet in height to accommodate antennas for a Concealed Facility.

3. Submittal and review of a Concept Plan shall follow the review process and timeline established in Section 24.119 – 24.122 of the Subdivision and Land Development Regulations, with the following exceptions:
  - a. The application shall be exempt from Section 24.120A, Agency Reviews, and Section 24.120D, WVDOH, except as otherwise provided in this Subsection.
  - b. Following Staff's determination of the sufficiency of a Concept Plan application:
    - i. Staff shall notify the Jefferson County Historic Landmarks Commission of an application filing.
    - ii. The Applicant shall provide a copy of the completed Concept Plan application to the Appalachian Trail Conservancy and the National Park Service, if required by the Cultural and Historic Sites ~~Resources~~ Review standards of this Section.
  - c. The Concept Plan shall be reviewed at a public hearing conducted at a scheduled Planning Commission meeting. The scope of this public hearing shall include a demonstration of need as required under this Article, neighborhood compatibility, impact on cultural and historic sites ~~resources~~, visual mitigation, the submittal and design criteria of this Article, and the compatibility of the facility proposal with the Comprehensive Plan, as well as any relevant information presented by any person that addresses the purpose and intent of this Article. The Planning Commission shall review the proposed Tower for compliance with the standards in this Article and, if applicable, provide conditions relevant to the scope of the public hearing and/or unique characteristics of the proposed development site, to be addressed in Staff's approval of the site plan.
  - d. Before Staff may approve a site plan for a Tower, the Planning Commission must find, by a majority vote, that the Concept Plan application complies with this Article, and that the application is consistent with the Comprehensive Plan.
- C. Retention of Consultants  
Staff may elect to retain outside consultants or professional services to review a Concept Plan or site plan application for a Tower and to make recommendations on relevant issues including, but not limited to, verification of the applicant's compliance with the provisions of this Article, analysis of alternatives, conditions of approval, and compliance with State and Federal rules and regulations at the applicant's expense. Fees charged to the applicant shall not exceed the actual cost of services rendered.
- D. Applicant's Burden of Proof  
The applicant for a site plan for any Tower bears the burden of demonstrating by substantial evidence in a written record that a *bona fide* need exists for the proposed structure at its proposed height and location-as required in Subsection F, "Demonstration of Need", and that it has met all submittal and design criteria in this Article.
- E. Proof of Eligibility  
Speculative Towers are prohibited. Before an application for a Tower can be processed, a copy of the applicant's FCC license must accompany its application. If the applicant is not an FCC licensee, the applicant must demonstrate that it has binding commitments from one or more FCC licensees to utilize the Tower within six (6) months of issuance of a certificate of occupancy for the Tower. Such demonstration shall include submittal of an affidavit by the FCC licensee(s), and a copy of each wireless provider's FCC license. If such FCC licenses have been provided to Staff in conjunction with previous tower applications, the applicant may certify that such licenses remain in full force and effect.
- F. Demonstration of Need

- d. Antennas associated with an application for a Facility may not be co-located on a tower or other support structure developed as an Exempt Facility pursuant to this Article for the use of an amateur radio operator.

I. Cultural and Historic ~~Sites~~~~Resources~~ Review

1. In addition to the notification requirements of this Section, an application for a Tower shall comply with the following:
  - a. An application for a proposed Tower within the Harpers Ferry Overlay District shall be provided, by the applicant, to the National Park Service for review and comment, and the applicant will provide Staff an affidavit certifying delivery.
  - b. An application for a proposed Tower located within one mile of the Appalachian Trail shall be provided, by the applicant, to the Appalachian Trail Conservancy and the National Park Service for review and comment, and the applicant will provide Staff an affidavit certifying delivery.

J. Design Criteria

Wireless Telecommunication Towers shall comply with the following design criteria:

1. Antenna Mounting Preferences

Antennas associated with a Tower shall, where practical, be mounted so as to present the smallest possible silhouette, profile or cross-section. Preferred antenna mounting scenarios are, in order of descending preference:

- a. Antennas within a cylindrical radome matching the diameter of a monopole.
- b. Antennas mounted at the end of straight or curved davit arms or brackets extending from the sides of the Tower.
- c. Antennas mounted as an array arranged around a platform extending from the monopole.

2. Height Restrictions

- a. Towers in the Industrial-Commercial zoning district shall not exceed 199 feet. Towers in all other zoning districts shall not exceed 100 feet. If a silo is used for a support structure for antennas, the height of the silo shall not exceed 120 feet.
- b. Antennas may extend up to twenty (20) feet above the height of existing electric transmission towers if such height extensions are preferable to placement of a new Tower.

3. Fall Zone

- a. With the exception of silos, Towers shall be set back from all property lines a distance equal to 110% of tower height measured from the base of the structure to its highest point. Additional easements may be acquired on adjacent properties to meet the fall zone requirement.
- b. No residential dwellings may be located in the fall zone on either the primary parcel or in any easement area on adjacent parcels.

4. Signage

Signage at any ground-based portion of a Facility site shall conform to FCC and FAA standards. No commercial signage is permitted.

5. Lighting & Marking

Towers shall not be lighted or marked unless required by the FCC or by the FAA.

6. Electrical Supply

Generators may not be used as a primary electrical power source. Backup generators shall only be operated during power outages or for testing and maintenance purposes. Testing and maintenance of a generator shall only take place on weekdays between the hours of 8:00 a.m. and 7:00 p.m.

**ARTICLE 5: DISTRICT ESTABLISHMENT; ZONING MAPS; DISTRICT BOUNDARIES;  
DISTRICT REGULATIONS**

**Section 5.1 Establishment of Districts<sup>1</sup>**

For the purpose of this Ordinance, all land within the County, exclusive of the incorporated towns, is hereby designated as one of the following zoning districts:

|        |                                                  |
|--------|--------------------------------------------------|
| RG     | Residential Growth District                      |
| I-C    | Industrial-Commercial District                   |
| R      | Rural (Agricultural) District                    |
| R-LI-C | Residential-Light Industrial-Commercial District |
| V      | Village District <sup>23</sup>                   |
| NC     | Neighborhood Commercial <sup>27</sup>            |
| GC     | General Commercial <sup>27</sup>                 |
| HC     | Highway Commercial <sup>27</sup>                 |
| LI     | Light Industrial <sup>27</sup>                   |
| MI     | Major Industrial <sup>27</sup>                   |
| PND    | Planned Neighborhood Development <sup>27</sup>   |
| OC     | Office / Commercial Mixed-Use <sup>27</sup>      |

**Section 5.2 Boundaries of Districts**

Unless otherwise indicated on the zoning district maps, the boundary lines of the districts shall follow lot lines, centerlines of streets, alleys, corporate limit lines, or centerlines of waterways as existing at the time of the adoption of this Ordinance.

**Section 5.3 District Maps**

The districts shall be of the size and shape shown on the Jefferson County Zoning Maps and shall hereby be made a part of this ordinance. A copy of the said maps shall be signed by the County Commissioners upon the adoption of these regulations and recorded within the Courthouse.

The Jefferson County zoning layer is parcel-based, maintained in a Geographic Information System (GIS), and shall be the basis for the County's official zoning map. Within 30 days of final County Commission action on a zoning map amendment, GIS/Addressing staff will update the digital zoning layer and make the new data available online.<sup>23</sup>

On an annual basis, in December, and within 30 days of final County Commission action on a zoning map amendment, a new zoning map will be printed which includes the most up to date base layer data, all approved zoning designations since the last printed map, and an effective date, certified by the President of the County Commission, filed with the County Clerk's office, and a copy provided to the Planning Commission. This annual map update shall not require a public hearing and such certification shall occur administratively.<sup>23</sup>

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through traffic and (2) will connect to principal and major arterial highways as directly as feasible considering access restrictions.<sup>5, 7, 23, 27</sup>

3. Restaurants where the primary mode of food distribution is by pick-up counter or drive in window and convenience stores shall be subject to the review and approval of the Board of Zoning Appeals as a Conditional Use in accordance with Section 6.3 of this Ordinance. This requirement shall not apply to a building located within a shopping center shown on an approved site plan.<sup>23, 26, 32</sup>
4. Proposed uses in this zone are exempt from the distance requirements in Sections 4.6A-B if part of a master planned community. This provision shall only apply to the internal use of land under the same ownership.<sup>7, 27</sup>

**Section 5.9 Reserved<sup>23</sup>**

**Section 5.10 Village (V) District<sup>8, 23, 32</sup>**

The purpose of this district is to allow recognized villages the ability to provide low level services within their boundaries. This district is generally intended to be served with public or private water and sewer facilities based on proposed lot sizes.

Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.<sup>27</sup>

A. Principal Permitted Uses

1. Residential Land Uses

a. Refer to Appendix A for site development standards. If applicable, reduced building setbacks may be permitted in accordance with Article 9.

2. Non-Residential Land Uses in Existing Structures

a. Building setbacks, parking and drive aisle setbacks, distance requirements, and landscape buffers are not required when a proposed land use is to be located within an existing structure.

b. When additional parking for an existing structure is required, a Site Plan shall be submitted. Setbacks shall be as required in Section 5.10A.2(a) with the exception that a four (4) foot screened buffer shall be required along the side and rear property lines. The screening may be either vegetative (existing or planted) or opaque fencing and may be placed anywhere within the four (4) foot buffer. At the time of the planting, vegetation shall be at least six (6) feet in height. No structures, vehicular parking, or stored materials shall be permitted within the side and rear yard buffers.

c. As a separate variance, in conformance with Section 6.2 of this Ordinance, the Board of Zoning Appeals shall have the discretion to waive a site plan based on the adequacy and number of existing parking spaces.

3. Non-Residential Land Uses in New structures and expansions to existing structures

a. All new non-residential structures and expansions to existing structures shall comply with site development standards as required by this Ordinance and process a Site Plan in accordance with the Subdivision Regulations.

A.B. and-Conditional Uses<sup>23</sup>

1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.<sup>27</sup>

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1. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to the review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.<sup>27, 32</sup>
  2. Existing Structures
    - a. Parking, Building Setbacks, Landscaping, and Signage shall be addressed as part of the Conditional Use Permit application. The reduced setbacks requirements cited in Section 5.10A.2(a) and (b) shall apply. In lieu of the standard variance process, any proposed deviation from the required parking, building setbacks, landscaping, and signage standards set forth in this Ordinance shall be included in the Conditional Use Permit application and reviewed for approval by the Board of Zoning Appeals.
    - b. As a separate variance, in conformance with Section 6.2 of this Ordinance, the Board of Zoning Appeals shall have the discretion to waive a site plan based on the adequacy and number of existing parking spaces.
  3. New Structures and expansions to existing structures
    - a. All new non-residential structures and expansions to existing structures shall comply with site development standards as required by this Ordinance and process a Site Plan in accordance with the Subdivision Regulations.
- ~~B. Setbacks<sup>27</sup>~~
- ~~1. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance. The BZA may consider setback variances based on other structures existing in the neighborhood.~~<sup>27, 32</sup>
  - ~~2. Existing Structures<sup>27</sup>~~
    - a. ~~The side and rear yard setbacks are 6' for an existing structure to be used for a land use as provided in this Article.~~
- ~~B.C. Non-Residential Commercial uses shall not cause any odor, dust, smoke, vibration, noise, or electromagnetic interference, which can be detected at or beyond the property line, in accordance with Article 8.~~
- ~~C.D. Proposed uses in a recognized historic district shall obtain approval from the Historic Landmarks Commission and/or other appropriate state or federal agency prior to processing.~~<sup>23</sup>
- ~~D.E. There will be no outdoor storage of equipment, materials or other stock.~~
- ~~E. Other Requirements<sup>23</sup>~~
- ~~1. With the exception of setback requirements as specified in this section, Commercial and Light Industrial uses are subject to the requirements of Section 5.6E and the requirements for such standards in Article 8.~~

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- scenic features of the site (including but not limited to historic ~~sites~~resources, mature trees, open spaces, and agricultural landscapes);
9. Encourage and provide a mechanism for arranging improvements and sites so as to preserve desirable features and to provide transitions between land uses; and
  10. Mitigate the problems which may be presented by specific site conditions.
- B. Location. This zoning category is intended for use on properties:
1. In the Growth Area as shown in the most recently adopted Comprehensive Plan, if the plan does not include a future land use map; or
  2. In locations where the appropriate land use category is designated on the future land use map (and related text) in the most recently adopted Comprehensive Plan.
- C. Permitted Uses
1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.<sup>32</sup>
  2. The Planning Commission may restrict land uses shown as permitted or conditional uses in Appendix C, Principal Permitted and Conditional Uses Table, as part of the approval of a Preliminary PND Plan.<sup>32</sup>
  3. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.<sup>32</sup>
- D. Site Development Standards
1. If not otherwise addressed in the Preliminary PND Plan, setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this ordinance. However, setbacks and other site development standards may be modified as part of the approval of a PND zoning map amendment request, as described in this article.
  2. Modification of Development Standards Allowed
    - a. The Planning Commission may approve modifications of the development standards of this Ordinance and the Jefferson County Subdivision and Land Development Regulations as part of the approval of a Preliminary PND Plan.
    - b. Modification of these standards pertains only to developments associated with the Preliminary PND Plan for which the modifications are approved.
- E. Additional Requirements
1. A PND development shall include the following mix of uses, measured as follows, after the Open Space requirement is met:
    - a. 10-30% of the land area shall be commercial
    - b. 10-30% of the residential units shall be multifamily (7+ dwelling units per acre)
    - c. 20-40% of the residential units shall be attached/detached (4-6 dwelling units per acre)
    - d. 0-60% of the residential units shall be detached (1-3 dwelling units per acre)
  2. Open Space Requirements
    - a. A minimum of 20% of the total tract area of a PND development shall be composed of common and open space. Up to one-half of the common and open space may be used for active recreation. Acreage within the 100-year floodplain, as designated by the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM) or acreage of critical natural environmental features (as defined in this article), may constitute up to 50% of the required common and open space area.

**Section 6.2 Variances<sup>32</sup>**

The Board of Zoning Appeals shall consider requests for variances from the terms of the Ordinance.<sup>23</sup>

- A. The Board shall approve a variance request if the Board finds that a variance:
  1. Will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
  2. Arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance;
  3. Would eliminate an unnecessary hardship and permit a reasonable use of the land; and
  4. Will allow the intent of the Zoning and Land Development Ordinance to be observed and substantial justice done.<sup>17, 21</sup>
- B. The owner or authorized representative of the owner of the property which is the subject of a variance request shall complete and sign forms provided for this purpose by the Board, and shall pay the associated fees. The variance request shall be filed with the Board in the Office of Planning and Zoning.
- C. Notification for a variance must be conducted according to the requirements of Section 6.1B.
- D. A public hearing must be conducted according to the requirements of Section 6.1C and such hearing may be continued according to the requirements of Section 6.1D.

**Section 6.3 Conditional Use Permit<sup>32</sup>**

The Board of Zoning Appeals shall have the authority over the issuance or denial of a conditional use permit for uses listed as "Conditional Uses (CU)" in each zoning district. The Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed conditional use permit.<sup>2, 32</sup>

- A. The Board shall consider each Conditional Use Permit request that is filed in accordance with this Ordinance and the procedural requirements of the Board of Zoning Appeals. The Board may require reasonable conditions or special requirements which allows for the proper integration of the proposed uses into the community and are directly related to and incidental to the proposed conditional use permit. The following General Standards shall be considered in approving or denying the CUP:
  1. The proposed use is compatible with the goals of the adopted Comprehensive Plan.
  2. The proposed use is compatible in intensity and scale with the existing and potential land uses on the adjoining and confronting properties, and poses no threat to public health, safety and welfare.
  3. The proposed site development shall be such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings.
  4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance.
  5. Commercial and Industrial Uses shall be in conformance with Section 8.9 of this Ordinance.
  6. For properties in the Rural zoning district, roadway adequacy shall be assessed by the Comprehensive Plan's Highway Road Classification Map. If a rural parcel is not shown as commercial on the Future Land Use Guide or does not front on a Principal Arterial,

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Minor Arterial, or Major Collector road (as identified in the Comprehensive Plan), the applicant shall submit trip generation data, including Average Daily and Peak Hour trips, for the BZA to review in conjunction with the Highway Problem Areas Map when determining roadway adequacy for the proposed use.

7. For Historic Sites, the Historic Landmarks Commission, with the property owner's consent, may visit the property to review the proposed land development plan and use for sites designated as Category I or II. The Historic Landmarks Commission may make reasonable recommendation to the Board of Zoning Appeals on the suitability of a proposed multi-family dwelling or non-residential use for the building seeking a Conditional Use Permit. The Historic Landmarks Commission's recommendations may include the following findings:

- a. Compatibility of the proposed use with the historic structure;
- b. Any modifications to the building's façade is consistent and compatible with the building's architecture, style, and massing; and
- c. Proposed parking and other activities are suitably located so as to preserve the historic character.

The Board of Zoning Appeals may consider these findings and if determined appropriate, may require compliance with some or all of the Historic Landmarks Commission's recommendations as a condition of approval.

- B. The owner or authorized representative of the owner of the property for which the Conditional Use Permit is being requested shall complete and sign forms provided for this purpose by the Board, and shall pay the associated fees. The Conditional Use Permit request shall be filed with the Board at the Office of Planning and Zoning.
- C. Staff will notify the adjacent and confronting property owners of the date, time, and location of the Public Hearing by registered mail. Notification for a Conditional Use Permit must be conducted according to the requirements of Section 6.1B.
- D. A public hearing must be conducted according to the requirements of Section 6.1C and such hearing may be continued according to the requirements of Section 6.1D.
- E. If there are no negative public comments received by the Board, the Board shall issue the Conditional Use Permit but may require reasonable conditions.

**Section 6.4 Seasonal Uses<sup>5, 7, 32</sup>**

Seasonal uses must be approved by the Board of Zoning Appeals pursuant to a public hearing according to the requirements of Section 6.1C. Newspaper notification requirements of Section 6.1B apply. Seasonal uses cannot be approved for longer than one year at a time.<sup>17, 21, 23</sup>

**Section 6.5 Special Exception Uses<sup>26, 32</sup>**

- A. Special Exception uses listed in this section may be approved by the Board of Zoning Appeals following a public hearing.
  1. The public hearing shall be conducted according to the requirements of Section 6.1C.
  2. Such hearing may be continued according to the requirements of Section 6.1D.
  3. The public hearing is subject to the notification requirements of Section 6.1B.
- B. The following uses may be approved as a Special Exception:

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accordance with the Subdivision Regulations and the Zoning Ordinance. The owner of the accessory dwelling unit is the owner of the principal dwelling unit. The property owner or immediate family member must occupy either the principal dwelling unit or the accessory dwelling unit. Such accessory dwelling unit is permitted only if it meets one of the following criteria.<sup>32</sup>

- A. An "In-Law Suite" is an accessory dwelling unit for the purpose of housing a relative of the property owner and must be clearly subordinate to the principal dwelling unit and meet all of the following criteria:<sup>32</sup>
- (a) Secondary in size to the principal dwelling unit, with a maximum size of 1,700 heated square feet, gross floor area;<sup>32</sup>
  - (b) For a detached accessory dwelling unit, must be located on a property of at least two acres;<sup>32</sup>
  - (c) Limited to use by a relative\*;<sup>32</sup>
  - (d) Sufficient parking available; and<sup>32</sup>
  - (e) Approved by the Health Department.<sup>32</sup>

*\*Related by blood, marriage, or adoption. Should relative no longer require the use of the Accessory Dwelling Unit ADU, the property owner may apply for a Special Exception before the Board of Zoning Appeals to allow for rental to non-relatives. The principal dwelling unit or accessory dwelling unit must be occupied by the property owner or immediate family member.<sup>32</sup>*

- B. An "Accessory Agricultural Dwelling Unit" for agricultural purposes is defined as a dwelling unit that is incidental and subordinate to the principal dwelling unit, which is located on the same lot as the principal building and meets all of the following criteria:<sup>32</sup>
- (a) is secondary in size to the principal dwelling unit, limited in size to a maximum of 1,700 heated square feet, gross floor area;<sup>32</sup>
  - (b) is located on a property for which the primary use is an agricultural use as defined by this ordinance;
  - (c) is located on a property of at least ten acres in area;
  - (d) is limited to use by a person (and family) who performs agricultural work on the property or acts as a caretaker for the property; and
  - (e) is approved by the Health Department.<sup>32</sup>

One of each type of Accessory Dwelling Unit as defined in this section may be permitted administratively for each property meeting the criteria of Section 8.15 on the effective date of this Amendment. Additional units may be permitted by Special Exception in accordance with Section 6.5. which may be approved by the Board of Zoning Appeals following a public hearing. Such public hearing shall be conducted according to the requirements of Section 6.1C; may be continued according to the requirements of Section 6.1D; and is subject to the notification requirements of Section 6.1B. These additional units designed for occupancy by relatives or by farmworkers or caretakers may be approved based on the Board's evaluation of the size of the subject property, adequacy of vehicular access to the property, impact on adjacent properties, and compatibility with the neighborhood.<sup>32</sup>

RVs are prohibited as Accessory Dwelling Units.<sup>32</sup>

Section 8.16 Reserved<sup>32</sup>

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- F. A sign not exceeding 25 square feet on a farm, advertising farm products primarily grown on the premises.
- G. Directional or informational signs of a public or quasi-public nature, such as those containing the meeting date of a community or civic club, or the advertising of a public event.
- H. A temporary real estate sign designating the zoning classification of the parcel, not exceeding 20 square feet and being located on the subject property for sale or lease.
- I. Building contractors', subdivision and/or professional person' temporary signs on buildings or land under construction but not to exceed 100 square feet.
- J. Election signs, provided that unsuccessful candidate shall remove signs within 15 days after a primary or special election. All signs shall be removed within 15 days after the general election. Signs shall not interfere with traffic visibility.
- K. All temporary signs shall be removed 30 days after the event, unless otherwise specified in Article 10.

**Section 10.4 Signs Requiring a Zoning Permit**

- A. Business and outdoor advertising signs in all zoning districts shall require a Zoning Certificate before placement on any property or building.<sup>2</sup>
- B. Any exterior sign or signs pertaining to the use conducted on the premises, and which is either integral with or attached to the principal building, shall have a sum total area of no more than two square feet for each foot in length of the frontage of the building. No sign shall be attached to the side of the building that faces an adjoining residence. ~~All signs placed on a property whose use is permitted through the approval of a Conditional Use Permit are subject to Section 10.4E.~~<sup>32</sup>
- C. Individual business or industrial establishments may erect a freestanding business sign, provided the lot frontage is at least 40 feet. The freestanding sign shall be located in such a manner that no part of the supporting structure is less than 25 feet from the street right-of-way, and that no part of the sign is closer than five feet to the right-of-way. The total area for any sign or signs on one supporting structure shall not exceed 300 square feet and the total height of the sign structure shall not exceed 35 feet. Businesses or industries having a frontage on more than one street may have an additional freestanding sign for each street frontage, provided that the total area for all freestanding signs does not exceed 600 square feet. Where the lot adjoins a residence and a freestanding sign is on the side of the business lot adjoining the residential lot, the sign shall not face the adjoining residence. ~~Signs whose use is permitted through the approval of a Conditional Use Permit are subject to Section 10.4E.~~ Structures which have more than one use shall be required to use a pylon sign. One is permitted on each street frontage.<sup>8, 32</sup>
- D. All outdoor advertising signs shall be spaced in such a manner that in an Industrial District there shall be a minimum of 300 feet between signs, and in the Rural District, where permitted, such signs shall be located in such a manner that there shall be 1,000 feet between signs. This shall be subject to Section 10.4E.
- E. All signs accessory to a land use subject to the approval of a Conditional Use Permit shall be proposed within the Conditional Use Permit application and assessed by the Board of Zoning Appeals at the required Public Hearing. Such signs shall be maintained at least 1,000 feet between signs. Consideration of the placement of such signs with less than 1,000 foot intervals shall be determined by the Commercial or Residential Uses adjacent to the subject site. Commercial uses adjacent to the subject site may allow spacing intervals of 300 feet. ~~Any variance deviation from these standards in Section 10.4 shall require consideration and~~

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approval by the Board of Zoning Appeals as part of the Conditional Use Permit application in accordance with Section 6.3.<sup>2, 17, 21, 23, 32</sup>

- F. No outdoor advertising sign shall be placed closer than 300 feet to an intersection on a dual or proposed dual highway or within 100 feet of any other intersection; provided, however, that such signs may be affixed to or located adjacent to a building at such intersections in such a manner as not to materially cause any greater obstruction of vision than caused by the building itself. No business sign shall be so located to obstruct the vision of traffic using entrance ways, driveways, or any public road intersection.
- G. All outdoor advertising, excluding billboards subject to Section 10.4H, shall comply with front yard setback provisions in the districts in which they are permitted.
- H. Billboards
  1. No billboard shall be closer to any public highway right-of-way than 300 feet.
  2. Placement of a billboard must be in a location that is within 800 feet of an existing business.
  3. There shall be a minimum of 1000 feet between billboards.
  4. A billboard shall be no closer than 500 feet from a church, school, or cemetery.

### Section 10.5 Zoning Certificate<sup>2</sup>

All Zoning Certificate applications for signs may be approved by the Zoning Administrator if in conformance with the regulations.<sup>17, 21, 23</sup>

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APPENDIX B: NON RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE<sup>27, 32</sup>

| Zoning District                                | Development Type <sup>Ⓞ</sup>           | Min Lot Area (MLA)                         | Min Lot Width                                                                                                                    | Max Building Height <sup>Ⓢ</sup> | Impermeable Surface Limit | Building Setbacks                                                                                                         |                 | Parking/Drive Aisle Setbacks |                                        |      | Buffers (Sec. 4.11)<br>(Screened / Unscreened) Adjacent Use |       |                                                                   |                               |             |       |       |       |
|------------------------------------------------|-----------------------------------------|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------|---------------------------------------------------------------------------------------------------------------------------|-----------------|------------------------------|----------------------------------------|------|-------------------------------------------------------------|-------|-------------------------------------------------------------------|-------------------------------|-------------|-------|-------|-------|
|                                                |                                         |                                            |                                                                                                                                  |                                  |                           | A Residential district, or any lot with a residence, school, church, or institution of human care (Distance per Sec. 4.8) |                 |                              | Commercial Use                         |      | Industrial Use                                              |       |                                                                   |                               |             |       |       |       |
|                                                |                                         |                                            |                                                                                                                                  |                                  |                           | Front                                                                                                                     | Side            | Rear                         | Front                                  | Side | Rear                                                        | Front | Side & Rear                                                       | Front                         | Side & Rear |       |       |       |
| Industrial - Commercial (IC)**                 | Commercial sites 1.5 acres and smaller  | N/A                                        | N/A                                                                                                                              | 75                               | 80%                       | 25                                                                                                                        |                 |                              | 15                                     | 4    | 4                                                           | 75    | Street Trees                                                      | Narrow Buffer Detail No. M-54 | N/A         | 10(S) | N/A   | 10(S) |
|                                                | Commercial sites greater than 1.5 acres | N/A                                        | N/A                                                                                                                              | 75                               | 80%                       | 25                                                                                                                        |                 |                              | 15                                     | 10   | 10                                                          | 75    | Street Trees                                                      | Medium Buffer Detail No. M-53 | N/A         | 10(S) | N/A   | 10(S) |
|                                                | Industrial                              | 3 ac***                                    | N/A                                                                                                                              | 75                               | 90%                       | 50 or 25 if adjacent to Industrial Use                                                                                    |                 |                              | 25 or 20 if adjacent to Industrial Use |      |                                                             | 100   | Street Trees                                                      | Wide Buffer Detail No. M-52   | 25(S)       | 20(S) | N/A   | 20(S) |
| Residential-Light Industrial-Commercial (RLIC) | Commercial or Industrial                | N/A                                        | N/A                                                                                                                              | 75                               | 80%                       | See IC District                                                                                                           |                 |                              |                                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
| Rural (R)                                      | Churches                                | 2 acres                                    | 200                                                                                                                              | 45                               | N/A                       | 25                                                                                                                        | 50              | 50                           |                                        |      |                                                             | N/A   | 50(U) or 15 (S)                                                   | N/A                           | 10(S)       | N/A   | 10(S) |       |
|                                                | Schools, Grades K-12                    | K-4: 10 ac+<br>5-8: 20 ac+<br>9-12: 30 ac+ | 500                                                                                                                              | 45                               | N/A                       | 100                                                                                                                       |                 |                              | See IC District for commercial sites   |      |                                                             | N/A   | N/A                                                               | N/A                           | N/A         | N/A   | N/A   |       |
|                                                | Hospitals                               | 10 ac                                      | 500                                                                                                                              | 45                               | N/A                       | 100                                                                                                                       |                 |                              |                                        |      |                                                             | N/A   | N/A                                                               | N/A                           | N/A         | N/A   |       |       |
|                                                | Other Rural principal permitted uses    | 40,000                                     | 100                                                                                                                              | 45                               | N/A                       | 40                                                                                                                        | 50              | 50                           |                                        |      |                                                             | N/A   | See I-C District for commercial or industrial use, otherwise, N/A |                               |             |       |       |       |
|                                                | Commercial or Industrial**              | See IC District                            |                                                                                                                                  |                                  |                           |                                                                                                                           |                 |                              |                                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
| Village (V)                                    | Commercial <sup>†</sup>                 | N/A                                        | N/A                                                                                                                              | 35                               | N/A                       | 25                                                                                                                        | 10              | 40                           | See IC District                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
|                                                | Industrial <sup>††</sup>                | See IC District                            |                                                                                                                                  |                                  |                           |                                                                                                                           |                 |                              |                                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
| Residential Growth (RG)                        | Commercial or Industrial**              | See IC District                            |                                                                                                                                  |                                  |                           |                                                                                                                           |                 |                              |                                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
| Neighborhood Commercial (NC)                   | Commercial                              | N/A                                        | N/A                                                                                                                              | 35                               | 70%                       | 15 min<br>25 max                                                                                                          | 10 <sup>Ⓢ</sup> | 10 <sup>Ⓢ</sup>              | See I-C District                       |      |                                                             | 25    | See IC District                                                   |                               |             |       |       |       |
| General Commercial (GC)                        | Commercial                              | N/A                                        | N/A                                                                                                                              | 75                               | 80%                       | 20                                                                                                                        | 10              | 25                           | See IC District                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
| Highway Commercial (HC)                        | Commercial                              | N/A                                        | N/A                                                                                                                              | 75                               | 80%                       | 25                                                                                                                        | 25              | 25                           |                                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
| Light Industrial (LI)                          | Commercial or Industrial                | N/A                                        | N/A                                                                                                                              | 75                               | 80%                       | 25                                                                                                                        | 25              | 25                           |                                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
| Major Industrial (MI)                          | Commercial                              | N/A                                        | N/A                                                                                                                              | 75                               | 90%                       | 25                                                                                                                        | 10              | 50                           |                                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
|                                                | Industrial                              | 3 ac***                                    | N/A                                                                                                                              | 75                               | 90%                       | 25                                                                                                                        | 50              | 50                           |                                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
| Office/Commercial Mixed Use (OC)               | Commercial                              | N/A                                        | N/A                                                                                                                              | 75                               | 80%                       | 15 min<br>25 max                                                                                                          | 10 <sup>Ⓢ</sup> | 10 <sup>Ⓢ</sup>              | See IC District                        |      |                                                             |       |                                                                   |                               |             |       |       |       |
| Planned Neighborhood Development (PND)         | Commercial                              | 3 acres                                    | See GC District. Note: Planning Commission may amend development standards for developments in the PND District (see Article 5). |                                  |                           |                                                                                                                           |                 |                              |                                        |      |                                                             |       |                                                                   |                               |             |       |       |       |

The requirements in this table are in addition to any other applicable requirements in the text of this Ordinance. In the event of a conflict with the text, this table shall prevail.  
 All dimensions are in feet unless otherwise indicated by "ac" (acres).  
 Ⓞ Maximum building height is subject to Sec. 9.2.  
 Ⓢ If land use(s) approved via the Conditional Use process in accordance with this Ordinance.  
 \*\*\* MLA for Industrial uses does not apply if the site is located in an approved Industrial Park (Source: Sec. 5.6E)  
 Ⓢ Schools in Rural district: Plus one (1) additional acre for every 100 pupils. Minimum lot size for Vocational Schools shall be based on State of West Virginia Code. If a sewer treatment plant and retention ponds are required, acreage shall be increased accordingly.  
 † Non Residential Site Development in an existing structure in the Village District shall comply with Section 10A.24 Commercial setbacks may be reduced by a variance approved by the ZTA based on other setbacks existing in the neighborhood side and rear yard setbacks. † for an existing structure to be used for a land use as provided in Sec. 5-10.  
 † Setback may be reduced if adjacent to industrial use.  
 † For an industrial use, no structures, stored materials, or vehicular parking shall be permitted within the buffer yard. For a commercial use, no structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers.  
 † A rear yard setback may be reduced to 10' for a non-residential use abutting a commercial or industrial use at a rear lot line.  
 † Churches in any district: (1) are treated as a commercial use on a lot of greater than 1.5 acres in determining buffer requirements and parking/drive aisle setbacks; (2) building setbacks are 25' (front) and 50' (side/rear); and (3) distance requirements do not apply.  
 † For a non-residential use abutting a commercial or industrial use, no side yard setback is required, unless required by Building Code or other law or regulation.

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APPENDIX C: PRINCIPAL PERMITTED AND CONDITIONAL USES TABLE<sup>23, 29, 32, 33</sup>

| Land Use                             | NC | GC | HC | LI | MI | PND <sup>1</sup> | OC | R  | RG | RLIC | IC | V        | Additional Standards |
|--------------------------------------|----|----|----|----|----|------------------|----|----|----|------|----|----------|----------------------|
| <b>Residential Uses</b>              |    |    |    |    |    |                  |    |    |    |      |    |          |                      |
| Accessory Agricultural Dwelling Unit | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P        | Sec. 8.15            |
| Dwelling, Single Family              | CU | NP | NP | NP | NP | P                | NP | P  | P  | P    | NP | P        |                      |
| Dwelling, Single Family, Small Lot   | CU | NP | NP | NP | NP | P                | NP | NP | P  | P    | NP | NP       |                      |
| Dwelling, Two Family                 | CU | NP | NP | NP | NP | P                | NP | P  | P  | P    | NP | P        |                      |
| Dwelling, Duplex                     | CU | NP | NP | NP | NP | P                | NP | NP | P  | P    | NP | P        |                      |
| Dwelling, Townhouse                  | CU | NP | NP | NP | NP | P                | P  | NP | P  | P    | NP | CU<br>NP |                      |
| Dwelling, Multi-Family               | CU | NP | NP | NP | NP | P                | P  | NP | P  | P    | NP | CU<br>NP |                      |
| Day Care Center, Small               | P  | NP | NP | NP | NP | P                | NP | P  | P  | P    | P  | P        |                      |
| In-Law Suite                         | NP | NP | NP | NP | NP | P                | NP | P  | P  | P    | NP | P        | Sec. 8.15            |
| Mixed Use Building                   | P  | NP | NP | NP | NP | P                | P  | NP | CU | P    | NP | P        |                      |
| Mobile Home Park                     | NP | NP | NP | NP | NP | NP               | NP | NP | P  | P    | NP | NP       |                      |
| Model Homes/Sales Office             | P  | CU | NP | NP | NP | P                | NP | P  | P  | P    | NP | NP       | Sec. 8.10            |
| <b>Home Uses</b>                     |    |    |    |    |    |                  |    |    |    |      |    |          |                      |
| Home Occupation, Level 1             | P  | NP | NP | NP | NP | P                | P  | P  | P  | P    | P  | P        | Art. 4A              |
| Home Occupation, Level 2             | P  | NP | NP | NP | NP | P                | P  | P  | P  | P    | P  | P        | Art. 4A              |
| Cottage Industry                     | P  | NP | NP | NP | NP | P                | NP | P  | P  | P    | P  | P        | Art. 4A              |
| <b>Institutional Uses</b>            |    |    |    |    |    |                  |    |    |    |      |    |          |                      |
| Airport                              | NP | NP | NP | P  | P  | NP               | NP | CU | NP | CU   | CU | NP       |                      |
| Airfield, Private/Helipad            | NP | NP | NP | NP | NP | NP               | NP | CU | NP | CU   | CU | NP       |                      |
| Church                               | P  | P  | P  | P  | CU | P                | P  | P  | P  | P    | NP | P        |                      |
| Convention Center                    | NP | P  | P  | P  | CU | P                | P  | CU | CU | P    | CU | NP       |                      |
| Cultural Facility                    | P  | P  | P  | P  | CU | P                | P  | P  | P  | P    | P  | P        |                      |
| Day Care Center, Large               | P  | P  | P  | P  | CU | P                | P  | CU | P  | P    | P  | CU       |                      |
| Electric Vehicle Charging Station    | P  | P  | P  | P  | P  | P                | P  | CU | CU | P    | P  | CU       |                      |
| Elementary or Secondary School       | P  | P  | CU | CU | NP | P                | P  | P  | P  | P    | NP | CU       |                      |
| Essential Utility Equipment          | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P        | Sec. 4.7             |
| Group Residential Facility           | P  | P  | P  | NP | NP | P                | CU | P  | P  | P    | NP | P        |                      |
| Group Residential Home               | P  | P  | P  | NP | NP | P                | CU | P  | P  | P    | NP | P        |                      |
| Helipad                              | NP | CU | CU | P  | P  | CU               | CU | NP | NP | CU   | CU | NP       |                      |
| Hospital                             | NP | P  | P  | P  | CU | P                | P  | P  | P  | P    | NP | NP       |                      |
| Nature Center and Preserve           | NP | NP | NP | NP | NP | P                | NP | P  | CU | P    | NP | P        |                      |
| Nursing or Retirement Home           | CU | P  | P  | P  | NP | P                | P  | CU | P  | P    | NP | CU       |                      |
| Park                                 | P  | P  | P  | P  | NP | P                | P  | P  | P  | P    | NP | P        |                      |
| Performing Arts Theater              | P  | P  | P  | P  | P  | P                | P  | CU | CU | P    | P  | CU       |                      |
| Preschool                            | P  | P  | CU | CU | CU | P                | P  | P  | P  | P    | NP | CU       |                      |
| Public Safety Facility               | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P        |                      |
| Publicly Owned Facility              | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | CU       |                      |
| Recycling Drop-Off Center            | CU | P  | P  | P  | P  | P                | P  | NP | NP | P    | P  | NP       |                      |
| Residential Care Home                | P  | P  | P  | NP | NP | P                | CU | P  | P  | P    | NP | P        |                      |

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| Land Use                                                                         | NC | GC | HC | LI | MI              | PND <sup>1</sup> | OC | R  | RG    | RLIC | IC              | V       | Additional Standards |
|----------------------------------------------------------------------------------|----|----|----|----|-----------------|------------------|----|----|-------|------|-----------------|---------|----------------------|
| <b>Institutional Uses Continued</b>                                              |    |    |    |    |                 |                  |    |    |       |      |                 |         |                      |
| School, College or University                                                    | NP | P  | P  | P  | NP              | P                | P  | CU | CU    | P    | NP              | NP      |                      |
| School, Vocational or Professional                                               | NP | P  | P  | P  | NP              | P                | P  | CU | CU    | P    | P               | NP      |                      |
| Vocational and Training Facility for Adults                                      | P  | P  | P  | P  | P               | P                | P  | P  | P     | P    | NP              | NP      |                      |
| <b>Industrial</b>                                                                |    |    |    |    |                 |                  |    |    |       |      |                 |         |                      |
| Heavy Equipment Repair                                                           | NP | NP | CU | CU | P               | NP               | NP | NP | NP    | NP   | P               | NP      |                      |
| Heavy Industrial Uses                                                            | NP | NP | NP | NP | P               | NP               | NP | NP | NP    | NP   | P               | NP      | Sec. 8.9             |
| Light Industrial Uses                                                            | NP | NP | NP | P  | P               | NP               | NP | NP | ** NP | P    | P               | NP      | Sec. 8.9             |
| Manufacturing, Heavy                                                             | NP | NP | NP | CU | P               | NP               | NP | NP | NP    | NP   | P               | NP      |                      |
| Manufacturing, Limited                                                           | NP | P  | P  | P  | P               | CU               | NP | NP | NP    | P    | P               | NP      |                      |
| Printing and Publishing                                                          | NP | P  | P  | P  | P               | P                | P  | NP | NP    | P    | P               | NP      |                      |
| Salvage Yards                                                                    | NP | NP | NP | NP | CU <sup>2</sup> | NP               | NP | NP | NP    | NP   | CU <sup>2</sup> | NP      | Sec. 4.4L            |
| Shooting Range, Indoor                                                           | NP | CU | CU | P  | P               | NP               | NP | CU | NP    | CU   | P               | NP      |                      |
| Shooting Range, Outdoor                                                          | NP | NP | NP | CU | CU              | NP               | NP | CU | NP    | NP   | CU              | NP      |                      |
| Slaughterhouses, Stockyards                                                      | NP | NP | NP | NP | CU              | NP               | NP | CU | NP    | NP   | CU              | NP      |                      |
| Transportation Terminal                                                          | NP | P  | P  | P  | P               | P                | P  | NP | NP    | CU   | P               | NP      |                      |
| Vehicle Storage                                                                  | NP | NP | NP | P  | P               | NP               | NP | NP | NP    | NP   | P               | NP      |                      |
| Warehousing and Distribution, General                                            | NP | NP | NP | CU | P               | NP               | NP | NP | NP    | CU   | P               | NP      |                      |
| Warehousing and Distribution, Limited                                            | NP | P  | P  | P  | P               | CU               | P  | NP | NP    | P    | P               | NP      |                      |
| <b>Industrial Manufacturing &amp; Processing</b>                                 |    |    |    |    |                 |                  |    |    |       |      |                 |         |                      |
| Acid or heavy chemical manufacturer, processing or storage                       | NP | NP | NP | NP | CU              | NP               | NP | NP | NP    | NP   | CU              | NP      | Sec. 8.9             |
| Bituminous concrete mixing and recycling plants                                  | NP | NP | NP | NP | CU              | NP               | NP | NP | NP    | NP   | CU              | NP      |                      |
| Cement or Lime Manufacture                                                       | NP | NP | NP | NP | CU              | NP               | NP | NP | NP    | NP   | CU              | NP      |                      |
| Commercial Sawmills                                                              | NP | NP | NP | NP | CU              | NP               | NP | NP | NP    | NP   | CU              | NP      |                      |
| Concrete and ceramic products manufacture, including ready mixed concrete plants | NP | NP | NP | NP | CU              | NP               | NP | NP | NP    | NP   | CU              | NP      |                      |
| Explosive manufacture or storage                                                 | NP | NP | NP | NP | CU              | NP               | NP | NP | NP    | NP   | CU              | NP      |                      |
| Foundries and/or casting facilities                                              | NP | NP | NP | NP | CU              | NP               | NP | NP | NP    | NP   | CU              | NP      |                      |
| Jails and Prisons                                                                | NP | NP | NP | NP | CU              | NP               | NP | NP | NP    | NP   | CU              | NP      | Sec. 8.7             |
| Mineral extraction, mineral processing                                           | NP | NP | NP | NP | CU              | NP               | NP | NP | NP    | NP   | CU              | NP      |                      |
| Petroleum products refining or storage                                           | NP | NP | NP | NP | CU              | NP               | NP | NP | NP    | NP   | CU              | NP      | Sec. 8.11            |
| <b>Adult Uses</b>                                                                |    |    |    |    |                 |                  |    |    |       |      |                 |         |                      |
| Adult Uses                                                                       | NP | NP | NP | NP | NP              | NP               | NP | NP | NP    | NP   | P               | NP      | Sec. 4.4K, Sec. 8.1  |
| <b>Recreational Uses</b>                                                         |    |    |    |    |                 |                  |    |    |       |      |                 |         |                      |
| Hunting, Shooting, Archery and Fishing Clubs, public or private                  | NP | NP | NP | CU | CU              | NP               | NP | P  | NP    | NP   | NP              | NP      | Sec. 8.8             |
| <b>Commercial Uses</b>                                                           |    |    |    |    |                 |                  |    |    |       |      |                 |         |                      |
| Antique Shop                                                                     | P  | P  | P  | P  | NP              | P                | NP | CU | CU    | P    | P               | P<br>CU |                      |
| Appliance Sales                                                                  | NP | P  | P  | P  | CU              | P                | NP | CU | CU    | P    | P               | NP      |                      |

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| Land Use                                                   | NC | GC | HC | LI | MI | PND <sup>1</sup> | OC | R  | RG | RLIC | IC | V       | Additional Standards     |
|------------------------------------------------------------|----|----|----|----|----|------------------|----|----|----|------|----|---------|--------------------------|
| <b>Commercial Uses Continued</b>                           |    |    |    |    |    |                  |    |    |    |      |    |         | <b>Sec. 8.9</b>          |
| Art Gallery or Artist Studio                               | P  | P  | P  | P  | NP | P                | P  | CU | CU | P    | P  | P<br>CU |                          |
| ATM                                                        | P  | P  | P  | P  | NP | P                | P  | CU | CU | P    | P  | CU      |                          |
| Automobile repair, sales and service                       | NP | P  | P  | P  | P  | P                | NP | CU | CU | P    | P  | NP      |                          |
| Automobile parts, supplies and tire stores                 | NP | P  | P  | P  | P  | P                | NP | CU | CU | P    | P  | NP      |                          |
| Automobile, light truck and light trailer rentals, indoor  | P  | P  | P  | P  | P  | P                | NP | CU | CU | P    | P  | NP      |                          |
| Automobile, light truck and light trailer rentals, outdoor | NP | P  | P  | P  | P  | P                | NP | CU | CU | P    | P  | NP      |                          |
| Bail Bond Services                                         | NP | P  | P  | P  | CU | NP               | NP | CU | CU | CU   | P  | NP      |                          |
| Bank                                                       | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | P<br>CU |                          |
| Bank with Drive-Through Facility                           | CU | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | NP      |                          |
| Bar                                                        | P  | P  | P  | P  | NP | P                | P  | NP | NP | P    | P  | NP      |                          |
| Barber/Beauty Shop, Limited                                | P  | P  | P  | P  | NP | P                | P  | CU | CU | P    | P  | P<br>CU |                          |
| Bed and Breakfast                                          | P  | NP | NP | NP | NP | NP               | NP | P  | CU | NP   | NP | P       | Sec. 8.3                 |
| Brewpub                                                    | P  | P  | P  | P  | NP | P                | P  | CU | CU | P    | P  | CU      | Sec. 8.5                 |
| Business Equipment Sales and Service                       | CU | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | NP      |                          |
| Building Maintenance Services                              | CU | P  | P  | P  | P  | P                | P  | CU | CU | P    | P  | NP      |                          |
| Building Materials and Supplies                            | NP | P  | P  | P  | P  | P                | NP | CU | CU | P    | P  | NP      |                          |
| Campground <sup>31</sup>                                   | CU | P  | NP | NP | NP | P                | NP | P  | CU | P    | P  | NP      | Sec. 8.17                |
| Car Wash                                                   | NP | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | NP      |                          |
| Commercial Blood Plasma Center                             | NP | P  | P  | P  | NP | CU               | CU | CU | CU | CU   | P  | NP      |                          |
| Commercial Uses                                            | NP | NP | NP | NP | NP | NP               | NP | NP | ** | P    | P  | NP      | Sec. 8.9                 |
| Contractor with No Outdoor Storage                         | P  | P  | P  | P  | P  | P                | P  | CU | CU | P    | P  | NP      |                          |
| Contractor with Outdoor Storage                            | NP | P  | P  | P  | P  | P                | NP | CU | CU | P    | P  | NP      |                          |
| Convenience Store, Limited                                 | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | CU      |                          |
| Convenience Store                                          | CU | P  | P  | P  | CU | P                | NP | CU | CU | PC   | P  | CU      | Sec. 5.8C<br>(RLIC only) |
| Country Inn                                                | P  | P  | P  | P  | NP | P                | P  | CU | CU | P    | P  | P       |                          |
| Custom Manufacturing                                       | P  | P  | P  | P  | P  | P                | P  | CU | CU | P    | P  | CU      |                          |
| Dry cleaning and Laundry Services                          | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | CU      |                          |
| Dry cleaning and Laundry Facility                          | NP | P  | P  | P  | P  | P                | P  | CU | CU | P    | P  | NP      |                          |
| Equipment Rental, Sales, or Service                        | NP | P  | P  | P  | P  | P                | NP | CU | CU | P    | P  | NP      |                          |
| Exterminating Services                                     | NP | P  | P  | P  | P  | P                | P  | CU | CU | P    | P  | NP      |                          |
| Florist                                                    | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | P<br>CU |                          |
| Food Preparation                                           | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | NP      |                          |
| Hotel/Motel                                                | NP | P  | P  | P  | NP | P                | P  | CU | CU | P    | P  | NP      |                          |
| Gambling Facilities                                        | NP | NP | NP | NP | CU | NP               | NP | NP | NP | NP   | CU | NP      | Sec. 4.4G                |
| Gas Station, Limited                                       | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | NP      |                          |
| Gas Station                                                | NP | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | NP      |                          |
| Gas Station, Large                                         | NP | CU | P  | P  | CU | CU               | CU | CU | CU | P    | P  | NP      |                          |
| Golf Course                                                | NP | P  | P  | P  | NP | P                | P  | CU | CU | P    | P  | NP      |                          |
| Grocery Store                                              | P  | P  | P  | P  | CU | P                | NP | CU | CU | P    | P  | NP      |                          |
| Horse Racing Facility                                      | NP | NP | NP | P  | NP | NP               | NP | CU | CU | P    | P  | NP      |                          |
| Kennel                                                     | NP | P  | P  | P  | CU | P                | P  | P  | CU | P    | P  | NP      | Sec. 8.4                 |
| Medical/Dental/Optical Office, Small                       | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | P       |                          |
| Medical/Dental/Optical Office                              | NP | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | NP      |                          |

ZTA16-02 - Historic Preservation

| Land Use                                                                                           | NC | GC | HC | LI | MI | PND <sup>1</sup> | OC | R  | RG | RLIC | IC | V  | Additional Standards  |
|----------------------------------------------------------------------------------------------------|----|----|----|----|----|------------------|----|----|----|------|----|----|-----------------------|
| <b>Commercial Uses Continued</b>                                                                   |    |    |    |    |    |                  |    |    |    |      |    |    | <b>Sec. 8.9</b>       |
| Mobile Home, Boat and Trailer Sales                                                                | NP | P  | P  | P  | CU | P                | NP | CU | CU | CU   | P  | NP |                       |
| Movie Theater                                                                                      | NP | P  | P  | P  | NP | P                | NP | CU | CU | P    | P  | NP |                       |
| Nightclub                                                                                          | NP | P  | P  | P  | NP | P                | NP | CU | CU | P    | P  | NP |                       |
| Non Profit Commercial Uses                                                                         | P  | P  | P  | P  | NP | P                | P  | CU | CU | P    | P  | NP |                       |
| Non-Profit Community Centers                                                                       | P  | P  | P  | P  | CU | P                | CU | P  | CU | P    | P  | CU |                       |
| Parking, Commercial Offsite Accessory                                                              | NP | P  | P  | P  | P  | P                | P  | CU | CU | P    | P  | NP |                       |
| Pawn Shop Services                                                                                 | NP | P  | P  | P  | NP | P                | NP | CU | CU | P    | P  | NP |                       |
| Personal Services                                                                                  | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | CU |                       |
| Professional Office, Small                                                                         | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | P  |                       |
| Professional Office                                                                                | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | CU |                       |
| Restaurant, Fast Food, Limited                                                                     | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | CU |                       |
| Restaurant, Fast Food                                                                              | CU | P  | P  | P  | CU | P                | P  | CU | CU | CU   | P  | NP | Sec. 5.8C (RLIC only) |
| Restaurant, Fast Food, Drive-Through                                                               | NP | P  | P  | P  | CU | CU               | P  | CU | CU | CU   | P  | NP | Sec. 5.8C (RLIC only) |
| Restaurant, Limited                                                                                | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | CU |                       |
| Restaurant                                                                                         | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | CU |                       |
| Retail Sales Limited                                                                               | P  | P  | P  | P  | NP | P                | P  | CU | CU | P    | P  | NP |                       |
| Retail Sales and Services, General                                                                 | NP | P  | P  | P  | NP | P                | NP | CU | CU | P    | P  | NP |                       |
| Retail Store, Large                                                                                | NP | CU | P  | CU | NP | CU               | NP | CU | CU | CU   | CU | NP |                       |
| Shipping and Mailing Services                                                                      | P  | P  | P  | P  | CU | P                | P  | CU | CU | P    | P  | NP |                       |
| Storage, Commercial                                                                                | NP | P  | P  | P  | CU | P                | NP | CU | CU | P    | P  | NP |                       |
| Veterinary Services                                                                                | P  | P  | P  | P  | CU | P                | P  | P  | CU | P    | P  | NP |                       |
| Wireless Telecommunications Facilities                                                             | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P  | Art. 4B               |
| <b>Agricultural Uses*</b>                                                                          |    |    |    |    |    |                  |    |    |    |      |    |    |                       |
| Agricultural Uses as defined in Article 2                                                          | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P  |                       |
| Agricultural Repair Center                                                                         | NP | P  | P  | P  | P  | P                | P  | P  | CU | P    | P  | NP |                       |
| Agricultural Tourism                                                                               | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P  |                       |
| Farm Brewery                                                                                       | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P  | Sec. 8.5              |
| Farm Winery or Distillery                                                                          | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P  | Sec. 8.5              |
| Farm Market                                                                                        | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P  | Sec. 8.6              |
| Farm Vacation Enterprise                                                                           | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P  |                       |
| Farmer's Market                                                                                    | P  | P  | P  | NP | NP | P                | NP | P  | CU | P    | NP | CU | Sec. 8.6              |
| Feed and/or Farm Supply Center                                                                     | CU | P  | P  | P  | P  | P                | P  | P  | CU | P    | P  | NP |                       |
| Horticultural Nurseries and Commercial Greenhouses                                                 | P  | P  | P  | P  | P  | P                | P  | P  | CU | P    | P  | NP |                       |
| Landscaping Business                                                                               | P  | P  | P  | P  | P  | P                | P  | P  | CU | P    | P  | NP |                       |
| Rental of Existing Farm Building for Commercial Storage<br>Structure must have existed for 5 years | NP | P  | P  | P  | P  | P                | P  | P  | CU | P    | P  | NP |                       |
| <b>Accessory Uses</b>                                                                              |    |    |    |    |    |                  |    |    |    |      |    |    |                       |
| Accessory Uses                                                                                     | P  | P  | P  | P  | P  | P                | P  | P  | P  | P    | P  | P  |                       |

NC Neighborhood Commercial  
 GC General Commercial  
 HC Highway Commercial  
 LI Light Industrial  
 MI Major Industrial  
 PND Planned Neighborhood Development

OC Office / Commercial Mixed-Use  
 R Rural  
 RG Residential Growth District  
 RLIC Residential-Light Industrial-Commercial District  
 IC Industrial-Commercial District  
 V Village District

**ZTA16-02 - Historic Preservation**

- P Permitted Uses**
- NP Not Permitted Uses**
- CU Conditional Uses (subject to requirements of district and/or other requirements of this Ordinance)**
- \*\* Accessory Use to a planned residential community, if permitted pursuant to Section 5.4 and processed as a CU**
  - 1 The Planning Commission may amend the permitted uses for a development in the PND District per Article 5.**
  - 2 Approval process is per the Salvage Yard Ordinance.**

Decision  
3-1-18

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



**Name:** Alexandra Beaulieu, Zoning Administrator

**Department or Organization:** Office of Planning and Zoning

**Estimation of amount of time needed for appointment:** 15 Minutes

**Date Requested – 1<sup>st</sup> Choice:** January 18, 2018

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

**Date Requested – 2<sup>nd</sup> Choice:**

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

On January 9, 2018, the Jefferson County Planning Commission voted to recommend to the County Commission the attached proposed text amendment to the Jefferson County Zoning and Land Development Ordinance (File# ZTA17-03). The purpose of this request is to provide an overview of the recommended amendment and to request scheduling the required Public Hearing to be held by the County Commission. The text amendment, in accordance with WV Code § 8A-7-8(a), proposes a revision to Section 5.7D Maximum Number of Lots Allowed [in the Rural zoning district].

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

On December 12, 2017, Mr. Richard Nickell, in conformance with Section 12.4(b) of the Zoning Ordinance, petitioned the Planning Commission to amend Section 5.7D of the Zoning Ordinance to allow for the continuation of subdivisions utilizing a previous provision that was amended to allow a greater density, but inadvertently created a negative impact on property owners who started under the previous provision and couldn't continue under the revised provision. Acknowledging the oversight created as a result of an amendment that occurred in March 2016, the Planning Commission directed Staff to incorporate the proposed text amendment as part of their Work Plan and schedule a Public Hearing. On January 9, 2018 the Planning Commission held a Public Hearing on the proposed text amendment. Only one comment was made by Mr. Nickell's consultant, Mr. Paul Raco in support of the amendment. The version before you today is the final product recommended by the Planning Commission for consistency with the Comprehensive Plan on January 9, 2018.

**Is this a funding request?** Y/N **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 schedule a public hearing on \_\_\_\_\_, 2018 at \_\_\_\_ a.m./p.m. to receive input on the proposed amendment to the Jefferson County Zoning and Land Development Ordinance (File #ZTA17-03) which proposes revisions to Section 5.7D Maximum Number of Lots Allowed [in the Rural zoning district].

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

- Proposed draft amendment to the Zoning Ordinance (ZTA17-03) forwarded from the Planning Commission with a finding that the amendment is consistent with the Envision Jefferson 2035 Comprehensive Plan on January 9, 2018.

If not attached, explain:

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

Contact information:

Email address: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)      Phone Number: 304-728-3228

| <u>FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION</u> |
|------------------------------------------------------------------------|
|                                                                        |

## Section 5.7 Rural (R) District<sup>23, 32</sup>

The purpose of this district is to provide a location for low density single family residential development in conjunction with providing continued farming activities. This district is generally not served with public water or sewer facilities, although certain size developments processed under the cluster provision of Section 5.7D(2) may choose to do so. A primary function of the low density residential development permitted within this section is to preserve the rural character of the County and the agricultural community. All lots subdivided in the Rural District are subject to Section 5.7D. The Envision Jefferson 2035 Comprehensive Plan recommends that the cluster provision of the Zoning Ordinance be the preferred method of residential development in the Rural zoning district.<sup>8, 23, 32</sup>

### A. Principal Permitted and Conditional Uses<sup>23, 27, 32</sup>

1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.<sup>27, 32</sup>
2. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.<sup>27, 32</sup>

### B. Minimum Lot Area, Lot Width and Yard Requirements<sup>23</sup>

1. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance.<sup>27</sup>
2. Commercial and Light Industrial uses are subject to the requirements of Section 5.6D and the requirements for such standards in Article 8.<sup>23</sup>
3. Any building or feeding pens in which farm animals are kept shall comply with distance requirements specified in Section 4.6 and the requirements for barns and feeding pens specified in Article 8. Also, any buildings used to store manure shall comply with distance requirements specified in Section 4.6A.<sup>23</sup>

### C. Height Regulations

No structure shall exceed 45 feet in height except as provided in Section 9.2.<sup>32</sup>

### D. Maximum Number of Lots Allowed

All parcels of land that were on record as of October 5, 1988 are entitled to subdivide for single family detached residences based on Subsections 5.7D.1, 5.7D.2 or 5.7D.3 below.

A property owner may use a combination of these Subsections, provided that the number of lots are prorated by density. The density rights for any rural development shall be based on the parcel of record as of October 5, 1988 utilizing the following alternatives:<sup>8, 32</sup>

1. A property owner may create one (1) lot for every 15 acres with a minimum lot size of three (3) acres.<sup>17, 21</sup>
  - a. Maximum number of lots allowed (density) shall be computed using acreage on record as of October 5, 1988. Any divisions which have occurred since that time shall be subtracted from the maximum number of lots allowed.<sup>32</sup>
  - b. A property owner may transfer rights to adjacent parcels which are owned by the same entity.<sup>17, 21</sup>
2. Clustering
  - a. Purpose and Intent
    - i. To encourage the conservation of farmland in the Rural Zoning District by planning the residential development allowed in the zone to provide for the best obtainable siting, access and location of lots on a tract while retaining a portion of the property as green space<sup>32</sup>.
    - ii. To provide for a well planned development while minimizing the use of prime agricultural land.
  - b. Requirements
    - i. One (1) lot may be subdivided for every five (5) acres.<sup>17, 21, 23, 32</sup>

- (a) Maximum number of lots allowed (density) shall be computed using acreage on record as of October 5, 1988. Any divisions which have occurred since that time shall be subtracted from the maximum number of lots allowed.<sup>32</sup>
- (b) A minimum of 50% of the property shall be retained as green space and shall contain no further development rights unless the property is placed in another zone or further subdivision is allowed by ordinance. A note to this effect shall be placed on all cluster subdivision plats.<sup>32</sup>
- (c) For every additional 5% green space preservation, the following sliding scale may be utilized:<sup>32</sup>

|                 |                     |
|-----------------|---------------------|
| 55% green space | 1 lot per 4.5 acres |
| 60% green space | 1 lot per 4 acres   |
| 65% green space | 1 lot per 3.5 acres |
| 70% green space | 1 lot per 3 acres   |
| 75% green space | 1 lot per 2.5 acres |

- ii. The residue of a lot divided utilizing either 5.7D.1 or 5.7D.2 prior to the date of adoption of this amendment on March 16, 2017, shall have additional rights based on the provisions of this Subsection, provided that the total lots developed shall not exceed one lot per five acres based on the parent parcel on October 5, 1988 and all other provisions of this Subsection are complied with.<sup>32</sup>
- iii. Minimum lot size shall be 40,000 square feet for lots that will be served by individual wells and septic systems; 20,000 square feet for lots that will be served by a central water OR central sewerage system; and 10,000 square feet for lots that will be served by both a central water AND central sewerage system.<sup>17, 21, 32</sup>
  - (a) Setbacks shall be 25' front, 12' sides, and 20' rear.
  - (b) All clusters of three (3) or more lots shall be served by an internal road; provided that all clusters utilizing the sliding scale in 5.7D.2.b shall have an internal road with direct access to a public road identified as a Major Collector or a Minor or Principal Arterial on the Envision Jefferson 2035 Comprehensive Plan Roadway Classification Map.<sup>23</sup>
  - (c) Clusters of three (3) or more lots shall not be along an existing public road.
  - (d) A property owner may transfer rights to adjacent parcels which are owned by the same entity.<sup>17, 21</sup>
- iv. Procedures<sup>23</sup>
  - (a) Concept Plan. For the subdivision of tracts eligible for cluster lots, a concept plan must be submitted pursuant to the requirements of the Jefferson County Subdivision and Land Development Regulations. All cluster developments must be processed as a Major Subdivision.<sup>17, 21, 23</sup>
  - (b) The Concept Plan for a proposed Cluster Development can be combined with the required submittal and process requirements for a Concept Plan for a Major Subdivision as outlined in the Subdivision Regulations, provided that the Concept Plan includes all requirements of the Concept Plan in the Subdivision Regulations and includes the necessary soils and topographic data, together with a written narrative, required for the analysis listed below.<sup>32</sup>
  - (c) The Staff shall review and make a recommendation to the Planning Commission regarding the proposed design and layout of the proposed Cluster Development. Staff shall consider the following when reviewing the Cluster Concept Plan:<sup>32</sup>
    - (1) Soils: The cluster plan should minimize the use of the higher quality soils (class I, II and III as designated in the soils classification study) and maximize the use of steeper sloped areas, areas of poorer soils and areas which are otherwise less productive for agricultural uses.

- (2) Surrounding land use and zoning: The cluster plan shall consider the existing land uses and zoning in the vicinity. Generally, new lots which are adjacent to existing development or residential zoning are preferred to creating an isolated cluster of new houses.
  - (d) If the concept plan is approved by the Planning Commission, the applicant may then proceed with platting of the clustered development in accordance with the Jefferson County Subdivision and Land Development Regulations and the approved concept plan. The plat shall bear a statement indicating "The land lies within an approved rural cluster development and no further subdivision of the remaining land is permitted unless the property is placed in another zone or further subdivision is allowed by ordinance or regulation".<sup>23</sup>
3. If the development rights under Subsections 5.7D.1 and 5.7D.2 above have not been utilized, any property that was a lot of record as of October 5, 1988 may create three (3) total lots (including the residue) during any five year period. Such application may process as a Minor Subdivision, in accordance with the Subdivision Regulations, and shall be exempt from density limitations provided that all subdivision requirements are satisfied. Applications which exceed this number during any five year period shall process under Subsection 5.7D.1 or 5.7D.2 above. Only the residue or parent parcel may qualify under this provision once the original subdivision takes place. All lots that qualify under this section must meet subdivision requirements.<sup>32</sup>
4. Subdivisions involving transfers of land between family members known as "Family Transfers", as defined in Article 2, shall not be subject to the density requirements of this section. All lots that qualify under this section must meet subdivision requirements. Family transfers are not entitled to further subdivide except as another Family transfer.<sup>32</sup>
5. Once the maximum number of lots are created under 5.7D, the property cannot be further subdivided unless the Ordinance is amended to allow such.
6. Notwithstanding any other provision contained in Article 5, Section 5.7(D), if a property was previously subdivided under the one (1) lot per ten (10) acre provision after October 5, 1988 and before this Ordinance was amended on March 16, 2017 (ZTA 16-01), then the property may continue to subdivide, or finish subdividing, utilizing the property's remaining development rights as they existed at the time(s) when the subdivision was previously processed. These vested rights may be shown on a previously approved Preliminary or Final Plat, Concept Plan or Community Impact Statement, or otherwise contained within the property's subdivision files within the Department of Engineering, Planning and Zoning.

**Proposed Text Amendment  
Jefferson County Zoning and Development Review Ordinance  
Article 5, Section 5.7D  
November 21, 2017**

**Authority:** Article 12, Section 12.4.B.

**Applicant:** Richard S. Nickell  
P.O. Box 490  
Shepherdstown, WV 25443

**Section of Ordinance:** Article 5, Section 5.7.D.

**Proposed Amendment:** Attached with proposed section in Red

**Relevant Envision Jefferson 2035 Comprehensive Plan Support Recommendations:**

**Page 24:**

[REDACTED]

[REDACTED] Over the past number of years, the Zoning Ordinance has been amended to allow many additional uses in the Rural District to promote more rural agricultural uses and value added operations. The 2008 Subdivision and Land Development Regulations have been amended to reduce the site improvement standards for rural business. This Plan proposes that a holistic review of Rural zoned properties should occur that would allow for greater scope and variety of agriculture related activities and rural recreation [REDACTED]

[REDACTED] for rural/agricultural lots utilizing the cluster provision instead of allowing rural residential developments via the Condition Use Permit process.

[REDACTED]

**Page 30:**

**Urban Level Development Recommendations (Goal 1)**

1. [REDACTED]



**NOTICE OF PUBLIC HEARING**  
**Thursday, February 15, 2018 at 1:45 PM**

The Jefferson County Commission has scheduled a Public Hearing on the proposed text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA16-02. The text amendment, in accordance with WV Code §8A-4-5, proposes revisions to multiple sections of the Zoning Ordinance including Section 2.2 Terms Defined; Section 3.4 Boards and Commissions; Section 4.6 Distance Requirements; Section 5.10 Village (V) District; Section 6.3 Conditional Use Permit; Section 10.4 Signs Requiring Zoning Permit; and Appendix C: Principal Permitted and Conditional Uses Table.

Oral or written comments can be provided at the hearing, **1:45 PM Thursday, February 15, 2018** in the Charles Town Library meeting room at 200 E. Washington St., at the side entrance on Samuel St. You may also submit written comments to [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org) or to PO Box 250, Charles Town, WV 25414.

Copies of the proposed text amendments are available at the Office of Planning & Zoning and on the County's website at: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org). If you have any questions, please call the Office of Planning & Zoning at 304-728-3228.

By Order of the Jefferson County Commission  
Josh Compton, President



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

Name: **Stephanie Grove, County Administrator**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **March 1, 2018**

*If a specific date is needed, please provide reason for specific date:* [Click here to enter text.](#)

Date Requested – 2<sup>nd</sup> Choice: [Click here to enter text.](#)

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

**Ratify decision made on February 15, 2018 to endorse the Panhandle Crush for the purpose of authorizing the organizers to seek from the Commissioners of the Alcoholic Beverage Commission, any and all special licenses for which they may be eligible to permit the retail sale and consumption of wine and/or beer at their festival – 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.](#)



West Virginia Alcohol Beverage Control Administration  
Attn: Fredric L. Wooton, Commissioner  
WV Alcohol Beverage Control Administration  
900 Pennsylvania Ave., 4th Floor  
Charleston, WV 25302

February 15, 2018

***Re: Event License***

Dear Commissioner Moats,

This letter is in reference to the Panhandle Crush application for a special event license. The County Commission of Jefferson County does hereby endorse the Panhandle Crush, pursuant to West Virginia Code § 60-8-3(h), for the purpose of authorizing the organizers or exhibitors of those festivals to seek, from the Commissioner of the Alcoholic Beverage Commission, any and all special licenses for which they may be eligible to permit the retail sale and consumption of wine and/or beer at those festivals.

Sincerely,

Josh Compton  
President, Jefferson County Commission



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



Name: Dawn Weimer

Department or Organization: Jefferson County Commission-Ambulance Fee

Estimation of amount of time needed for appointment:

Date Requested—1<sup>st</sup> Choice: 3/1/18

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

Date Requested—2<sup>nd</sup> Choice: 3/15/18

Subject (Wording to be placed on agenda.

**Request for the late fees for fiscal year 2014-2015 be removed for Paul Spicer**

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

Is this a funding request? Y/N No

If so, how much? \$

Provide exact financial impact/request:

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

**I move to approve/deny the removal of Paul Spicer's late fees for the fiscal year 2014-2015.**

Attach supporting documents for request or request may be denied.

Is equipment needed?  
Y/N

Projector Y/N

Internet/WiFi

Y/N

Telephone for conference call

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY—FINANCIAL IMPACT/RECOMMENDATION

|  |
|--|
|  |
|--|





**JEFFERSON COUNTY COMMISSION • AMBULANCE SERVICE FEE**

124 East Washington Street • Charles Town, WV 25414 • Phone: (304) 728-5606

**\*\*DELINQUENT\*\*      \*\*FINAL NOTICE\*\***

ORCUTT KELLY S & PAUL J SPICER  
  
120 BALTUSROL DR  
CHARLES TOWN, WV 25414

Customer #: 12201

Our records indicate your Jefferson County Ambulance Service Fee account is currently past due for the Fiscal Year 2014-2015. We request you make immediate payment to satisfy this past due account. If payment is not received by June 1, 2015, your account may be subject to collection activities and additional charges may be added to your account. The total amount due includes late fees.

| TICKET                           | DISTRICT/MAP/PARCEL/CARD | LEGAL DESCRIPTION / LOCATION | AMOUNT  |
|----------------------------------|--------------------------|------------------------------|---------|
| 13860                            | 02 13A 0226 0000 0000 1  | TH #29 LOCUST HILL           | \$70.00 |
| <b>Total Amount Due: \$70.00</b> |                          |                              |         |

If you have already paid this fee, please mail proof of payment with this statement to the address above. Required proof of payment shall be a copy of the cancelled check (front and back) or a paid receipt.

**METHODS OF PAYMENT: ONLINE AT [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org), MAIL, IN PERSON M-F 9-5, AFTER HOURS DROP BOX (include bottom of bill with payment).**

**WE ACCEPT: CHECK, MONEY ORDER, CASH, AND CREDIT/DEBIT CARDS  
(no payments by phone accepted)**

**\*\* ALL CREDIT/DEBIT CARD PAYMENTS RECEIVE A \$2.00 CONVENIENCE CHARGE \*\***

**RETURN THIS PORTION WITH YOUR PAYMENT**

**MAIL PAYMENTS TO:**

JEFFERSON COUNTY COMMISSION  
PO BOX 250  
CHARLES TOWN, WV 25414

Customer #: 12201  
Bill Year: 2014

**MAKE CHECKS PAYABLE TO  
JEFFERSON COUNTY COMMISSION**

ORCUTT KELLY S & PAUL J SPICER

120 BALTUSROL DR  
CHARLES TOWN, WV 25414

PAYMENT AMOUNT ENCLOSED \$ \_\_\_\_\_

CHECK # \_\_\_\_\_

Jefferson County Emergency Ambulance Service Fee

Exoneration/Modification Request

Jefferson County, West Virginia

Date: 1/30/18

I hereby request a review by the Jefferson County Commission. I believe there to be an error in the amount I was billed for the Emergency Ambulance Service Fee.

Amount billed: 70<sup>00</sup> for 2014?

I believe I qualify for the fee assessment circled:

Residence - \$40

Business - \$85

Farm Exemption - \$40  
(no commercial retail open to the public)

Homestead Exemption  
50% off approved parcel

Proof of exemption must be included with this form

RETURN THIS FORM BY SEPTEMBER 30<sup>TH</sup>

Describe the reason for this request:

I am being billed for a late charge on an ambulance fee from 2014, the first year. I have payed all other fees with NO ONE telling me about the 1<sup>st</sup> one. I called and the person I talked to said there were problems with billing that year. I will pay the \$40<sup>00</sup>.

Paul Spicer  
Printed Name

Paul Spicer  
Signature

120 Baltusrdl Dr Charles Town WV 571-213-3316

Address When logged in to check it said it was paid, then she told me a different ticket #. 2014 had someone else's name. Phone number

Do not write below this line—For Official Use Only

Approved / Denied

Date: \_\_\_\_\_

Reason: \_\_\_\_\_



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

Name: **Stephanie Grove, County Administrator**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **March 1, 2018**

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

Date Requested – 2<sup>nd</sup> Choice: Click here to enter text.

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

**Request employee salary adjustment and reclassify from 37 ½ hour work week to 40 hour work week effective March 1, 2018 – 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.





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

Name: **Stephanie Grove, County Administrator**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **March 1, 2018**

*If a specific date is needed, please provide reason for specific date:* [Click here to enter text.](#)

Date Requested – 2<sup>nd</sup> Choice: [Click here to enter text.](#)

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

**IT Proposal - 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.](#)



**NOTICE**

**JEFFERSON COUNTY COMMISSION**

**MEETING SCHEDULE CHANGE**

A decision was made at the regular County Commission meeting on Thursday, February 15, 2018 that effective May 1, 2018, for a trial period until October 2018, the Jefferson County Commission will begin a new regular Commission meeting schedule. The Commission will hold its regular meeting at 9:30 a.m. on the first (1<sup>st</sup>) Thursday and at 6:00 p.m. on the third (3<sup>rd</sup>) Thursday. When applicable, the Commission will meet on the fifth (5<sup>th</sup>) Thursday of every month at 9:30 a.m.

By Order of The County Commission of Jefferson County  
Josh Compton, President

**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 Kabletown (06), Map 17, Parcel 2.3 – Summit Point Ventures, LLC. The property is currently zoned Rural and a request has been made by the property owner to change to the General Commercial zoning category.

The hearing will be held on Thursday, March 15, 2018, at 7:00 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](mailto:info@jeffersoncountywv.org).

Review of the documents are available at the following website:  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

By the Order of the Jefferson County Commission  
Josh Compton, President



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:<br>7/1/2017 | \$ 23,688.48           | \$ 23,688.48     | \$ -                | \$ -          | \$ -                | \$ -                | \$ -          | \$ -                 |
| Week ending:<br>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             |
| 11/11/2017                | 97,182.64              | 48,591.32        | 48,591.32           | 3,853.29      | 19,387.94           | 1,054.43            | 16,365.56     | 7,930.10             |
| 11/18/2017                | 83,246.28              | 41,623.14        | 41,623.14           | 3,300.72      | 16,607.63           | 903.22              | 14,018.67     | 6,792.90             |
| 11/25/2017                | 109,070.12             | 54,535.06        | 54,535.06           | 4,324.63      | 21,759.49           | 1,183.41            | 18,367.41     | 8,900.12             |
| 12/2/2017                 | 90,719.44              | 45,359.72        | 45,359.72           | 3,597.02      | 18,098.53           | 984.31              | 15,277.15     | 7,402.71             |
| 12/9/2017                 | 77,156.36              | 38,578.18        | 38,578.18           | 3,059.25      | 15,392.69           | 837.15              | 12,993.13     | 6,295.96             |
| 12/16/2017                | 76,210.64              | 38,105.32        | 38,105.32           | 3,021.75      | 15,204.02           | 826.89              | 12,833.87     | 6,218.79             |
| 12/23/2017                | 83,337.28              | 41,668.64        | 41,668.64           | 3,304.32      | 16,625.79           | 904.21              | 14,034.00     | 6,800.32             |
| 12/30/2017                | 123,099.96             | 61,549.98        | 61,549.98           | 4,880.91      | 24,558.44           | 1,335.64            | 20,730.03     | 10,044.96            |
| 1/6/2018                  | 99,590.00              | 49,795.00        | 49,795.00           | 3,948.74      | 19,868.21           | 1,080.55            | 16,770.96     | 8,126.54             |
| 1/13/2018                 | 74,703.40              | 37,351.70        | 37,351.70           | 2,961.99      | 14,903.33           | 810.53              | 12,580.05     | 6,095.80             |
| 1/20/2018                 | 79,629.00              | 39,814.50        | 39,814.50           | 3,157.29      | 15,885.99           | 863.97              | 13,409.52     | 6,497.73             |
| 1/27/2018                 | 83,234.60              | 41,617.30        | 41,617.30           | 3,300.25      | 16,605.30           | 903.10              | 14,016.71     | 6,791.94             |
| 2/3/2018                  | 82,591.80              | 41,295.90        | 41,295.90           | 3,274.77      | 16,477.06           | 896.12              | 13,908.46     | 6,739.49             |
| Sub Total                 | \$ 3,022,322.48        | \$ 1,967,192.98  | \$ 1,055,129.50     | \$ 83,671.76  | \$ 420,996.68       | \$ 22,896.32        | \$ 355,367.60 | \$ 172,197.14        |

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 | 51,810.32  | 11/14/2015 | 56,012.86  | 11/12/2016 | 53,346.18  | 11/11/2017 | 48,591.32  |
| 11/23/2013 | 48,628.62  | 11/22/2014 | 46,228.62  | 11/21/2015 | 50,193.76  | 11/19/2016 | 47,174.90  | 11/18/2017 | 41,623.14  |
| 11/30/2013 | 59,645.66  | 11/29/2014 | 55,593.44  | 11/28/2015 | 60,010.98  | 11/26/2016 | 56,826.94  | 11/25/2017 | 54,535.06  |
| 12/7/2013  | 47,306.24  | 12/6/2014  | 46,792.50  | 12/5/2015  | 47,767.86  | 12/3/2016  | 48,407.86  | 12/2/2017  | 45,359.72  |
| 12/14/2013 | 29,229.02  | 12/13/2014 | 40,904.98  | 12/12/2015 | 42,938.56  | 12/10/2016 | 43,743.14  | 12/9/2017  | 38,578.18  |
| 12/21/2013 | 44,581.02  | 12/20/2014 | 41,600.84  | 12/19/2015 | 43,087.16  | 12/17/2016 | 33,602.54  | 12/16/2017 | 38,105.32  |
| 12/28/2013 | 62,117.14  | 12/27/2014 | 58,114.68  | 12/26/2015 | 52,835.48  | 12/24/2016 | 40,222.46  | 12/23/2017 | 41,668.64  |
| 1/4/2014   | 62,963.88  | 1/3/2015   | 68,277.28  | 1/2/2016   | 74,963.14  | 12/31/2016 | 60,653.90  | 12/30/2017 | 61,549.98  |
| 1/11/2014  | 37,935.94  | 1/10/2015  | 37,099.34  | 1/9/2016   | 41,474.24  | 1/7/2017   | 42,634.50  | 1/6/2018   | 49,795.00  |
| 1/18/2014  | 49,418.64  | 1/17/2015  | 43,217.36  | 1/16/2016  | 43,455.58  | 1/14/2017  | 37,751.18  | 1/13/2018  | 37,351.70  |
| 1/25/2014  | 42,720.80  | 1/24/2015  | 41,212.80  | 1/23/2016  | 25,025.40  | 1/21/2017  | 46,870.58  | 1/20/2017  | 39,814.50  |
| 2/1/2014   | 47,681.60  | 1/31/2015  | 42,783.32  | 1/30/2016  | 36,805.26  | 1/28/2017  | 40,692.96  | 1/27/2018  | 41,617.30  |
| 2/8/2014   | 45,434.52  | 2/7/2015   | 47,859.18  | 2/4/2016   | 51,695.74  | 2/4/2017   | 44,277.10  | 2/3/2018   | 41,295.90  |
| 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 |
| <hr/>               |           | <hr/>               |           | <hr/>               |           | <hr/>               |           |
| <b>3,261,565.02</b> |           | <b>3,148,372.80</b> |           | <b>3,167,478.80</b> |           | <b>3,047,532.94</b> |           |
| <hr/>               |           | <hr/>               |           | <hr/>               |           | <hr/>               |           |
|                     |           |                     |           |                     |           | <b>1,967,192.98</b> |           |

**Table Game Revenue**

| <b>Date</b>            | <b>Amount</b>       | <b>Date</b>            | <b>Amount</b>       | <b>Date</b>            | <b>Amount</b>       | <b>Date</b>            | <b>Amount</b>     |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|-------------------|
| July/August, 2010      | 154,185.68          | July, 2011             | 141,718.01          | July, 2012             | 138,663.64          | July, 2013             | 99,274.36         |
| September, 2010        | 94,247.84           | August, 2011           | 137,473.92          | August, 2012           | 133,245.83          | 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         |
| <b>Total 2010-2011</b> | <b>1,297,391.70</b> | <b>Total 2011-2012</b> | <b>1,602,900.84</b> | <b>Total 2012-2013</b> | <b>1,530,462.31</b> | <b>Total 2013-2014</b> | <b>998,486.72</b> |

| <b>Date</b>            | <b>Amount</b>     | <b>Date</b>            | <b>Amount</b>     | <b>Date</b>            | <b>Amount</b>     | <b>Date</b>            | <b>Amount</b>     |
|------------------------|-------------------|------------------------|-------------------|------------------------|-------------------|------------------------|-------------------|
| July, 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         | October, 2017          | 50,207.30         |
| November, 2014         | 71,046.66         | November, 2015         | 67,488.54         | November, 2016         | 61,087.94         | November, 2017         | 54,463.34         |
| December, 2014         | 76,797.24         | December, 2015         | 73,055.05         | December, 2016         | 59,508.00         | December, 2017         | 52,009.28         |
| 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         |                        |                   |
| <b>Total 2014-2015</b> | <b>899,128.89</b> | <b>Total 2015-2016</b> | <b>832,756.78</b> | <b>Total 2016-2017</b> | <b>726,611.13</b> | <b>Total 2017-2018</b> | <b>320,428.74</b> |

**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          |
| <b>Total 2011-2012</b> | <b>4,808,702.50</b> | <b>Total 2012-2013</b> | <b>4,608,334.13</b> | <b>Total 2013-2014</b> | <b>2,995,460.18</b> | <b>Total 2014-2015</b> | <b>2,697,386.67</b> |

| <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          | October, 2017          | 150,621.90        |
| November, 2015         | 202,465.62          | November, 2016         | 183,263.82          | November, 2017         | 163,390.02        |
| December, 2015         | 219,165.15          | December, 2016         | 178,524.00          | December, 2017         | 156,027.84        |
| 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          |                        |                   |
| <b>Total 2015-2016</b> | <b>2,498,270.34</b> | <b>Total 2016-2017</b> | <b>2,179,833.39</b> | <b>Total 2017-2018</b> | <b>961,286.22</b> |

# WEST VIRGINIA LOTTERY

## WEEKLY SETTLEMENT FOR CHARLES TOWN

| Week Ending Date                                 | FY18<br>February 17, 2018 |
|--------------------------------------------------|---------------------------|
| To Be Deposited On                               | February 26, 2018         |
| Amount Played                                    | \$ 49,668,604.09          |
| Amount Won                                       | 44,512,422.85             |
| Amount Promo                                     | 430,507.00                |
| MWAP Contribution                                | <u>-</u>                  |
| Adjusted Gross Terminal Revenue                  | <u>\$ 4,725,674.24</u>    |
| Administrative Costs @ 4%                        | -                         |
| Excess Lottery Fund @ 4%                         | <u>189,026.97</u>         |
| Net Terminal Revenue                             | <u>\$ 4,536,647.27</u>    |
| Surcharge @ 10%                                  | 453,664.74                |
| State Share Excess @ 58% & 10% of 42%            | 282,179.47                |
| Track Share of Capital Reinvestment @ 90% of 42% | <u>171,485.27</u>         |
| Track Share of Capital Reinvestment @ 96%        | 164,625.86                |
| Track Share of Capital Reinvestment @ 4%         | 6,859.41                  |
| Adjusted Net Terminal Revenue                    | <u>\$ 4,082,982.53</u>    |
| Racetrack @ 46.50% / 42%                         | 1,714,852.66              |
| Lottery Fund @ 30% / 0%                          | -                         |
| Excess Lottery Fund @ 0% / 41%                   | 1,674,022.88              |
| Excess Lottery Fund @ 12.85% / 9.55%             | 389,924.81                |
| Racetrack Purses @ 90% of 7% / 4%                | 146,987.37                |
| Employee Pension @ 1% / 0.5%                     | 20,414.91                 |
| Greyhound Development @ 90% of 0.75%             | 27,560.13                 |
| Thoroughbred Development @ 90% of 0.75%          | 27,560.13                 |
| County / Municipality @ 2%                       | <u>81,659.64</u>          |
|                                                  | <u>\$ 4,082,982.53</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:<br>7/1/2017 | \$ 23,688.48           | \$ 23,688.48           | \$ -                   | \$ -                | \$ -                 | \$ -                | \$ -                 | \$ -                 |
| Week ending:<br>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             |
| 11/11/2017                | 97,182.64              | 48,591.32              | 48,591.32              | 3,853.29            | 19,387.94            | 1,054.43            | 16,365.56            | 7,930.10             |
| 11/18/2017                | 83,246.28              | 41,623.14              | 41,623.14              | 3,300.72            | 16,607.63            | 903.22              | 14,018.67            | 6,792.90             |
| 11/25/2017                | 109,070.12             | 54,535.06              | 54,535.06              | 4,324.63            | 21,759.49            | 1,183.41            | 18,367.41            | 8,900.12             |
| 12/2/2017                 | 90,719.44              | 45,359.72              | 45,359.72              | 3,597.02            | 18,098.53            | 984.31              | 15,277.15            | 7,402.71             |
| 12/9/2017                 | 77,156.36              | 38,578.18              | 38,578.18              | 3,059.25            | 15,392.69            | 837.15              | 12,993.13            | 6,295.96             |
| 12/16/2017                | 76,210.64              | 38,105.32              | 38,105.32              | 3,021.75            | 15,204.02            | 826.89              | 12,833.87            | 6,218.79             |
| 12/23/2017                | 83,337.28              | 41,668.64              | 41,668.64              | 3,304.32            | 16,625.79            | 904.21              | 14,034.00            | 6,800.32             |
| 12/30/2017                | 123,099.96             | 61,549.98              | 61,549.98              | 4,880.91            | 24,558.44            | 1,335.64            | 20,730.03            | 10,044.96            |
| 1/6/2018                  | 99,590.00              | 49,795.00              | 49,795.00              | 3,948.74            | 19,868.21            | 1,080.55            | 16,770.96            | 8,126.54             |
| 1/13/2018                 | 74,703.40              | 37,351.70              | 37,351.70              | 2,961.99            | 14,903.33            | 810.53              | 12,580.05            | 6,095.80             |
| 1/20/2018                 | 79,629.00              | 39,814.50              | 39,814.50              | 3,157.29            | 15,885.99            | 863.97              | 13,409.52            | 6,497.73             |
| 1/27/2018                 | 83,234.60              | 41,617.30              | 41,617.30              | 3,300.25            | 16,605.30            | 903.10              | 14,016.71            | 6,791.94             |
| 2/3/2018                  | 82,591.80              | 41,295.90              | 41,295.90              | 3,274.77            | 16,477.06            | 896.12              | 13,908.46            | 6,739.49             |
| 2/10/2018                 | 77,290.48              | 38,645.24              | 38,645.24              | 3,064.57            | 15,419.45            | 838.60              | 13,015.72            | 6,306.90             |
| 2/17/2018                 | 81,659.64              | 40,829.82              | 40,829.82              | 3,237.80            | 16,291.10            | 886.01              | 13,751.48            | 6,663.43             |
| <b>Sub Total</b>          | <b>\$ 3,181,272.60</b> | <b>\$ 2,046,668.04</b> | <b>\$ 1,134,604.56</b> | <b>\$ 89,974.13</b> | <b>\$ 452,707.23</b> | <b>\$ 24,620.93</b> | <b>\$ 382,134.80</b> | <b>\$ 185,167.47</b> |

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 | 51,810.32  | 11/14/2015 | 56,012.86  | 11/12/2016 | 53,346.18  | 11/11/2017 | 48,591.32  |
| 11/23/2013 | 48,628.62  | 11/22/2014 | 46,228.62  | 11/21/2015 | 50,193.76  | 11/19/2016 | 47,174.90  | 11/18/2017 | 41,623.14  |
| 11/30/2013 | 59,645.66  | 11/29/2014 | 55,593.44  | 11/28/2015 | 60,010.98  | 11/26/2016 | 56,826.94  | 11/25/2017 | 54,535.06  |
| 12/7/2013  | 47,306.24  | 12/6/2014  | 46,792.50  | 12/5/2015  | 47,767.86  | 12/3/2016  | 48,407.86  | 12/2/2017  | 45,359.72  |
| 12/14/2013 | 29,229.02  | 12/13/2014 | 40,904.98  | 12/12/2015 | 42,938.56  | 12/10/2016 | 43,743.14  | 12/9/2017  | 38,578.18  |
| 12/21/2013 | 44,581.02  | 12/20/2014 | 41,600.84  | 12/19/2015 | 43,087.16  | 12/17/2016 | 33,602.54  | 12/16/2017 | 38,105.32  |
| 12/28/2013 | 62,117.14  | 12/27/2014 | 58,114.68  | 12/26/2015 | 52,835.48  | 12/24/2016 | 40,222.46  | 12/23/2017 | 41,668.64  |
| 1/4/2014   | 62,963.88  | 1/3/2015   | 68,277.28  | 1/2/2016   | 74,963.14  | 12/31/2016 | 60,653.90  | 12/30/2017 | 61,549.98  |
| 1/11/2014  | 37,935.94  | 1/10/2015  | 37,099.34  | 1/9/2016   | 41,474.24  | 1/7/2017   | 42,634.50  | 1/6/2018   | 49,795.00  |
| 1/18/2014  | 49,418.64  | 1/17/2015  | 43,217.36  | 1/16/2016  | 43,455.58  | 1/14/2017  | 37,751.18  | 1/13/2018  | 37,351.70  |
| 1/25/2014  | 42,720.80  | 1/24/2015  | 41,212.80  | 1/23/2016  | 25,025.40  | 1/21/2017  | 46,870.58  | 1/20/2017  | 39,814.50  |
| 2/1/2014   | 47,681.60  | 1/31/2015  | 42,783.32  | 1/30/2016  | 36,805.26  | 1/28/2017  | 40,692.96  | 1/27/2018  | 41,617.30  |
| 2/8/2014   | 45,434.52  | 2/7/2015   | 47,859.18  | 2/4/2016   | 51,695.74  | 2/4/2017   | 44,277.10  | 2/3/2018   | 41,295.90  |
| 2/15/2014  | 41,076.08  | 2/14/2015  | 48,131.08  | 2/13/2016  | 44,941.78  | 2/11/2017  | 42,514.28  | 2/10/2018  | 38,645.24  |
| 2/22/2014  | 61,523.98  | 2/21/2015  | 37,610.66  | 2/20/2016  | 50,505.40  | 2/18/2017  | 48,086.80  | 2/17/2018  | 40,829.82  |
| 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 |

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**3,261,565.02**

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**3,148,372.80**

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**3,167,478.80**

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**3,047,532.94**

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**2,046,668.04**



*West Virginia State  
Treasurer's Office*

John D. Perdue  
State Treasurer

| <u>Political Subdivision</u>  | <u>Amount</u> |
|-------------------------------|---------------|
| Huntington                    | 863.15        |
| Hurricane                     | 863.15        |
| Huttonsville                  | 863.15        |
| laeger                        | 863.15        |
| Jackson County                | 3,435.68      |
| Jane Lew                      | 863.15        |
| Jefferson County              | 50,468.30     |
| Jefferson County School Board | 151,404.90    |
| Junior                        | 863.15        |
| Kanawha County                | 21,309.13     |
| Kenova                        | 863.15        |
| Kermit                        | 863.15        |
| Keyser                        | 863.15        |
| Keystone                      | 863.15        |
| Kimball                       | 863.15        |
| Kingwood                      | 863.15        |
| Leon                          | 863.15        |
| Lester                        | 863.15        |
| Lewis County                  | 3,435.68      |

## 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         |
| <b>Total 2010-2011</b> | <b>1,297,391.70</b> | <b>Total 2011-2012</b> | <b>1,602,900.84</b> | <b>Total 2012-2013</b> | <b>1,530,462.31</b> | <b>Total 2013-2014</b> | <b>998,486.72</b> |
| 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           | October, 2017          | 50,207.30         |
| November, 2014         | 71,046.66           | November, 2015         | 67,488.54           | November, 2016         | 61,087.94           | November, 2017         | 54,463.34         |
| December, 2014         | 76,797.24           | December, 2015         | 73,055.05           | December, 2016         | 59,508.00           | December, 2017         | 52,009.28         |
| January, 2015          | 73,346.66           | January, 2016          | 67,545.11           | January, 2017          | 63,836.29           | January, 2018          | 50,468.30         |
| 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           |                        |                   |
| <b>Total 2014-2015</b> | <b>899,128.89</b>   | <b>Total 2015-2016</b> | <b>832,756.78</b>   | <b>Total 2016-2017</b> | <b>726,611.13</b>   | <b>Total 2017-2018</b> | <b>370,897.04</b> |

**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          |
| <b>Total 2011-2012</b> | <b>4,808,702.50</b> | <b>Total 2012-2013</b> | <b>4,608,334.13</b> | <b>Total 2013-2014</b> | <b>2,995,460.18</b> | <b>Total 2014-2015</b> | <b>2,697,386.67</b> |

| <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          | October, 2017          | 150,621.90          |
| November, 2015         | 202,465.62          | November, 2016         | 183,263.82          | November, 2017         | 163,390.02          |
| December, 2015         | 219,165.15          | December, 2016         | 178,524.00          | December, 2017         | 156,027.84          |
| January, 2016          | 202,635.33          | January, 2017          | 191,508.87          | January, 2018          | 151,404.90          |
| 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          |                        |                     |
| <b>Total 2015-2016</b> | <b>2,498,270.34</b> | <b>Total 2016-2017</b> | <b>2,179,833.39</b> | <b>Total 2017-2018</b> | <b>1,112,691.12</b> |