

AGENDA
JEFFERSON COUNTY COMMISSION
FIRST QUARTERLY SESSION - JANUARY-MARCH 2018
THURSDAY, MARCH 15, 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 22, 2018 - Budget Deliberations
- February 23, 2018 - Budget Deliberations
- February 23, 2018 - Special Session
- February 27, 2018 - Budget Deliberations
- February 27, 2018 - Special Session
- March 1, 2018 - Regular Meeting
- March 8, 2018 - Budget Public Hearing

APPROVAL OF PURCHASE ORDERS

- March 15, 2018

APPROVAL OF ACCOUNTS PAYABLE

- March 8, 2018
- March 15, 2018

APPROVAL OF MANUAL CHECKS

- March 9, 2018
- March 16, 2018

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

PRESENTATIONS

1. 9:45 a.m. **Angie Banks, Assessor**
 - Split Ticket - Discussion/Action
 - Approval of Employment - Discussion/Action
2. 10:00 a.m. **Pete Dougherty, Sheriff**
 - Approve the admission of James Seale, Brandon Nick, and Bernice Carter, to the Reserve Academy and the subsequent appoint as Jefferson County Sheriff Reserves upon their successful completion - Discussion/Action
3. 10:15 a.m. **Steven L. Rawlings, Director of Operations - WVCoRP**
 - WV Risk Pool update
4. 10:30 a.m. **Danny Lutz, Eastern Panhandle Conservation District**
 - Activities of EPCDC
5. 10:45 a.m. **BREAK**
6. 11:00 a.m. **Debra Young, Jefferson County Victim Assistance Program**
 - Approval of the 2018-2019 VOCA Grant Application - Discussion/Action
7. 11:15 a.m. **Jennifer Myers, Jefferson County Parks and Recreation Commission**
 - Approval of a Resolution for the JCPRC to apply for a WV Culture and History Grant and a Land and Water Conservation Fund Grant for the Amphitheater Project at Sam Michael's Park - Discussion/Action
8. 11:30 a.m. **Nic Diehl, Jefferson County Development Authority**
 - Request for support letter for West Virginia Opportunity Zones - Discussion/Action
9. 11:45 a.m. **Roger Goodwin, Chief County Engineer**
 - Consideration of the Annual Inflation Adjustment to the Impact Fees, as provided for the CY 2017 Impact Fees Annual Report - Discussion/Action
10. 12:00 p.m. **Nathan Cochran, Assistant Prosecuting Attorney**
 - Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues - Discussion/Action - Possible Executive Session
 - Discussion of Jefferson County Civil Action #17-C-282 - Discussion/Action - Possible Executive Session
 - Discussion of proposed contract for Judicial elevator upgrade - Discussion/Action - Possible Executive Session

11. 12:30 p.m. **Break for Lunch**

NEW BUSINESS

12. Legislative Issues

13. Approval of PSD purchase agreement - Discussion/Action (JC)

14. Discuss Courthouse storm windows - Discussion/Action (JC)

15. Discuss County ATV Ordinance - Discussion/Action (JC)

FINANCIAL DIRECTOR REPORTS

- Review and Approval of FY2018 State Budget Revision 8 for the General Fund - Discussion/Action
- Review and Approval of FY2018 State Budget Revision 9 for the General Fund - Discussion/Action
- Review and Approval of the FY2018-2019 Draft Budget (Levy Estimate) - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

- Discuss Road Summit for Spring 2018 and set date and time - Discussion/Action
- Discuss Meeting Session Policy - Discussion/Action

COUNTY COMMISSION REPORTS

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

16. 1:30 p.m. Public Hearing - Proposed text amendments 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 Use Table.

17. **RECESS**

~~~~~ EVENING SESSION ~~~~~

18. 7:00 p.m. Public Hearing - 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.

19. ADJOURN

CORRESPONDENCE/INFORMATION

Notice of Special Session - Tuesday, April 17, 2018 at 9:30 a.m. - Lay the Levy.

Notice to appoint to the Historic Landmarks Committee.

Notice to appoint to the Planning Commission.

Jefferson County Maintenance Department Monthly Report - February, 2018.

Impact Fee Status Report for February, 2018.

WV Lottery Weekly Settlement for Charles Town - week ending February 24, 2018.

WV Lottery Weekly Settlement for Charles Town - week ending March 3, 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 Thursday, February 22, 2018, beginning at 7:00 o'clock p.m.

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

In re: FY19 Budget Deliberations – Day 1

The meeting was called to order at 7:00 p.m. by President Compton.

Michelle Gordon, Finance Director, gave an overview of the FY19 requests which had been cut from the budget by consensus of the Commission. Ms. Gordon stated she had four main topics to be discussed during the budget deliberations, including employee increases, the ambulance fee rate structure, capital projects, and discretionary requests from departments.

The Commissioners then continued to discuss the FY19 budget and express their opinions and priorities for the upcoming fiscal year.

- **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.

JOSH COMPTON, PRESIDENT

Respectively Submitted:
Jessica D. Carroll
Administrative Assistant

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

In re: FY19 Budget Deliberations – Day 2

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

Michelle Gordon, Finance Director, gave a recap of the cuts made from the previous day's deliberations.

The Commissioners then continued to discuss the FY19 budget and express their opinions and priorities for the upcoming fiscal year, including an employee merit increases, libraries and fire department allocations, E911 staffing, and possible implementation of a new financial system.

There being no further business, the meeting adjourned at 12:40 pm.

JOSH COMPTON, PRESIDENT

Respectively 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 Thursday, February 23, 2018, beginning at 1:30 o'clock p.m.

PRESENT: Josh Compton, President
Caleb Hudson, Vice President
Patsy Noland, Commissioner
Peter Onoszko, Commissioner
Jane Tabb, Commissioner
Sandy McDonald, Deputy County Administrator
Jessica Carroll, Administrative Assistant

In re: MARC Train Discussion/Legislative Issues/Courthouse Issues

The meeting was called to order at 1:32 p.m. by President Compton.

Commissioner Tabb led the Pledge of Allegiance.

President Compton began the meeting by discussing Courthouse building issues, specifically the disrepair of the bricks and the need for repainting. Mr. Compton stated he wanted to make this issue a priority in the budget. It was the consensus of the Commission to discuss these issues with Mr. Bill Polk, Director of Maintenance, at the March 1, 2018 regularly scheduled County Commission meeting.

The Commission briefly discussed SB415, which would allow sports betting at West Virginia casinos. Ms. Noland suggested the funds potentially generated from SB415 be allocated for the regional jail bill. The Commission agreed and decided to hold a special session on Tuesday, February 27, 2018 to approve a Resolution to amend SB415 to include a dedicated revenue stream to address the counties' regional jail bills and provide to the Resolution to the legislature.

The Commission then discussed the issue of MARC train funding for the Eastern Panhandle and received public comment from the following:

Linda Geyer, resident – stated she moved to Jefferson County on the condition she'd have the ability to commute to D.C. via the MARC train.

Glen Bexler, resident – stated that if MARC train service were to be discontinued in the Panhandle, the Jefferson County tax base would be reduced dramatically due to people moving out of the County to be closer to their places of employment.

Reagan Parker, resident – stated the effect of losing MARC train service would be devastating to the County.

Terry Rubenthal, resident – stated it was “time for West Virginia to get a piece of the pie” as Maryland and Virginia receive state funding for public transportation.

Lee Kelley, resident of Berkeley County – stated developers would be less likely to build in Jefferson and Berkeley Counties if MARC service couldn't be secured for the Panhandle.

Keith Pierson, Mayor of Ranson – questioned how the 3.2 million dollar amount to fund MARC train

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

In re: FY19 Budget Deliberations Day 3

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

Ms. Gordon began the meeting by discussing all the changes that had been made from the previous session held on Friday, February 23, 2018.

The Commission proceeded with a thorough discussion of the potential purchase of a new financial system, employee merit increases, ambulance fee rate structure, and capital projects.

It was the consensus of the Commission to continue budget deliberations during the afternoon of the March 1, 2018 regularly scheduled meeting.

There being no further business, the meeting adjourned at 12:40 pm.

JOSH COMPTON, PRESIDENT

Respectively 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 Tuesday, February 27, 2018, beginning at 4:00 o'clock p.m.

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

In re: Approval of Resolution to Amend Senate Bill 415

The meeting was called to order at 4:00 p.m. by President Compton. Mr. Compton stated the purpose of the meeting was to approve a Resolution to amend Senate Bill 415, which would provide a dedicated revenue stream for county regional jail fees through the allowance of sports wagering at West Virginia casinos. Mr. Compton read the Resolution into the record.

- **Motion by Mr. Compton to approve the Resolution to amend SB 415 to sequester funds from sports wagering in Jefferson County casinos for the purpose of funding regional jail fees. Motion seconded and unanimously approved.**

There being no further business, the meeting adjourned at 4:04 pm.

JOSH COMPTON, PRESIDENT

Respectively Submitted:
Jessica D. Carroll
Administrative Assistant

service to the County was reached, and questioned if a lesser amount would be accepted. Mr. Pierson also stated that if there were to be a public forum on this issue, the Director of the Jefferson County Economic Development Authority needed to be present.

The Commission thanked the attendees for their comments and stated they would keep the public informed of any updates or happenings regarding the MARC train funding situation.

There being no further business, the meeting adjourned at 3:02 pm.

JOSH COMPTON, PRESIDENT

Respectively Submitted:
Jessica D. Carroll
Administrative Assistant

Minutes

Jefferson County Commission

Thursday, March 1, 2018

A meeting of the Jefferson County Commission was held on Thursday, March 1, 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, March 1, 2018 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Hudson led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the February 12, 2018 Budget Presentation Minutes as presented. Motion seconded and unanimously approved.

Motion by Ms. Noland to approve the February 13, 2018 Board of Review and Equalization Minutes as presented/amended. Motion seconded and unanimously approved.

Motion by Ms. Tabb to approve the February 15, 2018 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

Motion by Ms. Noland to approve the February 16, 2018 Budget Presentation Minutes as presented. Motion seconded and unanimously approved.

Motion by Ms. Noland to approve the February 16, 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 March 1, 2018 to include Purchase Order No. 52830 in the amount of \$26,000.00. Motion seconded and unanimously approved.

PAYROLL APPROVAL

Motion by Mr. Onoszko to approve the Payroll for February 22, 2018 in the amount of \$248,592.00. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

| CHCKNO | DEPT | VENDOR | PONUM | POAMT | NOAMT | CHECK AMOUNT |
|--------|---------|--------------------------|-------|-------|--------------|--------------|
| 079674 | P/R DED | AMERICAN FAMILY LIFE ICU | | \$ - | \$ 3,960.66 | \$ 3,960.66 |
| 079675 | 424 | BOLAND SERVICES | | \$ - | \$ 270.00 | \$ 270.00 |
| 079675 | 425 | BOLAND SERVICES | | \$ - | \$ 136.00 | \$ 136.00 |
| 079675 | 425 | BOLAND SERVICES | | \$ - | \$ 125.00 | \$ 125.00 |
| 079675 | 425 | BOLAND SERVICES | | \$ - | \$ 166.00 | \$ 166.00 |
| 079675 | 425 | BOLAND SERVICES | | \$ - | \$ 1,003.00 | \$ 1,003.00 |
| 079676 | P/R DED | BUREAU F/CHILD SUPPORT | | \$ - | \$ 49.85 | \$ 49.85 |
| 079677 | P/R DED | BUREAU F/CHILD SPRT ENF | | \$ - | \$ 212.31 | \$ 212.31 |
| 079678 | P/R DED | BUREAU OF CHILD SUPPORT | | \$ - | \$ 461.54 | \$ 461.54 |
| 079679 | P/R DED | BUREAU OF CHILD SUPPORT | | \$ - | \$ 119.54 | \$ 119.54 |
| 079680 | P/R DED | CHRISTINE CHALMERS | | \$ - | \$ 2,250.00 | \$ 2,250.00 |
| 079681 | P/R DED | COLONIAL LIFE | | \$ - | \$ 205.10 | \$ 205.10 |
| 079682 | P/R DED | CHARLES TOWN GNRL HOSPTA | | \$ - | \$ 252.56 | \$ 252.56 |
| 079683 | 700 | MONTE CONNER | | \$ - | \$ 4.33 | \$ 4.33 |
| 079684 | 425 | DODSON'S SEPTIC | | \$ - | \$ 285.00 | \$ 285.00 |
| 079685 | 424 | J.C.EHRLICH | | \$ - | \$ 32.00 | \$ 32.00 |
| 079685 | 425 | J.C.EHRLICH | | \$ - | \$ 641.00 | \$ 641.00 |
| 079686 | 440 | RONALD GARZA | | \$ - | \$ 200.00 | \$ 200.00 |
| 079687 | ALLOC | INDEPENDENT FIRE COMPANY | | \$ - | \$ 85,000.00 | \$ 85,000.00 |
| 079688 | 424 | THE JOURNAL | | \$ - | \$ 427.53 | \$ 427.53 |
| 079689 | GRANT | JEFFERSON DAY REPORT CNT | | \$ - | \$ 12,680.51 | \$ 12,680.51 |
| 079690 | 712 | ROBERT E. JONES III | | \$ - | \$ 1,000.00 | \$ 1,000.00 |
| 079691 | P/R DED | JEFFERSON SECURITY BANK | | \$ - | \$ 5,285.00 | \$ 5,285.00 |
| 079692 | 712 | LANGUAGE LINE SERVICES | | \$ - | \$ 115.88 | \$ 115.88 |
| 079693 | P/R DED | LYNDSEY W. MATSCHAT | | \$ - | \$ 402.09 | \$ 402.09 |

| | | | | | | |
|--------------|---------|--------------------------|--|------|----------------------|----------------------|
| 079694 | P/R DED | VICTORIA MYERS | | \$ - | \$ 4,500.00 | \$ 4,500.00 |
| 079695 | 440 | MICHAEL MONAGHAN | | \$ - | \$ 200.00 | \$ 200.00 |
| 079696 | P/R DED | HELEN M. MORRIS, TRUSTEE | | \$ - | \$ 543.86 | \$ 543.86 |
| 079697 | 717 | BRYAN McCUSKER | | \$ - | \$ 30.00 | \$ 30.00 |
| 079698 | 406 | N.A.D.A. APPRAISAL GUIDE | | \$ - | \$ 215.00 | \$ 215.00 |
| 079699 | P/R DED | NATIONWIDE RETIREMENT | | \$ - | \$ 849.00 | \$ 849.00 |
| 079700 | 712 | NORFOLK SOUTHERN CORP | | \$ - | \$ 12.00 | \$ 12.00 |
| 079701 | 424 | PATRIOT FIRE AND SECURIT | | \$ - | \$ 170.00 | \$ 170.00 |
| 079702 | 704 | WV REGIONAL JAIL & | | \$ - | \$ 143,978.00 | \$ 143,978.00 |
| 079703 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 10,410.88 | \$ 10,410.88 |
| 079703 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 4.70 | \$ 4.70 |
| 079703 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 1.10 | \$ 1.10 |
| 079703 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 44,514.64 | \$ 44,514.64 |
| 079703 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 33,503.32 | \$ 33,503.32 |
| 079703 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 2.51 | \$ 2.51 |
| 079704 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 1,162.44 | \$ 1,162.44 |
| 079704 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 31,945.16 | \$ 31,945.16 |
| 079704 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 1.70 | \$ 1.70 |
| 079705 | 402 | JACQUELINE SHADLE | | \$ - | \$ 336.45 | \$ 336.45 |
| 079706 | P/R DED | WV DEPUTY SHRF RETIREMEN | | \$ - | \$ 6,087.58 | \$ 6,087.58 |
| 079706 | P/R DED | WV DEPUTY SHRF RETIREMEN | | \$ - | \$ 8,594.21 | \$ 8,594.21 |
| 079707 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 2,255.00 | \$ 2,255.00 |
| 079707 | P/R DED | SHERIFF OF JEFFERSON CO | | \$ - | \$ 215.00 | \$ 215.00 |
| 079708 | P/R DED | WV PUB EMP RETIRE SYS | | \$ - | \$ 10,960.07 | \$ 10,960.07 |
| 079708 | P/R DED | WV PUB EMP RETIRE SYS | | \$ - | \$ 4,514.41 | \$ 4,514.41 |
| 079708 | P/R DED | WV PUB EMP RETIRE SYS | | \$ - | \$ 2,462.40 | \$ 2,462.40 |
| 079708 | P/R DED | WV PUB EMP RETIRE SYS | | \$ - | \$ 26,791.12 | \$ 26,791.12 |
| 079708 | P/R DED | WV PUB EMP RETIRE SYS | | \$ - | \$ 1.86 | \$ 1.86 |
| 079708 | P/R DED | WV PUB EMP RETIRE SYS | | \$ - | \$ 4.55 | \$ 4.55 |
| 079709 | 700 | MARGARET R.SMITH-WALKER | | \$ - | \$ 3,000.00 | \$ 3,000.00 |
| | | | | | | |
| TOTAL | | | | | \$ 452,551.86 | \$ 452,551.86 |

Motion by Ms. Noland to approve the Accounts Payable for February 22, 2018 in the amount of \$452,551.86. Motion seconded and unanimously approved.

| CHCKNO | DEPT | VENDOR | PONUM | POAMT | NOAMT | CHECK AMOUNT |
|--------|-------|--------------------------|-------|-------|-------------|--------------|
| 079711 | ALLOC | AHA/ART&HUMANITIES ALLNC | | \$ - | \$ 1,106.03 | \$ 1,106.03 |
| 079712 | 712 | LORI BROWN | | \$ - | \$ 103.50 | \$ 103.50 |
| 079713 | 717 | CREAMERS WRECKER SVC | | \$ - | \$ 85.00 | \$ 85.00 |

| | | | | | | |
|--------------|---------|--------------------------|--|------|----------------------|----------------------|
| 079714 | 425 | OLD CHARLES TOWN LIBRARY | | \$ - | \$ 1,500.00 | \$ 1,500.00 |
| 079715 | P/R DED | DELTA DENTAL OF WV | | \$ - | \$ 6,314.03 | \$ 6,314.03 |
| 079716 | P/R DED | ALEXANDRA BEAULIEU | | \$ - | \$ 272.22 | \$ 272.22 |
| 079717 | 700 | FEDEX | | \$ - | \$ 127.60 | \$ 127.60 |
| 079718 | 412 | GREATAMERICA FINANCL SVC | | \$ - | \$ 315.64 | \$ 315.64 |
| 079719 | P/R DED | TAMMY MOBLEY | | \$ - | \$ 138.77 | \$ 138.77 |
| 079720 | P/R DED | THE HARTFORD | | \$ - | \$ 4,097.80 | \$ 4,097.80 |
| 079720 | P/R DED | THE HARTFORD | | \$ - | \$ 2,343.15 | \$ 2,343.15 |
| 079721 | 403 | JEFFERSON CENTER | | \$ - | \$ 100.00 | \$ 100.00 |
| 079722 | ALLOC | JEFFERSON COUNTY HISTORI | | \$ - | \$ 1,637.75 | \$ 1,637.75 |
| 079723 | P/R DED | HIGHMARK WV | | \$ - | \$ 187,296.41 | \$ 187,296.41 |
| 079724 | P/R DED | MILLENIUM INSURANCE GROU | | \$ - | \$ 750.00 | \$ 750.00 |
| 079725 | P/R DED | NATIONAL VISION ADMIN. | | \$ - | \$ 1,762.56 | \$ 1,762.56 |
| 079726 | ALLOC | JEFF CO PARKS & | | \$ - | \$ 24,906.93 | \$ 24,906.93 |
| 079727 | 425 | PATRIOT FIRE AND SECURIT | | \$ - | \$ 625.00 | \$ 625.00 |
| 079728 | 700 | ROBERT L. PETERSON SR | | \$ - | \$ 7.30 | \$ 7.30 |
| 079729 | 696 | SHERIFF OF JEFFERSON CO | | \$ - | \$ 610,013.00 | \$ 610,013.00 |
| 079730 | 425 | CAPITAL TRISTATE | | \$ - | \$ 311.21 | \$ 311.21 |
| 079730 | 425 | CAPITAL TRISTATE | | \$ - | \$ 144.74 | \$ 144.74 |
| 079730 | 425 | CAPITAL TRISTATE | | \$ - | \$ 191.03 | \$ 191.03 |
| 079730 | 425 | CAPITAL TRISTATE | | \$ - | \$ 94.22 | \$ 94.22 |
| 079730 | 425 | CAPITAL TRISTATE | | \$ - | \$ 35.50 | \$ 35.50 |
| 079730 | 425 | CAPITAL TRISTATE | | \$ - | \$ 74.87 | \$ 74.87 |
| 079730 | 425 | CAPITAL TRISTATE | | \$ - | \$ 77.47 | \$ 77.47 |
| 079731 | P/R DED | DUSTIN TABLER | | \$ - | \$ 2,250.00 | \$ 2,250.00 |
| 079732 | ALLOC | JEFFERSON CO CONVENTION | | \$ - | \$ 27,650.71 | \$ 27,650.71 |
| 079733 | 413 | REVA MICKEY | | \$ - | \$ 150.00 | \$ 150.00 |
| 079734 | 413 | TOM NEWCOMER | | \$ - | \$ 150.00 | \$ 150.00 |
| TOTAL | | | | | \$ 874,632.44 | \$ 874,632.44 |

Motion by Mr. Onozko to approve the Accounts Payable for March 1, 2018 in the amount of \$874,632.44. Motion seconded and unanimously approved.

MANUAL CHECKS

| | | | |
|-----------------------|----------------|--------------------------------|---------------|
| COAL SEVERANCE | | | |
| 002 | | | |
| Date | Check # | VENDOR | Amount |
| 2/23/2018 | 455 | EASTRIDGE HEALTH SYSTEM | \$ 1,400.00 |
| | | | |

| | | | |
|---------------------------|---------|----------------------------------|--------------------|
| ASSESSOR VALUATION | | | |
| O56 | | | |
| Date | Check # | VENDOR | Amount |
| 2/23/2018 | 667 | MILLER'S SUPPLIES AT WORK | \$ 69.23 |
| TOTAL | | | \$ 1,469.23 |

Motion by Ms. Noland to approve the Manual Checks for February 23, 2018 in the amount of \$1,469.23. Motion seconded and unanimously approved.

| | | | |
|---------------------------|---------|----------------------------------|------------------|
| ASSESSOR VALUATION | | | |
| O56 | | | |
| Date | Check # | VENDOR | Amount |
| 3/2/2018 | 668 | MILLER'S SUPPLIES AT WORK | \$ 303.51 |
| 3/2/2018 | 669 | UNITED BANKCARD | \$ 288.00 |
| TOTAL | | | \$ 591.51 |

Motion by Ms. Tabb to approve the Manual Checks for March 2, 2018 in the amount of \$591.51. Motion seconded and unanimously approved.

PUBLIC COMMENT

David Tabb, resident – voiced his support for the teacher’s strike, and stated he’s been harassed and disrespected by elected officials and exclaimed, “shame on you!” multiple times.

Danny Lutz, resident and Conservation District Supervisor – questioned the public utility taxes collected by the county and stated he’s the only elected official who doesn’t receive funding from the County Commission.

PRESENTATIONS

1. Jacki Shadle, County Clerk – requested approval of employment for Assistant Voter Registration and Elections Clerk.

- **Motion by Ms. Tabb to approve the hire of Shaun Pacetti in the Elections/Voter Registration Department of the County Clerk's Office at Step II, Grade D, effective March 5, 2018. Motion seconded and unanimously approved.**
2. Nikki Painter, Voter Registration and Elections – requested approval of the poll worker and alternate lists for the upcoming May 2018 Primary Election.
 - **Motion by Ms. Noland to approve the poll workers and alternates for the 2018 Primary Election as presented. Motion seconded and unanimously approved.**
 3. Peter Dougherty, Sheriff
 - a. Requested approval to hire Kevin Breeden, David Bowers, John Paul Jones, and Thomas Jones as part-time bailiffs.
 - **Motion by Ms. Tabb to approve the hire of Kevin Breeden, David Bowers, John Paul Jones, and Thomas Jones as part-time bailiffs. Motion seconded and unanimously approved.**
 - b. Approval of the 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.
 - **Motion by Ms. Noland to approve the appointment of Jessica Rollin, Ramses Coly, and Victor Jones as Reserves on the successful completion of the Reserve Academy. Motion seconded and unanimously approved.**
 4. Ronda Eddy, Director, Jefferson Day Report Center – requested approval of the FY19 Community Corrections Grant.
 - **Motion by Ms. Noland to approve the FY19 Community Corrections Grant application and authorize the President of the Commission to sign the appropriate documents. Motion seconded and unanimously approved.**
 5. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
 6. Public Hearing - FY2018 HOME (HOME Investment Partnership Program) - Approval of 2018 HOME Resolution

Nancy Strine, Community Development Administrator for the City of Martinsburg, spoke before the Commission, explaining the program and the qualifications for receiving first-

time home buyer's assistance in the Eastern Panhandle. No one provided additional public comment.

There being no further comment, President Compton closed the public hearing.

- **Motion by Mr. Compton to approve the FY2018 HOME Consortium Resolution for FY18. Motion seconded and unanimously approved.**

7. Nathan Cochran, Assistant Prosecuting Attorney

- **Motion by Mr. Compton to enter into Executive Session to receive legal advice and discuss personnel matters regarding the PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues; discussion of Jefferson County Civil Action #17-C-282; FLSA issues regarding ESA Employees; discussion of Jefferson County Civil Action #18-C-25; discussion of Jefferson County Court Administrative Order #18-AD-7; Discussion of Supreme Court Docket #17-0095; Discussion of Jefferson County Civil Action #17-C-63; discussion of WV Supreme Court Docket #17-P-110. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to come out of Executive Session. Motion seconded and unanimously approved.**
- Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, and related issues
- Discussion of Jefferson County Civil Action #17-C-282
- FLSA issues regarding ESA Employees
 - **Motion by Mr. Compton to direct legal counsel to file a question at the Department of Labor concerning FLSA issues concerning employees at the Emergency Services Agency. Motion seconded and unanimously approved.**
- Discussion of Jefferson County Civil Action #18-C-25
- **Motion by Mr. Compton to direct legal counsel to file responses to Jefferson County Civil Action #18-C-25 and Jefferson County Court Administrative Order #18-AD-7. Motion seconded and unanimously approved.**
- Discussion of Jefferson County Court Administrative Order #18-AD-7
- Discussion of WV Supreme Court Docket #17-0095
- Discussion of Jefferson County Civil Action #17-C-63

- Discussion of WV Supreme Court Docket #17-P-110

UNFINISHED BUSINESS

8. Determination of Jefferson County PSD service area

NEW BUSINESS

9. Legislative Issues– Ms. Grove notified the Commission that, regarding SB415, the State was not interested in sharing the revenue potentially generated by sports betting with the counties.
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
 - **Motion by Ms. Noland to approve pending legal review of an amendment to remove the reference to the October 1, 1988 effective date and change it to March 1, 2018. Motion seconded and unanimously approved.**
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
 - Amendments were made to this segment, including a footnote to clarify consent of the property owner citing federal or state code regarding the National Historical Register and editing Appendix C to change all “Not Permitted” commercial uses to “Conditional Use.”
 - Due to the nature of the changes, this item was scheduled for another public hearing during the March 15, 2018 regularly scheduled County Commission meeting.
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

- **Motion by Mr. Onoszko to ratify the decision made on February 15, 2018 to sign a letter of endorsement for the Panhandle Crush for the purpose of applying for a permit for the retail sale and consumption of wine and/or beer at their fundraiser. Motion seconded and unanimously approved.**

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

- **Motion by Mr. Compton to exonerate the FY2014-2015 ambulance fee late fees for Paul Spicer. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

- Request employee salary adjustment and reclassify
- **Motion by Mr. Compton to approve the reclassification of Jessica Carroll, Executive Administrative Assistant in the County Commission office, from a 37 hour work week to a 40 hour work week at a salary of \$40,000, effective March 1, 2018. Motion seconded and unanimously approved.**
- IT Proposal - Discussion/Action - Possible Executive Session – This item was postponed to be discussed at a later meeting.

14. The Commission recessed for lunch at 11:45 am.
The Commission reconvened at 1:30 pm.

15. Budget Deliberation

16. The Commission meeting was adjourned at 3:32 pm on a motion by Mr. Compton. Motion was seconded and unanimously approved.

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 Thursday, March 8, 2018, beginning at 7:00 o'clock p.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 Public Hearing

The meeting was called to order at 7:00 p.m. by President Compton.

Michelle Gordon, Finance Director, gave an overview of the FY19 budget, reviewing the revenue and expenditures.

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

Peter Dougherty, Sheriff – stated his office has seen a substantial increase in calls over the past two years and, without the funding for additional vehicles within the Sheriff's Department budget, he would no longer be able to provide the same level of response and service to the citizens of Jefferson County.

There being no further business, the meeting adjourned at 7:17 pm on a motion by Mr. Compton. Motion was seconded and unanimously approved.

JOSH COMPTON, PRESIDENT

Respectively Submitted:
Jessica D. Carroll
Administrative Assistant

PURCHASE ORDERS TO BE APPROVED

March 15, 2018

| DEPARTMENT | P.O. NUMBER | AMOUNT | VENDOR | DESCRIPTION |
|--------------------------|-------------|---------------------|----------------------------|---|
| COUNTY CLERK - ELECTIONS | 52493 | \$ 44,241.00 | ES&S | Maint. & License Agreement for Elec. Equip. |
| SHERIFF'S OFFICE | 48581 | \$ 9,910.00 | WV Public Safety Equipment | Radios for two GHSP grant vehicles |
| GRAND TOTAL | | \$ 54,151.00 | | |

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Angie Banks, Assessor

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

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 15, 2018**

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

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

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

- ↓ Split Ticket
- ↓ Approval of Employment

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

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

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

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

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

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

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

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Pete Dougherty

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

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: **next meeting** *March 15, 2018*
If a specific date is needed, please provide reason for specific date:

Date Requested – 2nd Choice:

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

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

Approve the admission of James Seale, Brandon Nick, and Bernice Carter, 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 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 appointment of James Seale, Brandon Nick, and Bernice Carter 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

Phone Number: 304-728-3205

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name: Steven L. Rawlings, Director of Operations

Department or Organization: WVCoRP

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 15, 2018**

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

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

Subject (*Wording to be placed on agenda*): **WV Risk Pool Update**

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

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

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

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

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

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

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

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

Click here to enter text.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name:

Danny Lutz

Department or Organization:

EASTERN PANHANDLE CONSERVATION DISTRICT

Estimation of amount of time needed for appointment:

15 mins

Date Requested – 1st Choice:

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

MARCH

Date Requested – 2nd Choice:

Subject (Wording to be placed on agenda):

ACTIVITIES OF EPDC

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):

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: d.lutz007@gmail.com Phone Number:

304 725 0964

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Debra Young

Department or Organization: **Jefferson County Victim Assistance Program**

Estimation of amount of time needed for appointment: 5-10 minutes

Date Requested – 1st Choice: **03/15/2018**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): We are requesting the approval and signing of the 2018-2019 VOCA Grant Application.

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

For the past twenty years Jefferson County has received VOCA Grant funding for the Jefferson County Victim Assistance Program located in the Prosecuting Attorney's Office. The Grant application is submitted yearly to the County Commission for their review, approval and the signature of the President of the Commission. The completed VOCA Grant Application must be in the office of the WV Division of Justice & Community Services, in Charleston, WV, by April 6, 2018.

Is this a funding request? Y/N - yes

If so, how much? \$ 213.74 - increase in Benefits (OASDI, HI, Retirement)

Provide exact financial impact/request: \$213.74 would be used as required In-Cash Match for VOCA Grant funds.

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

Motion for the approval of the VOCA Grant Application.

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

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: dyoung@jeffersoncountywv.org

Phone Number: 304-725-6550

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

**Victim of Crime Act (VOCA)
Victim Assistance Grant
Program Application**

**General Administrative Information
Page 1**

| | | |
|--------------------------|--------------------------------------|--|
| Applicant Agency: | Jefferson County Commission | Type of Agency |
| Address: | PO Box 250 Charles Town, WV 25414 | |
| Phone: | 304-728-3284 | <input type="checkbox"/> State |
| Fax Number: | 304-728-7916 | <input checked="" type="checkbox"/> County |
| | | <input type="checkbox"/> Municipal |
| | | <input type="checkbox"/> Non-Profit |

| | | | |
|--------------------------|--------------------------------------|------------------------|--------------------------------------|
| Project Director: | Matthew L. Harvey | Fiscal Officer: | Michelle Gordon |
| Address: | PO Box 729 Charles Town, WV 25414 | Address: | PO Box 250 Charles Town, WV 25414 |
| Phone: | 304-728-3243 | Phone: | 304-728-3284 |
| Fax: | 304-728-3293 | Fax: | 304-728-7916 |
| Email: | mharvey@jeffersoncountywv.org | Email: | mgordon@jeffersoncountywv.org |

Amount Requested: \$81,683.00 **Amount Awarded:** _____
Project Period: **October 1, 2018 – September 30, 2019**

| | | |
|---|--|--------------------------------|
| Percent Breakdown by Crime Category: | Number of years previously funded: <u>20</u> | Geographic Area Served: |
| 25% Domestic Violence | | County(ies): Jefferson |
| 25% Sexual Assault | Estimated number of victims to be served by grant: <u>700</u> | Population: 56,482 |
| 25% Child Abuse | | Rural/Urban: rural |
| 25% Underserved Pop. | | |

Project Title: **Jefferson County Victim Assistance Program**

Project Description: The Program provides direct services to all victims of crime but places an emphasis on serving the needs of victims of violent crime and under-served populations. The Program will seek to prevent the re-victimization of crime victims by providing a host of services.

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.

| | |
|---|---|
| Authorized Official: Josh Compton | Title: President, Jefferson County Commission |
| Address: Jefferson County Commission PO Box 250 Charles Town, WV 25414 | Phone: 304-728-3284 Fax: 304-725-7916 E-Mail: jcompton05@gmail.com |
| Signature: | Date: |

| | | | |
|------------|------------------------------------|--------------|-------------------|
| Applicant: | Jefferson County Commission | FEIN Number: | 55-6000333 |
| | | DUNS Number: | 077414548 |

| Category | VOCA Requested Funds | Matching Funds | Total Budget |
|-------------------------|----------------------|--------------------|---------------------|
| Personnel / Contractual | \$79,683.00 | \$20,421.00 | \$100,104.00 |
| Travel / Training | \$2,000.00 | | \$2,000.00 |
| Space | | | |
| Other | | | |
| Totals | \$81,683.00 | \$20,421.00 | \$102,104.00 |

Funding Strategy

| Funding Source(s) | Amount | Status |
|-----------------------------|-------------|--------|
| VOCA Grant Funds | \$81,683.00 | P |
| Jefferson County Commission | \$20,421.00 | C |
| | | |
| | | |
| | | |
| | | |
| Total | | |

- 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 and under review
 - C – Funds Committed
 - R – Funds received, appropriated or on hand

| Detailed Project Cost by Budget Category | Requested VOCA Funds | Matching Funds | Recommendation |
|---|--------------------------------------|--------------------|----------------------|
| | | | DJCS Use Only |
| <u>Personnel / Contractual:</u> | | | |
| 1 - F/T Advocate salary Debra Young Salary - | \$30,727.00 | \$8,000.00 | |
| 2 - F/T Advocate Crystal Gumbel-Shade Salary - | \$29,798.00 | \$6,841.00 | |
| P/T Advocate - Cora Kowalski 80 hrs. month @ 18.50 hourly FICA 7.65% - W/C 0.22% - | \$17,760.00 \$1,359.00 \$39.00 | | |
| 10% Match Support Staff Gail McMillian | | \$3,580.00 | |
| Volunteer Hours @\$10.00/hour | | \$2,000.00 | |
| <u>Travel / Training</u> | \$2,000.00 | | |
| <u>Space:</u> | | | |
| <u>Other:</u> | | | |
| Total Requested VOCA Funds | \$81,683.00 | | |
| Total Matching Funds | | \$20,421.00 | |
| Total of Recommendation (DJCS Only) | | | |

Provide here a justification and explanation of the budget items shown on pages 3 and 3a of this application. **This should contain specific criteria and data used to arrive at estimates and/or costs for all items listed.** In completing the project budget narrative, please identify data by the major budget category involved (e.g., Personnel/Contractual, Travel/Training, Equipment, and Other). Please differentiate between project grant and matching funds (if applicable). For all Personnel/Contractual positions (salary, hourly, overtime) that are requesting Fringes please list the percentages (%) for each. **For all full-time hourly positions and part-time hourly positions (not salaried) please include an hourly rate x hours per month.** Please note that effective July 1, 2012 all salaried positions (whether it be 100%, 80%, etc.) may be reimbursed on a 12-month cycle. Example: If you are a salaried employee requesting 100% of your salary of \$35,000, the most you will be reimbursed for a month period is \$2,916.66. If you are a salaried employee requesting 80% of your total salary of \$35,000, the most you will be reimbursed per month will be \$2,333.33 over 12 months, not to exceed the \$28,000, or 80% of the \$35,000 salary. **Requested Increase in Grant Funds: If requesting an increase or change in grant funds from previous grant awarded amounts, applicants are to include a detailed description and justification for the increase/change in funds.**

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

Additionally, provide an identified breakdown of matching funds. **Be sure to label the matching funds breakdown as such.** Attach additional pages if necessary.

Funds requested from VOCA are to be used as Personnel/Contractual Salaries for the currently employed two Full-time Victim Advocates and hourly wages for one Part-Time Victim Advocate who works eighty hours a month. The 23rd District Judicial Circuit includes Berkeley, Jefferson and Morgan counties; it is the largest circuit court district in West Virginia. In 2015, in response to the growing caseload in the Eastern Panhandle, the West Virginia Legislature added an additional Circuit Court Judge. As of January 1, 2017, Jefferson County now has two Circuit Court Judges and three Magistrates often holding court at the same time. The addition of a Part-Time Advocate has allowed the Program to meet the demands of notifying victims of hearings, accompanying victims to court or attending hearings on behalf of victims, keeping victims apprised of any relevant information regarding their cases, advocating on behalf of victims and generally providing all services to victims that the Full-Time Advocates are currently providing. The Program is requesting a four percent increase in salary for the second Full-time Victim Advocate's position in an effort to retain the current advocate and bring her salary to a more competitive wage for our geographical area and in respect to her education, training and experience. The requested VOCA Funds are crucial to maintain the current Program and continue to provide direct services to Crime Victims in Jefferson County.

Please see the attached sheet for specific breakdown of Personnel/Contractual funds. (See Attachment).

Travel/Training: Funds requested from VOCA are to be used for registration, mileage, lodging or meals for two Full-time and the Part-Time Victim Advocates in order to fulfill VOCA's required 8 hour Trainings for Advocates. The Program's Advocates have attempted and will continue to attempt to find Trainings that are either free or cost-effective. The Program is requesting VOCA grant funds of two thousand dollars (\$2,000) to help defray Travel/Training costs.

Jefferson County Clerk's Office

Jacki Shadle, County Clerk

Gail Magaha
Nikki Painter
Jenny Hughes
Katrina Bloomer
Jerri Herbert
Arabia Anderson



Elaina Maze
Lynn Fields
Karen Olden
Vivian Fields
Renee Hudson
Sally Gran

02/24/2017

Ms. Debra Young
Victims Advocate
Prosecuting Attorney

RE: VOCA Grant Information

Dear Ms. Young,

For the Federal Gov't fiscal year ending September, 2018 **estimate**: the following is a salary breakdown plus VOCA Grant information:

| <u>Debra Young</u> | | <u>Crystal Gumbel-Shade</u> |
|----------------------|-----------------------------|-----------------------------|
| \$ 68,904.42 | Salaries | \$ 42,692.00 |
| <u>\$(30,727.00)</u> | Less Grant – Salary | <u>\$(28,652.00)</u> |
| \$ 38,177.42 | | \$ 14,040.00 |
| Benefits: | | |
| \$ 4,272.07 | 6.2 % OASDI | \$ 2,646.90 |
| \$ 999.11 | 1.45% HI | \$ 619.03 |
| \$ 7,579.49 | 11% Retirement | \$ 4,696.12 |
| <u>\$16,127.16</u> | Health/Life/Dental/Vision | <u>\$16,127.16</u> |
| \$28,977.83 | County Pays – Benefits | \$ 24,089.21 |
| \$67,155.25 | County Paid Salary/Benefits | \$ 38,129.21 |

Sincerely,

Sally A. Gran
Chief Deputy- Payroll
Jefferson County Clerk's Office
(304) 728-3340

Jefferson County VOCA
October 1, 2017 - September 30, 2018 - Estimate

Employee Name:

Crystal Gumbel-Shade

| | |
|----------------|-----------|
| Gross Salary | 42,692.00 |
| Total Benefits | 24,089.22 |

| | |
|-----------------------|------------------|
| OASDI - 6.20% | 2,646.90 |
| HI - 1.45% | 619.03 |
| Medical - EE+1 | 15,609.96 |
| Dental/Vision | 364.80 |
| Life Insurance | 152.40 |
| Ret -11% | 4,696.12 |
| Total Benefits | 24,089.22 |

Debra Young

| | |
|----------------|-----------|
| Gross Salary | 68,904.42 |
| Total Benefits | 28,977.83 |

| | |
|-----------------------|---------------------|
| OASDI - 6.20% | \$ 4,272.07 |
| HI - 1.45% | \$ 999.11 |
| Medical - EE+1 | \$ 15,609.96 |
| Dental/Vision | \$ 364.80 |
| Life Insurance | \$ 152.40 |
| Ret -11% | \$ 7,579.49 |
| Total Benefits | \$ 28,977.83 |

| | |
|---------------------------|--------------|
| Calculations Used: | |
| Medical | |
| FY 2018 Estimate | |
| Single- | |
| \$ 760.41 | \$ 9,124.92 |
| Total FY 2016-Est | \$ 9,124.92 |
| Dental | \$ - |
| \$ 23.46 | \$ 281.52 |
| Vision | |
| \$ 6.94 | \$ 83.28 |
| | \$ 364.80 |
| Life | |
| \$ 12.70 | \$ 152.40 |
| | \$ 152.40 |
| EE + 1 Medical | |
| FY 2018 Estimate | \$ - |
| \$ 1,300.83 | \$ 15,609.96 |
| | \$ 15,609.96 |

| | | |
|----------------|---------------------------|------------------|
| Debra Young | Salaries | Crystal Gumbel-S |
| \$ 68,904.42 | Less Grant-Salary | \$ 42,692.00 |
| \$ (30,727.00) | | \$ (28,652.00) |
| \$ 38,177.42 | | \$ 14,040.00 |
| | Benefits: | |
| \$ 4,272.07 | 6.2% Fica | \$ 2,646.90 |
| \$ 999.11 | 1.45% Medicare | \$ 619.03 |
| \$ 7,579.49 | 11% Retirement | \$ 4,696.12 |
| \$ 16,127.16 | Health/Life/Dental/Vision | \$ 16,127.16 |
| \$ 28,977.83 | County Pays | \$ 24,089.22 |
| \$ 67,155.25 | Total Salary/Benefits | \$ 38,129.22 |

| | | | |
|------------------------------|---------------|-----------------------|------------------|
| Summary: | | OASDI - 6.20% | 6,918.98 |
| Gross Wages | \$ 111,596.42 | HI - 1.45% | 1,618.15 |
| Total Benefits | \$ 53,067.05 | Health Insurance | 0.00 |
| | | Family | 31,219.92 |
| Grand Total Wages & Benefits | \$ 164,663.47 | Dental/Vision | 729.60 |
| | | Life Insurance | 304.80 |
| | | Retirement - 11.0% | 12,275.61 |
| | | Total Benefits | 53,067.05 |

Jefferson County VOCA
October 1, 2017 - September 30, 2018 - Estimate

Employee Name:

Gail McMillion

| | |
|----------------|-----------|
| Gross Salary | 35,801.48 |
| Total Benefits | 16,319.10 |

| | |
|-----------------------|-------------------------|
| OASDI - 6.20% | 2,219.69 |
| HI - 1.45% | 519.12 |
| Medical - EE | 9,124.92 |
| Dental/Vision | 364.80 |
| Life Insurance | 152.40 |
| Ret -11% | 3,938.16 |
| Total Benefits | <u>16,319.10</u> |

| | |
|---------------------------|---------------------|
| Calculations Used: | |
| Medical | |
| FY 2018 Estimate | |
| Single- | |
| \$ 760.41 | \$ 9,124.92 |
| Total FY 2016-Est | <u>\$ 9,124.92</u> |
| Dental | \$ - |
| \$ 23.46 | \$ 281.52 |
| Vision | |
| \$ 6.94 | \$ 83.28 |
| | <u>\$ 364.80</u> |
| Life | |
| \$ 12.70 | \$ 152.40 |
| | <u>\$ 152.40</u> |
| EE + 1 Medical | |
| FY 2018 Estimate | \$ - |
| \$ 1,300.83 | \$ 15,609.96 |
| | <u>\$ 15,609.96</u> |

| | | | |
|------------------------------|---------------------|-----------------------|-------------------------|
| Summary: | | OASDI - 6.20% | 2,219.69 |
| Gross Wages | \$ 35,801.48 | HI - 1.45% | 519.12 |
| Total Benefits | \$ 16,319.10 | Health Insurance | 0.00 |
| | | Family | 9,124.92 |
| Grand Total Wages & Benefits | <u>\$ 52,120.58</u> | Dental/Vision | 364.80 |
| | | Life Insurance | 152.40 |
| | | Retirement - 11.0% | 3,938.16 |
| | | W. Comp. | 0.00 |
| | | Total Benefits | <u>16,319.10</u> |

Jefferson County VOCA
 October 1, 2017 - September 30, 2018 - Estimate

Employee Name:

Cora Kowalski

| | |
|----------------|-----------|
| Gross Salary | 17,760.00 |
| Total Benefits | 1,397.71 |

| | |
|-----------------------|------------------------|
| OASDI - 6.20% | 1,101.12 |
| HI - 1.45% | 257.52 |
| Medical - EE | 0.00 |
| Dental/Vision | 0.00 |
| Life Insurance | 0.00 |
| Ret -11% | 0.00 |
| Workers Comp | 39.07 |
| Total Benefits | <u>1,397.71</u> |

| | | | |
|---|----------------------------|-----------------------|------------------------|
| Summary: | | OASDI - 6.20% | 1,101.12 |
| Gross Wages | \$ 17,760.00 | HI - 1.45% | 257.52 |
| Total Benefits | \$ 1,397.71 | Health Insurance | 0.00 |
| | | Family | 0.00 |
| Grand Total Wages & Benefits | <u>\$ 19,157.71</u> | Dental/Vision | 0.00 |
| | | Life Insurance | 0.00 |
| | | Retirement - 11.0% | 0.00 |
| | | W. Comp. | 39.07 |
| | | Total Benefits | <u>1,397.71</u> |

Appendix G

Standard Conditions are in the process of being revised. If recommended for funding, they will be sent for signature.

**WEST VIRGINIA
DIVISION OF Justice and Community
Services**

**VICTIM OF CRIME ACT (VOCA) GRANT
SPECIAL CONDITIONS AND ASSURANCES**

59. ADMINISTRATIVE CHANGES:

The applicant must advise DJCS immediately in writing if there are any changes in the: (1) Project Director, (2) Fiscal Officer, (3) Authorized Official, or (4) VOCA Grant-funded staff position(s). Please also submit to DJCS a new membership list if there are any changes in the members of a governing board, such as County Commission or City Council, or changes in members of the Advisory Board/Committee.

60. LATE REPORTING:

Applicant understands that projects which become 60 days delinquent in the submission of reporting requirements will forfeit one month of reimbursable expenses for the entire project. Each additional 30 days past the initial 60-day delinquency period shall result in an additional forfeiture of a month's reimbursable expenses.

61. CLIENT FILES:

Applicant must maintain client files for all victims served to document type of crime and services provided throughout the grant period. Sub-grantee also agrees to collect and maintain Civil Rights information, where such information is voluntarily furnished by those receiving service, on race, sex, national origin, age and disability. These records are to be available at any time for review by DJCS.

62. CLIENT SURVEYS/EVALUATIONS:

The applicant is required to implement client surveys for evaluation purposes. DJCS may require a copy of these surveys/evaluations or request proof survey is being implemented. All surveys/evaluations must ensure client confidentiality. All surveys/evaluations will include the two following outcome measures: (1) **Victim safety**, (2) **Public awareness**, results will be required on the VOCA Annual Performance Report.

63. CLIENT CONFIDENTIALITY:

Applicant must maintain a written confidentiality policy that prohibits the disclosure of victim's name, address, phone number, any contact information, or any other personally identifying information without prior voluntary written consent of the victim (or legal guardian). Client information should only be accessible to authorized direct service staff of the funded program. All programs who also receive funds under the STOP Violence Against Women Act (VAWA) must adhere to all confidentiality requirements under the Violence Against Women Reorganization Act of 2005.

64. NOTIFICATION OF VICTIM COMPENSATION PROGRAM:

Applicant is required to assist crime victims in seeking available and eligible crime victim compensation benefits. Such assistance may include identifying and notifying crime victims of the availability of the victim compensation fund, assisting with the application forms and procedures, obtaining necessary documents, and/or checking on claim status.

65. GRANT FILE:

Applicant must maintain a grant file containing all grant-related documents, such as the grant agreement, monthly financial reports, monthly progress reports, and any grant-related correspondence. In some situations, the project site maybe at a different location than the official sub-grantee. Therefore, an official grant file should be maintained by both the official sub-grantee and the project site. These records are to be available at any time for review by DJCS.

**WEST VIRGINIA
DIVISION OF Justice and Community
Services**

**VICTIM OF CRIME ACT (VOCA) GRANT
SPECIAL CONDITIONS AND ASSURANCES**

66. ADMINISTRATIVE MANUAL:

All pertinent information in regard to the Victim of Crime Act and amendments and all applicable federal and state laws, orders, circulars and regulations are updated and maintained in the appropriate administrative manual by sub-grantees

67. TRAVEL/TRAINING:

Any applicant receiving VOCA Grant funding for training must submit in writing to DJCS all request for training in writing for pre-approval of all training. Also, any VOCA grant-funded staff position who attends any training workshop or conference must submit a written narrative identifying the training, its purpose, what specific workshops were attended, and the useful information obtained that will assist in implementing the VOCA grant project. **All training must be approved in advance by DJCS** by submitting a written request (from project director) identifying the staff person who will be attending, the name of the conference and purpose, and attaching a brochure outlining the costs and the agenda.

Please note – sub-grantee representatives (project director and VOCA-funded staff positions/volunteers) may be required to attend training workshops deemed critical by DJCS.

68. VOCA FUNDED TRAINING EVENTS:

All agenda topics and trainers must be pre-approved by DJCS for any training events (conferences, workshops, symposiums, etc.) paid for with VOCA funds. A written request must be submitted to DJCS **90** days prior to entering into any agreements, for agenda topics, speakers, and/or trainers. The request must include workshop descriptions and speaker biographies. All state agencies are required to work with the WV Coalition Against Domestic Violence and/or the WV Foundation for Rape Information and Services in acquiring appropriate speakers prior to the conference.

Please note – all VOCA funded training events must include an evaluation component and the results of the evaluations must be submitted to DJCS with the corresponding monthly report. If a program charges registration fees, they must provide certificates and/or certification that participants actually attended training in order to be reimbursed for registration fees. They must include a sign-in sheet of participants to DJCS.

69. INTERAGENCY AGREEMENTS:

Where applicable, sub-grantee must develop a formal referral and inter agency agreements in a Memorandum of Understanding (MOU); copies of interagency agreements and referral Memorandum of Understanding are to be submitted with the application.

70. HIRING PROCEDURES:

Hiring procedures outlined in the grant application should be followed in hiring VOCA grant-funded staff positions. Staff hired must meet the qualifications outlined in the job description for the position. DJCS is to be advised in writing if there are any difficulties in filling VOCA grant-funded staff positions.

71. EQUAL TREATMENT FOR FAITH-BASED ORGANIZATIONS:

Such organizations receiving VOCA funds must ensure that services are offered to all victims without regard to religious affiliation and that the 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 VOCA funded project. Further, participation in such activities by individuals receiving services must be voluntary.

72. ENSURING VICTIMS RIGHTS:

All funded programs/agencies will practice a "Victim Centered Approach". They are required to inform victims of their rights and ensure victims are afforded their rights.

73. ACTIVITIES THAT MAY COMPROMISE VICTIM SAFETY:

Applicants are strongly discouraged from proposing projects or supporting programs that include any activities that may compromise victim safety as outlined in the Victim of Crime Act.

**WEST VIRGINIA
DIVISION OF Justice and Community
Services**

**VICTIM OF CRIME ACT (VOCA) GRANT
SPECIAL CONDITIONS AND ASSURANCES**

74. AUDITS:

All programs that meet the Audit Requirement under §200.501(a) will submit a copy of an audit to DJCS. Programs who complete an audit for other purposes must submit a copy of the audit within 30 days of completion. Additionally, programs who are not required to submit an audit under §12-4-14 are still required to submit a copy of an audit or an annual internal financial review to the Program Administrator at DJCS, showing the total budget expenditures and revenues from all sources for the prior year, along with a systematic method for timely and appropriate resolution of findings and/or recommendations.

75. BOARD OF DIRECTORS:

Non-profit agencies are required to maintain a Board of Directors that will meet at least quarterly to review the status of grant objectives, to develop strategies for resolving any problems or barriers, and to perform periodic evaluations. Board Meeting minutes must be submitted with corresponding monthly reports. All state and local government agencies must submit any county commission minutes (which discuss the sub-grant or VOCA staff) or advisory board meeting minutes with the corresponding monthly reports.

76. Printed Materials:

Any brochures or materials printed with VOCA funds must be submitted to DJCS 30 days for pre-approval prior to printing. Subgrantee's that were awarded funding for brochures must submit a copy of the brochure to DJCS for pre-approval prior to printing and all brochures must be purchased within the first quarter of the grant cycle or the funds may be deobligated.

77. DEBARMENT:

Any funded agency that is debarred with the State of West Virginia or Federally must inform DJCS in writing within 30 days of becoming debarred and have a plan of action stating the steps to address this issue. Funds will be frozen and the sub-grantee has 30 days to address this issue and then funds may be deobligated.

78. TEXT MESSAGING:

Applicant and all funded agencies will develop and implement a written policy which bans employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

79. VOLUNTEERS:

The applicant must utilize at least one volunteer during the grant period for VOCA allowable activities, as well as VOCA-funded staff to implement the grant project. All sub-grantees will be required to submit a volunteer log quarterly. If a log is not submitted, DJCS will hold funds until it is submitted.

80. MINIMUM TRAINING REQUIREMENT:

All funded VOCA staff will be required to complete eight (8) hours per year of pre- approved victim assistance training. They must submit a certificate showing they completed this training. If this is not completed by June 30th the sub-grantee must submit in writing why they have not attended a training; when they will attend and what type of training they plan to attend to DJCS. This will be reviewed for compliance at grant reviews.

**WEST VIRGINIA
DIVISION OF Justice and Community
Services**

**VICTIM OF CRIME ACT (VOCA) GRANT
SPECIAL CONDITIONS AND ASSURANCES**

81. Network Policy & Protections

All subgrantee's must have a policy that prohibits the viewing, downloading, and/or exchanging of pornographic material. Subgrantee's understand and agrees that – (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

82. VOCA GUIDELINES:

The Recipient assures that it will comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404 (a)(2) and 1404 (b) (1) and (2), 42 U.S.C. 10603(a)(2) and (b) (1) and (2) and the applicable program guidelines and regulations; as required.

Specifically, the recipient certifies that funds under this sub-award will a) eligible victim assistance organizations 42 U.S.C. 1063 (a)(2); b) not be used to supplant State and local public funds that would otherwise be available for crime victim assistance; and c) be allocated in accordance with program guidelines or regulations implementing 42 U.S.C. 1063(a)(2)(A) and 42 U.S.C. 1063 (a)(2)(B) to, at a minimum assist victims in the following categories: sexual assault, child abuse, domestic violence, and underserved victims of violent crimes identified by the State.

83. Project Director & Fiscal Officer Monitoring Requirement:

The recipient acknowledges that the Project Director and Fiscal Officer of the grant are REQUIRED to be in attendance for the DJCS on-site monitoring visit.

84. Using Arrest and Conviction Records in Making Employment Decisions.

The OCR issued an advisory document for subrecipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 20 13), available at http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf. Subrecipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, subrecipients should consult local counsel in reviewing their employment practices. If warranted, subrecipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOs).

85. Salary Increases

Subgrantee's that are awarded an increase in Personnel/Contractual must apply the approved raises in salary within the first quarter of the grant cycle or the increased funds may be deobligated.

86. Other Funds

Subgrantee's that are awarded "Other" funding for general office supplies must purchase supplies quarterly or the funds may be deobligated.

87. Computers and/or Office Equipment

Subgrantee's that are awarded "Other" funding for computers and/or office equipment must purchase the approved items within the first quarter of the grant cycle or funds may be deobligated.

88. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this 2015 award from the Office of Justice Programs (OJP). For this 2015 award, the Part 200 Uniform Requirements, which were first adopted by DOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

If this 2015 award supplements funds previously awarded by OJP under the same award number, the Part 200 Uniform Requirements apply with respect to all award funds (whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2015 award.

Potential availability of grace period for procurement standards: Under the Part 200 Uniform Requirements, a time-limited grace period may be available under certain circumstances to allow for transition from policies and procedures that complied with previous standards for procurements under federal awards to policies and procedures that comply with the new standards (that is, to those at 2 C.F.R. 200.317 through 200.326).

For more information on the Part 200 Uniform Requirements, including information regarding the potentially-available grace period described above, see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the subgrantee is to contact DJCS and OJP promptly for clarification.

89. Compliance with DOJ Grants Financial Guide

Subgrantee agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2016 DOJ Grants Financial Guide").

90. Outstanding Audit Issues

The subgrantee understands and agrees that DJCS and/or OJP may withhold award funds, or may impose other related requirements, if the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

91. De Minimis

A subgrantee that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC).

92. Fraud

All subgrantee's must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subgrantee, contractor, subcontractor, or other person has – (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by - mail: Office of the Inspector General U.S. Department of Justice Investigations Division 950 Pennsylvania Avenue, N.W. Room 4706 Washington, DC 20530 e-mail: oig.hotline@usdoj.gov hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881 Additional information is available from the DOJ OIG website at www.usdoj.gov/oig

93.**Restrictions and certifications regarding non-disclosure agreements and related matters**

No subgrantee under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the subgrantee --

- a) represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- b) certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the subgrantee does or is authorized to make subawards or contracts under this award --

- a) it represents that --
 - 1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
 - 2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and
- b) it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

94.**Performance Measures**

The subgrantee must collect, maintain, and provide to DJCS & OJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

95.**Performance Measures II**

The subgrantee agrees to submit performance reports on the performance metrics identified by DJCS and OVC, and in the time and manner required by DJCS & OVC. This information on the activities supported by the award funding will assist in assessing the effects that VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction. Beginning October 1, 2015, the subgrantee agrees to submit such information monthly.

96.**Non-Profit Financial Statements**

All non-profit subgrantees of VOCA Assistance funding under this award are required to make their financial statements available online (either on the subgrantees, or another publicly available website). OVC will consider sub-recipient organizations that have Federal 501(c)(3) tax status as in compliance with this requirement, with no further action needed, to the extent that such organization files IRS Form 990 or similar tax document (e.g., 990-EZ), as several sources already provide searchable online databases of such financial statements.

97.**Non-Profit Status Certification**

All non-profit subgrantees of VOCA Assistance funding under this award are required to certify their non-profit status. Subgrantees may certify their non-profit status by submitting a statement to DJCS (to be placed in the grant file) affirmatively asserting that the subgrantee a non-profit organization, and indicating that it has on file, and available upon audit, either -- 1) a copy of the recipient's 501(c)(3) designation letter; 2) a letter from the recipient's state/territory taxing body or state/territory attorney general stating that the recipient is a non-profit organization operating within the state/territory; or 3) a copy of the recipient's state/territory certificate of incorporation that substantiates its non-profit status. Subgrantees that are local non-profit affiliates of state/territory or national non-profits should have available proof of (1), (2) or (3), and a statement by the state/territory or national parent organization that the recipient is a local non-profit affiliate.

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| 98. | Program Accountability – Federal Audit Requirements |
| <p>I.) 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.</p> <p>§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.</p> <p>(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.</p> <p>(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.</p> <p>(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).</p> | |
| 99. | Requirement to report potentially duplicative funding. |
| <p>If the subrecipient currently has other active awards of federal funds, or if the subrecipient receives any other award of federal funds during the period of performance for this award, the subrecipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the subrecipient must promptly notify DJCS and the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by DJCS or the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.</p> | |
| 100. | Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award). |
| <p>The subrecipient ("subgrantees"), at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the subrecipient. The details of the subrecipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at http://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm (Award condition: Prohibited conduct by subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.</p> | |
| 99. | OJP Training Guiding Principles. |
| <p>Any training or training materials that the subrecipient ("subgrantee") at any tier-- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Sub grantees, available at http://ojp.gov/funding/ojptrainingguidingprinciples.htm.</p> | |
| 100. | High-Risk Grantee. |
| <p>The subrecipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the subrecipient is designated as "high-risk" for purposes of the DJCS or DOJ high-risk grantee list.</p> | |

101. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination- 28 C.F.R. Part 38.

The subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016. Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to subrecipient ("sub grantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to subrecipients that are faith-based or religious organizations.

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

102. Restrictions on "lobbying".

Federal funds may not be used by the subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government. Should any question arise as to whether a particular use of Federal funds by a subrecipient would or might fall within the scope of this prohibition, the subrecipient is to contact DJCS or OJP for guidance, and may not proceed without the express prior written approval of DJCS and OJP.

103. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2016).

The subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2016, are set out at <http://ojp.gov/funding/Explore/FY2016-AppropriationsLawRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a subrecipient would or might fall within the scope of an appropriations-law restriction, the subrecipient is to contact DJCS and OJP for guidance, and may not proceed without the express prior written approval of DJCS and OJP.

104. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees).

The subrecipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant. The subrecipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712. Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the subrecipient is to contact the DOJ awarding agency (OJP or OWW, as appropriate) for guidance.

105. Office for Victims of Crime (OVC) and/or Office of the Chief Financial Officer (OCFO) Authorization.

The subgrantee authorizes DJCS and the Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, paper or documents related to the VOCA grant. DJCS will further ensure that all VOCA subgrantees will authorize representatives of OVC and OCFO access to and the right to examine all records, books, paper or documents related to the VOCA grant.

106. Coordination of Victim Services Policy and Inter-Agency Referral Agreement.

Subgrantees must develop and implement a specific policy regarding how they refer victims to and collaborate with other services providers when the services offered at their facilities do not meet the needs of victims, including an "Inter-Agency Referral Agreement" which will be developed by the West Virginians Against Violence Committee and DJCS. A copy of the policy and Inter-Agency Referral Agreement must be submitted to DJCS during the first fiscal quarter of the grant period. Subgrantees must also train all advocates and/or staff members who come in contact with victims on the proper execution of the referral policy.

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| 107. | Monthly Match Submission Requirement. |
| Subgrantees that are awarded \$100,000 or more for the grant period must submit Match on a Monthly Basis. | |
| 108. | Mandatory Technical Assistance Training. |
| All Subgrantees are required to send at least one representative to DJCS Mandatory Technical Assistance Training. The person(s) attending the training must be able to adequately train other VOCA funded staff on changes in reporting requirements and the correct way to collect and report data for the Subgrant Award Report and VOCA Performance Measures. | |
| 109. | Cab/Bus Vouchers and/or Clothing Vouchers |
| Subgrantees awarded Travel/Training funding for Cab or Bus Vouchers or Other funds for Clothing Vouchers, must submit the DJCS Tracking Form, corresponding Invoices, and Proof of Payment to be reimbursed. Be advised DJCS will ONLY reimburse for those Vouchers that have been used by Victims of Crime and are appropriately documented on the required form and have been approved in the subgrantee's budget for this purpose. | |
| 110. | Enforcing Civil Rights Laws |
| All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards. | |
| 111. | Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$150,000. |
| . The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$150,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward). The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at http://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$150,000)), and are incorporated by reference here. | |
| 112. | Compliance with applicable rules regarding approval, planning, and report of conferences, meetings, trainings, and other events. |
| The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences. Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide"). | |
| 113. | Effect of Failure to Address Audit Issues |
| The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards. | |

| | |
|--|--|
| 114. | Compliance with general appropriations – law restrictions on the use of federal funds (FY 2016) |
| <p>The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2016, are set out at http://ojp.gov/funding/Explore/FY2016-AppropriationsLawRestrictions.htm, and are incorporated by reference here.</p> <p>Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.</p> | |
| 116. | FFATA Compliance |
| <p>The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at http://ojp.gov/funding/Explore/FFATA.htm (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).</p> | |
| 117. | ACORN |
| <p>Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.</p> | |
| 118. | Non-discrimination of Students |
| <p>The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.</p> | |

I certify that I have read the entire Standard and Special Conditions and Assurances of this grant program and agree to comply with these requirements.

Printed/Typed Authorized Official Name

SIGNATURE (Original) of Authorized Official

DATE

Printed/Typed Project Director Name

SIGNATURE (Original) of Project Director

DATE

Appendix F

Project Director and Fiscal Officer

Role and Responsibilities

Project Director's Role

All sub-grantees are required to have a Project Director; the individual charged with facilitating the project **(the actual day-to-day operation and implementation)**. **This individual cannot also be the fiscal officer or authorized official and should not be a full-time grant funded staff person.**

The Project Director's role is as follows:

- ⌘ Be the main contact for DJCS staff

- ⌘ Ensure all information is forwarded to all funded staff/agencies; this includes but is not limited to:
 - Goals and Objectives of the grant
 - Budgets
 - Special and standard conditions of the grant
 - Memos
 - Surveys
 - Changes in grant requirements
 - Forms
 - Training available

- ⌘ Ensure all reports are submitted on time to DJCS

- ⌘ Inform DJCS of changes in staff and Authorized officials

- ⌘ Request project changes and prior approval of attendance of training/travel not specified in budget.

- ⌘ The Project Director is the contact person for members of the West Virginians Against Violence Committee

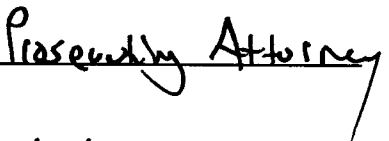
- ⌘ The Project Director's presence is **MANADATORY** at on-site DJCS monitoring visits.

I certify that I have read and understand my Role and Responsibilities:

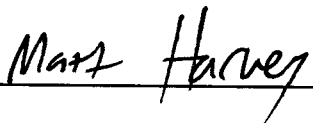
Project Director:



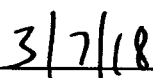
Title:



Signature:



Date:



Fiscal Officer's Role

All sub-grantee are required to have Fiscal Officer, the individual charged with the responsibility for the fiscal records of the project. **This individual cannot also be the authorized official or project director and should not be a VOCA funded staff person.**

The Fiscal Officer's role with DJCS staff is as follows:

- ☞ The contact person for financial questions
- ☞ Review the approved budget for each grant
- ☞ Be aware of Special and Standard Conditions of the grant
- ☞ Review all monthly financial reports and ensure all required documentation is included
- ☞ Submit copies of audits to DJCS and contact DJCS if debarred
- ☞ The Fiscal Officer's presence is **MANDATORY** at on-site DJCS monitoring visits.

I certify that I have read and understand my Role and Responsibilities:

Fiscal Officer: Michelle Gordon Title: Finance Director
Signature: Michelle Gordon Date: 3-7-2018

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jennifer Myers

Department or Organization: **Jefferson County Parks and Recreation Commission**

Estimation of amount of time needed for appointment: 15 min

Date Requested – March 15

*If a specific date is needed, please provide reason for specific date: **Grant Deadline is April 1st.***

Date Requested – March 29

Subject (*Wording to be placed on agenda*): Resolution for JCPRC to apply for a WV Culture and History Grant and a Land and Water Conservation Fund Grant for the Ampitheatre Project at Sam Michael's Park.

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*):

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



Name: Nic Diehl

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

Estimation of amount of time needed for appointment: 10 Minutes

Date Requested – 1st Choice: **March 15, 2017**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Request for Support Letter for West Virginia Opportunity Zones

Please provide the County Commission with a description of your request or presentation, including any background information: JCDA has submitted 3 sites for the WV Opportunity Zone program. County Commission support letter is required.

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

Move to write a letter of support for 3 Jefferson County census tracts submitted to the West Virginia Opportunity Zones program.

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: Nic Diehl

Email address: nic@jcda.net

Phone Number: 304-728-3255

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

| |
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| |
|--|

DRAFT SUPPORT LETTER

The Jefferson County Commission offers its full support for the designation of three census tracts in Jefferson County as "Opportunity Zones". Each of these tracts has a strong potential for future economic growth. The "Opportunity Zone" program created by the new federal Tax Cut and Jobs Act would further encourage investment in the following areas:

- Census Tract 54037972402 is home to three industrial parks and commercial shopping areas located on the WV Route 9 corridor. Within this area, multiple sites are available for industrial development as well as retail opportunities. Existing manufacturers are expanding and new homes are under development. Continued investment in this area is vital to the core of the county.
- Census Tract 54037972300 contains the site of an international manufacturer that recently chose Jefferson County for its newest North American facility. This location is also along the Route 9 corridor and is slated for natural gas in 2019. The adjacent acreage would be an attractive site for future investment.
- Census Tract 54037972800 is on the U.S. Route 340 corridor traveling North-South from Charles Town to the Virginia line. Sunnyside Business Park is a 100-acre site available for industrial development with rail access to an inland port 45 mile away. The Summit Point Motorsports Park includes training facilities for federal agencies. Additional areas within the zone could be made available for commercial/industrial development within proximity to the 4-lane expansion planned for Route 340.

Jefferson County's proximity to Washington, D.C., and the eastern seaboard makes it ideally situated for growth and investment. We strongly encourage you to consider each of these tracts as a West Virginia Opportunity Zone. The Opportunity Zone designation would provide another mechanism to attract economic development and job opportunities to Jefferson County.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Roger Goodwin, Chief County Engineer**

Department or Organization: **Department of Engineering, Planning & Zoning – Office of Impact Fees**

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

Date Requested – 1st Choice: **March 15, 2018**

Date Requested – 2nd Choice: **March 29, 2018**

Subject (*Wording to be placed on agenda*): **Consideration of the Annual Inflationary Adjustment to the Impact Fees, as provided for in the CY 2017 Impact Fees Annual Report.**

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

The impact fees annual report for calendar year 2017 is attached. Note that under section 2.4.1, "Inflation Adjustments," the annual inflation adjustment shown in the report will be automatically applied on April 1, 2018. The inflationary adjustment is to automatically occur by dictate of the Impact Fees Procedure Ordinance 2003-1, Section 6.B, unless the County Commission acts to stay the adjustment to the impact fees.

The County Commission, at its February 15, 2018, meeting, delayed a decision on the inflationary adjustment until the March 15th meeting. The County Commission has the option of accepting the inflationary increase or staying the increase.

Is this a funding request? **No** If so, how much?

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

Motion to (approve or stay) the annual inflationary adjustments to the impact fees.

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

If not attached, explain: **CY 2017 Impact Fees Annual Report (see Section 2.4.1, pages 17 – 21)**

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

Contact information:

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

Annual Report on Impact Fees

January 2017 – December 2017

Engineering Department
Office of Impact Fees

Jefferson County Government

17 January 2018

Contents

| | |
|---|----|
| Tables and Figures | 3 |
| Appendices..... | 3 |
| 1.1. Trends in Fee Collection..... | 4 |
| 1.2. Fees Collected..... | 6 |
| 1.3. Financial Data | 9 |
| 1.4. Fees Disbursed | 11 |
| 1.4.1. Refunds | 11 |
| 1.4.2. Requisitions..... | 11 |
| 2. Annual Review..... | 13 |
| 2.1. Recommended Changes to Ordinances or Procedures | 13 |
| 2.1.1. Ordinance Changes During 2017 | 13 |
| 2.2. Identification of FY 2018 Impact Fee-Fundable Capital Projects | 14 |
| 2.2.1. Schools..... | 15 |
| 2.2.2. Law Enforcement..... | 15 |
| 2.2.3. Parks & Recreation | 15 |
| 2.2.4. EMS | 15 |
| 2.3. Proposed Fee Boundary Districts..... | 16 |
| 2.4. Proposed Fee Schedule Changes | 16 |
| 2.4.1. Inflation Adjustments..... | 17 |
| 2.5. Proposed Changes to Level of Service Standards..... | 17 |
| 2.5.1. Overview..... | 17 |
| 2.6. Proposed Changes to Base Data for Fee Calculation..... | 17 |
| 3. 2017 Inflation Adjustments..... | 17 |
| 3.1. Source Data..... | 17 |
| 3.2. Inflation Adjustment – Schools | 18 |
| 3.3. Inflation Adjustment – Law Enforcement | 19 |
| 3.4. Inflation Adjustment – Parks & Recreation..... | 19 |
| 3.5. Inflation Adjustment – EMS..... | 20 |
| 3.6. Residential Fee Totals – Inflation Adjusted..... | 21 |

Tables and Figures

| | |
|--|----|
| Table 1A. Total County Residential Building Permits (CY 2004-2017) | 4 |
| Table 1B. Total County Non-Residential Building Permits (CY 2004-2017) | 5 |
| Table 2. Fees Collected – Calendar Year 2017 | 6 |
| Table 3. Fees Collected by County Tax District – Calendar Year 2017 | 7 |
| Table 4. Fees Collected by Municipal Tax District – Calendar Year 2017 | 8 |
| Table 5. Office of Impact Fees General Account (3111776) | 9 |
| Table 6. Impact Fee Holding Accounts | 10 |
| Table 7. FY 2018 Approved Fee Fundable Projects..... | 11 |
| Table 8. Impact Fee Holding Account Withdraws | 12 |
| Table 9. BOE Fee Fundable Projects..... | 15 |
| Table 10. Jefferson County Law Enforcement Projects | 15 |
| Table 11. Park & Recreation Fee Fundable Projects | 15 |
| Table 12. Jefferson County EMS Projects..... | 15 |
| Table 13. Price Indices and Cost of Living Adjustment..... | 18 |
| Table 14. Inflation Adjustment – Schools | 18 |
| Table 15. Inflation Adjustment - Law Enforcement..... | 19 |
| Table 16. Inflation Adjustment - Parks & Recreation | 19 |
| Table 17. Inflation Adjustment - EMS | 20 |
| Table 18. Inflation Adjusted Maximum Fee Schedule - 01 April 2018 | 21 |

Appendices

| | |
|---|---|
| Appendix A. Reduction of Commercial Impact Fee Ordinance..... | A |
| Appendix B. Affordable Housing Discount Fee Schedule | B |

Executive Summary

1.1. Trends in Fee Collection

Permitting for new residential construction in Jefferson County in Calendar Year (CY) 2017 increased relative to CY 2016 while commercial was decreased to prior year's units, as indicated in Tables 1A and 1B. In CY 2017 there were 258 impact fee applications processed versus 202 impact fee applications in 2016. Of that total in CY 2017, 14 applications were for replacement of existing dwelling units, which do not represent new growth and were exempt from impact fees.

Table 1A. Total County Residential Building Permits (CY 2004-2017)

| Year | Single Family | | | Town Home | | | Duplex | | | Multifamily | | | Grand Total |
|--------------|---------------|--------------|--------------|-----------|------------|------------|----------|----------|----------|-------------|-----------|-----------|--------------|
| | Exempt | Fees | Total | Exempt | Fees | Total | Exempt | Fees | Total | Exempt | Fees | Total | |
| 2004 | 49 | 269 | 318 | 0 | 5 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 323 |
| 2005 | 39 | 324 | 363 | 0 | 22 | 22 | 0 | 0 | 0 | 0 | 0 | 0 | 385 |
| 2006 | 42 | 256 | 298 | 0 | 57 | 57 | 0 | 0 | 0 | 0 | 0 | 0 | 355 |
| 2007 | 38 | 213 | 251 | 0 | 66 | 66 | 0 | 0 | 0 | 0 | 0 | 0 | 317 |
| 2008 | 22 | 108 | 130 | 0 | 39 | 39 | 0 | 0 | 0 | 0 | 0 | 0 | 169 |
| 2009 | 25 | 75 | 100 | 0 | 50 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | 150 |
| 2010 | 32 | 91 | 123 | 0 | 39 | 39 | 0 | 0 | 0 | 0 | 0 | 0 | 162 |
| 2011 | 21 | 73 | 94 | 1 | 40 | 41 | 0 | 0 | 0 | 0 | 0 | 0 | 135 |
| 2012 | 13 | 118 | 131 | 0 | 24 | 24 | 0 | 0 | 0 | 0 | 0 | 0 | 155 |
| 2013 | 4 | 207 | 211 | 0 | 38 | 38 | 0 | 0 | 0 | 0 | 0 | 0 | 249 |
| 2014 | 4 | 182 | 186 | 0 | 16 | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 202 |
| 2015 | 14 | 182 | 196 | 0 | 8 | 8 | 0 | 4 | 4 | 0 | 96 | 96 | 304 |
| 2016 | 14 | 165 | 179 | 0 | 10 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 189 |
| 2017 | 14 | 225 | 239 | 0 | 8 | 8 | 0 | 4 | 4 | 0 | 0 | 0 | 251 |
| Total | 331 | 2,488 | 2,819 | 1 | 423 | 424 | 0 | 8 | 8 | 0 | 96 | 96 | 3,347 |

Table 1B. Total County Non-Residential Building Permits (CY 2004-2017)

| Year | Exempt | Fees | Total |
|--------------------|---------------|-------------|--------------|
| 2004 | 0 | 4 | 4 |
| 2005 | 0 | 5 | 5 |
| 2006 | 0 | 0 | 0 |
| 2007 | 10 | 12 | 22 |
| 2008 | 4 | 9 | 13 |
| 2009 | 3 | 2 | 5 |
| 2010 | 10 | 8 | 18 |
| 2011 | 1 | 11 | 12 |
| 2012 | 3 | 13 | 16 |
| 2013 | 1 | 3 | 4 |
| 2014 | 0 | 4 | 4 |
| 2015 | 0 | 5 | 5 |
| 2016 | 0 | 13 | 13 |
| 2017 | 1 | 6 | 7 |
| Grand Total | 33 | 95 | 128 |

1.2. Fees Collected

Jefferson County uses a fiscal year which starts in July and runs through June of the next year. The accounting of fees collected to date is based on a calendar year since this report is due to the Commission in January of each year. Thus, these values reported below span Fiscal Years 2017 and 2018 and run from 1 January 2017 through 31 December 2017. Table 2 presents the total fee collection data, while Tables 3 and 4 present the financial data categorized into county and municipal tax districts.

The financial transaction information for the Office of Impact Fees general account (which serves as the initial account of fee deposit) is presented in Table 5. Table 6 presents the financial data for each of the four long term impact fee holding accounts (Schools, Law Enforcement, Parks & Recreation, and EMS).

Table 2. Fees Collected – Calendar Year 2017

| Land Use | Type | Schools | Law | Parks & Rec | EMS | Grand Total |
|--------------------------|---------------|--------------------|-----------------|------------------|-----------------|--------------------|
| Residential | Single Family | \$1,264,659 | \$23,902 | \$97,179 | \$10,649 | \$1,396,389 |
| | Town Home | \$51,360 | \$1,288 | \$3,504 | \$384 | \$56,536 |
| | Duplex | \$9,952 | \$0 | \$633 | \$55 | \$10,640 |
| Residential Total | | \$1,325,971 | \$25,190 | \$101,316 | \$11,088 | \$1,463,565 |
| Commercial | Church | \$0 | \$1 | \$0 | \$13 | \$14 |
| | Comm25Less | \$0 | \$20 | \$0 | \$5 | \$25 |
| | Ware House | \$0 | \$0 | \$0 | \$1 | \$1 |
| Commercial Total | | \$0 | \$21 | \$0 | \$19 | \$40 |
| Grand Total | | \$1,325,971 | \$25,211 | \$101,316 | \$11,107 | \$1,463,605 |

Table 3. Fees Collected by County Tax District – Calendar Year 2017

| Tax District | Land Use | Type | Schools | Law | Parks & Rec | EMS | Grand Total |
|-------------------------------------|--------------------------|---------------|------------------|-----------------|----------------------------|----------------|------------------------|
| 02 Charles Town | Residential | Single Family | \$146,604 | \$4,141 | \$11,265 | \$1,234 | \$163,244 |
| | | Town Home | \$25,680 | \$644 | \$1,752 | \$192 | \$28,268 |
| | Residential Total | | \$172,284 | \$4,785 | \$13,017 | \$1,426 | \$28,268 |
| | Commercial | Comm25Less | \$0 | \$17 | \$0 | \$4 | \$21 |
| | Commercial Total | | \$0 | \$17 | \$0 | \$4 | \$21 |
| 02 Charles Town Grand Total | | | \$172,284 | \$4,802 | \$13,017 | \$1,430 | \$191,533 |
| 04 Harpers Ferry | Residential | Single Family | \$271,320 | \$7,663 | \$20,849 | \$2,285 | \$302,117 |
| | | Town Home | \$25,680 | \$644 | \$1,752 | \$192 | \$28,268 |
| | Residential Total | | \$297,000 | \$8,307 | \$22,601 | \$2,477 | \$330,385 |
| 04 Harpers Ferry Grand Total | | | \$297,000 | \$8,307 | \$22,601 | \$2,477 | \$330,385 |
| 06 Kabletown | Residential | Single Family | \$120,498 | \$3,404 | \$9,259 | \$1,015 | \$134,176 |
| | | | | | | | |
| | Residential Total | | \$120,498 | \$3,404 | \$9,259 | \$1,015 | \$134,176 |
| 06 Kabletown Grand Total | | | \$120,498 | \$3,404 | \$9,259 | \$1,015 | \$134,176 |
| 07 Middleway | Residential | Single Family | \$85,500 | \$2,415 | \$6,570 | \$720 | \$95,205 |
| | | | | | | | |
| | Residential Total | | \$85,500 | \$2,415 | \$6,570 | \$720 | \$95,205 |
| | Commercial | Church | \$0 | \$1 | \$0 | \$13 | \$14 |
| | Commercial Total | | \$0 | \$1 | \$0 | \$13 | \$14 |
| 07 Middleway Grand Total | | | \$85,500 | \$2,416 | \$6,570 | \$733 | \$95,219 |
| 09 Shepherdstown | Residential | Single Family | \$222,300 | \$6,279 | \$17,082 | \$1,872 | \$247,533 |
| | | | | | | | |
| | Residential Total | | \$222,300 | \$6,279 | \$17,082 | \$1,872 | \$247,533 |
| | Commercial | Comm25Less | \$0 | \$3 | \$0 | \$1 | \$4 |
| | Commercial Total | | \$0 | \$3 | \$0 | \$1 | \$4 |
| 09 Shepherdstown Grand Total | | | \$222,300 | \$6,282 | \$17,082 | \$1,873 | \$247,537 |
| Grand Total | | | \$897,582 | \$25,211 | \$68,529 | \$7,528 | \$998,850 |

Table 4. Fees Collected by Municipal Tax District – Calendar Year 2017

| Tax District | Land Use | Type | Schools | Parks & Rec | EMS | Grand Total |
|--|--------------------------|---------------|------------------|------------------------|----------------|--------------------|
| 01 Bolivar Corp | Residential | Single Family | \$39,900 | \$3,066 | \$336 | \$43,302 |
| | Residential Total | | \$39,900 | \$3,066 | \$336 | \$43,302 |
| <i>01 Bolivar Corp Grand Total</i> | | | \$39,900 | \$3,066 | \$336 | \$43,302 |
| 03 Charles Town Corp | Residential | Single Family | \$302,100 | \$23,214 | \$2,544 | \$327,858 |
| | Residential Total | | \$302,100 | \$23,214 | \$2,544 | \$327,858 |
| <i>03 Charles Town Corp Grand Total</i> | | | \$302,100 | \$23,214 | \$2,544 | \$327,858 |
| 08 Ranson Corp | Residential | Single Family | \$76,437 | \$5,874 | \$643 | \$82,954 |
| | | Duplex | \$9,952 | \$633 | \$55 | \$10,640 |
| | Residential Total | | \$86,389 | \$6,507 | \$698 | \$93,594 |
| | Commercial | Ware House | \$0 | \$0 | \$1 | \$1 |
| | Commercial Total | | \$0 | \$0 | \$1 | \$1 |
| <i>08 Ranson Corp Grand Total</i> | | | \$86,389 | \$6,507 | \$699 | \$93,595 |
| Grand Total | | | \$428,389 | \$32,787 | \$3,579 | \$464,755 |

| | |
|---|--------------------|
| County Tax District Fees Collected Totals | \$998,850 |
| Municipal Tax District Fees Collected Totals | \$464,755 |
| GRAND TOTAL | \$1,463,605 |

1.3. Financial Data

Table 5. Office of Impact Fees General Account (3111776)

| Month | Starting Balance | Total Deposits | Total Checks | Interest | Ending Balance |
|--------------|-------------------------|-----------------------|---------------------|-----------------|-----------------------|
| January | \$75,548.05 | \$81,706.00 | \$75,548.05 | \$45.88 | \$81,751.88 |
| February | \$81,751.88 | \$100,748.00 | \$81,751.88 | \$31.60 | \$100,779.60 |
| March | \$100,779.60 | \$163,734.00 | \$100,779.60 | \$52.55 | \$163,786.55 |
| April | \$163,786.55 | \$117,091.00 | \$163,786.55 | \$35.73 | \$117,126.73 |
| May | \$117,126.73 | \$193,601.00 | \$117,126.73 | \$51.98 | \$193,652.98 |
| June | \$193,652.98 | \$130,188.00 | \$193,652.98 | \$55.39 | \$130,243.39 |
| July | \$130,243.39 | \$88,375.00 | \$130,243.39 | \$52.20 | \$88,427.20 |
| August | \$88,427.20 | \$158,031.00 | \$88,427.20 | \$50.19 | \$158,081.19 |
| September | \$158,081.19 | \$166,292.00 | \$158,137.48 | \$68.16 | \$166,303.87 |
| October | \$166,303.87 | \$83,573.29 | \$166,360.16 | \$43.45 | \$83,560.45 |
| November | \$83,560.45 | \$114,960.00 | \$83,560.45 | \$36.74 | \$114,996.74 |
| December | \$114,996.74 | \$65,362.00 | \$114,996.74 | \$36.67 | \$65,398.67 |

| | |
|-----------------------------------|----------------------|
| December 2017 Outstanding Credits | \$0.00 |
| January 2018 Transfers | (\$65,398.67) |
| 01 January 2018 Deposits | \$0.00 |
| 01 January 2018 Balance | \$0.00 |

Table 6. Impact Fee Holding Accounts

| Category | Schools | Law | Parks | EMS |
|--------------------------------------|-------------------------|---------------------|----------------------|----------------------|
| Account Number | 3107582 | 3120120 | 3122808 | 3122816 |
| Balance on 01 January 2017 | \$2,815,308.18 | \$84,127.70 | \$98,423.28 | \$14,405.06 |
| Total Deposits | \$1,335,531.30 | \$25,543.46 | \$102,050.63 | \$11,189.53 |
| Withdraws /1 | (\$2,843,428.00) | (\$161.00) | (\$28,938.00) | (\$20,048.00) |
| Interest Accrued - CY 2017 | \$16,823.92 | \$483.59 | \$721.67 | \$53.72 |
| Balance on 31 December 2017 | \$1,324,235.40 | \$109,993.75 | \$172,257.58 | \$5,600.31 |
| January Transfers /2 | \$59,370.00 | \$966.73 | \$4,562.57 | \$499.37 |
| <i>Of Which</i> | | | | |
| <i>Transferred Fees</i> | \$59,337.00 | \$966.00 | \$4,560.00 | \$499.00 |
| <i>Transferred Interest</i> | \$33.00 | \$0.73 | \$2.57 | \$0.37 |
| Final Balance 01 January 2018 | \$1,383,605.40 | \$110,960.48 | \$176,820.15 | \$6,099.68 |

Notes

/1 See Table 8 for details.

/2 From fees collected in December 2017 and transferred in January 2018.

1.4. Fees Disbursed

Fees are disbursed from the long term accounts for only two reasons: refund and requisition. The transactional details for all fee disbursements are presented in Table 8.

1.4.1. Refunds

Refunds are only processed when a building permit is revoked and upon written request of the building permit applicant. There was one refund processed in CY 2017 which resulted from a revocation of the building permit applied for by the applicant.

1.4.2. Requisitions

The fee fundable projects approved by the Impact Fee Program Specialist for FY 2018 along with the approved funding amounts are listed in Table 7. The impact fee payments for projects listed on the FY 2018 Capital Improvement Plans are listed in Table 8. Projects eligible for funding by impact fees must be approved by the County Commission. The impact fee fundable projects for FY 2019 remain to be presented to the County Commission for approval.

Table 7. FY 2018 Approved Fee Fundable Projects

| Category | Capital Improvement Project | Approved Impact Fee Funding |
|----------------------|------------------------------------|------------------------------------|
| Schools | Land Purchase | \$3,000,000 |
| Parks and Recreation | James Hite Park (Picnic Pavilions) | \$35,000 |
| EMS | JCESA Building Mortgage | \$81,000 |

Table 8. Impact Fee Holding Account Withdraws

| Account | Check Date | Statement Date | Debit | Notes |
|----------------|-------------------|-----------------------|--------------------|---|
| Schools | 10/06/2017 | 10/31/2017 | \$5,700 | Impact Fee Refund - PN 1700053 (Abelow) |
| | 12/15/2017 | 12/31/2017 | \$2,837,728 | Requisition 17R0122 - Land Purchase in Ranson and Shepherdstown |
| | | | \$2,843,428 | |
| Law | 10/06/2017 | 10/31/2017 | \$161 | Impact Fee Refund - PN 1700053 (Abelow) |
| | | | \$161 | |
| Parks | 10/06/2017 | 10/31/2017 | \$438 | Impact Fee Refund - PN 1700053 (Abelow) |
| | 11/02/2017 | 11/30/2017 | \$28,500 | Requisition 17R0121 - James Hite Park Pavilions |
| | | | \$28,938 | |
| EMS | 10/06/2017 | 10/31/2017 | \$48 | Impact Fee Refund - PN 1700053 (Abelow) |
| | 7/14/2017 | 7/31/2017 | \$20,000 | Requisition 17R0120 - JCESA Mortgage |
| | | | \$20,048 | |
| | | Grand Total | \$2,892,575 | |

2. Annual Review

2.1. *Recommended Changes to Ordinances or Procedures*

There are no proposed changes to any of the Impact Fee Ordinances.

2.1.1. Ordinance Changes During 2017

In 2014, the County Commission contracted with Tischler-Bise to recalculate the impact fees. The recalculation was completed in 2015 and the new impact fees were adopted by the County Commission on April 2, 2015, at 70% of the full calculated amounts. The fees became effective May 1, 2015. The following impact fee ordinances were amended to reflect the new impact fee schedules for each impact fee entity:

Schools Ordinance No. 2003-3

Amended April 2, 2015; Effective May 1, 2015

Parks & Recreation Ordinance No. 2005-2

Amended April 2, 2015; Effective May 1, 2015

Law Enforcement Ordinance No. 2005-1

Amended April 2, 2015; Effective May 1, 2015

EMS Ordinance No. 2005-3

Amended April 2, 2015; Effective May 1, 2015

In 2013, the County Commission adopted Ordinance No. 2013-1, which amended Law Enforcement Ordinance No. 2005-1 and EMS Ordinance No. 2005-3; reducing the commercial impact fees by 99.5% of the actual impact fee calculation for new commercial development. The reduction became effective on July 1, 2013 and was set to expire on July 1, 2015, unless extended by the County Commission. At the July 2, 2015, County Commission meeting, John Reisenweber, Executive Director, Jefferson County Development Authority, presented a report to the County Commission. Commissioner Jane Tabb made a motion “to request the Jefferson County Development Authority complete an updated report on the data regarding the two year reduction of commercial impact fees in Jefferson County and to continue with the current reduced commercial impact fee rates until all impact fees are ready to be reviewed or as needed.” Motion was seconded and unanimously approved.

The Impact Fees Procedure Ordinance was last amended on November 12, 2012, to provide for the Affordable Housing Discount. The discount is required under West Virginia Code §7-20-7A “Impact Fees for Affordable Housing”, which was enacted during the CY 2011 Legislative Session. There were no amendments to the Impact Fee Procedures Ordinance in 2015.

2.2. Identification of FY 2019 Impact Fee-Fundable Capital Projects

The following projects will appear on the FY 2019 Jefferson County Capital Improvement Plan and are listed because they have been identified by the Impact Fee Program Specialist as being eligible for funding by impact fees, either in whole or in part. However, a final determination of eligibility has not been made. Projects so identified represent expansion of the current level of service. Exclusion of other projects, listed in the FY 2019 CIP but not included here, only indicates that they are not eligible for funding by impact fees and should not be taken as an indication of their overall merit.

Note that in all service categories, there are insufficient funds to approve all listed projects. Tables 9-12 list all potentially fundable projects with the knowledge that not all listed projects will be funded via impact fees.

2.2.1. Schools

Table 9. BOE Fee Fundable Projects

| Project | Current Request | Funding Potential | Category |
|--|------------------------|--------------------------|---------------------|
| County-Wide Expansion of School Facilities | \$1,000,000 | \$1,000,000 | (Varies by Project) |
| Totals | \$1,000,000 | \$1,000,000 | |

2.2.2. Law Enforcement

Table 10. Jefferson County Law Enforcement Projects

| Project | Current Request | Funding Potential | Category |
|---------------------------------------|------------------------|--------------------------|--------------------|
| Weapons Training Qualifications Range | \$7,500 | \$7,500 | Buildings and Land |
| New Jefferson County Sheriff Office | \$75,000 | \$75,000 | Buildings and Land |
| Totals | \$82,500 | \$82,500 | |

2.2.3. Parks & Recreation

Table 11. Park & Recreation Fee Fundable Projects

| Project | Current Request | Funding Potential | Category |
|-----------------------------|------------------------|--------------------------|--------------------------------------|
| Land Acquisition /1 | \$100,000 | \$35,000 | Park Land |
| James Hite Park (Utilities) | \$100,000 | \$100,000 | Park Improvements and Rec Facilities |
| Totals | \$200,000 | \$135,000 | |

Note: /1 Request exceeds funds anticipated by beginning of FY 2019.

2.2.4. EMS

Table 12. Jefferson County EMS Projects

| Company | Project | Current Request | Funding Potential | Category |
|----------------|----------------------|------------------------|--------------------------|-----------------|
| JCESA | Building Mortgage /1 | \$81,000 | \$10,000 | Facilities |
| | Total | \$81,000 | \$10,000 | |

Note: /1 Request exceeds funds anticipated by beginning of FY 2019.

2.3. Proposed Fee Boundary Districts

Presently, the only fee category which utilizes fee districts is Law Enforcement. The boundaries of these districts are coincident with the current municipal boundaries. The Law Enforcement Impact Fee Ordinance defines the fee collection district as that portion of the county which is unincorporated. As various municipalities continue to annex portions of the county, this boundary automatically adjusts. Thus there are no specific recommendations to change fee boundaries.

2.4. Proposed Fee Schedule Changes

Under past Office of Impact Fee procedures, impact fee studies have been updated on a three year cycle. In December of 2011, all four impact fee categories underwent a recalculation of which the County Commission elected to retain the current Impact Fee Schedule upon the 2012 Annual Report presentation.

The 2011 TischlerBise report indicates that on average, the County updates its impact fee methodologies and components every five years. Therefore the Schools, Law Enforcement, Parks and Recreation, and EMS impact fee categories were due for recalculation in CY 2014. The County Commission recalculated the fees beginning in 2014 and adopted new fee schedules, which became effective on 1 May 2015.

We anticipate the need for a recalculation study again in CY 2020.

2.4.1. Inflation Adjustments

It is generally recommended that all fee schedules not recalculated in any given calendar year be adjusted for inflation. By dictate of the Impact Fee Procedures Ordinance [2003-1], the Impact Fee Program Specialist must use the Price Indexes for Gross Government Fixed Investment by Type which is published by the United States Bureau of Economic Analysis¹. Table 13 is extracted from the United States Bureau of Economic Analysis (BEA) data for price indexes (Table 5.9.4B – Price Indexes for Gross Government Fixed Investment by Type), for year 2015 and 2016. These represent the most recent price indices and were released on 3 August, 2017. These data constitute the source for the annual inflation adjustments for the four impact fee categories currently in effect. As per the Impact Fee Procedures Ordinance 2003-1, Section 6(B), the annual inflation adjustment will be applied on 1 April 2017 unless the County Commission acts to stay these adjustments.

2.5. Proposed Changes to Level of Service Standards

2.5.1. Overview

West Virginia Code §7-20 requires that the County maintain, as part of its capital improvement program, level of service standards (LOS) for impact fee-applicable categories. The County maintains its LOS as the base data used to conduct impact fee calculations and these standards are documented in the various impact fee studies. Thus, the Level of Service Standards for the categories of Schools, Law Enforcement, Parks & Recreation, and EMS services were last updated and adopted in April 2015.

Regardless of whether the County Commission adopts any or all of the recalculated fee schedules, the recalculation exercise in effect recalibrates the Level of Service Standards for Jefferson County. The next scheduled update to the Level of Service Standards will occur in 2020.

2.6. Proposed Changes to Base Data for Fee Calculation

There are no changes at this time.

3. 2017 Inflation Adjustments

3.1. Source Data

The following Table 13 is extracted from the United States Bureau of Economic Analysis (BEA) data for price indexes (Table 5.9.4B - Price Indexes for Gross Government Fixed Investment by Type), for years 2015 and 2016². These represent the most recent price indices and were released on 3 August, 2017. These data constitute the source for the annual inflation adjustments for the 4

¹ Source is Table 5.9.4B, Price Indexes for Gross Government Fixed Investment by Type; lines 35, 36, and 37.

² Source:

<https://www.bea.gov/iTable/iTable.cfm?reqid=19&step=2#reqid=19&step=3&isuri=1&1921=survey&1903=338> (select Table 5.9.4B).

impact fee categories currently in effect. As per the Impact Fee Procedures Ordinance 2003-1, Section 6(B), the annual inflation adjustment will be applied on 1 April 2018 unless the County Commission acts to stay these adjustments. The inflationary adjustments result in a higher impact fee for all fee categories.

The values in the columns titled 2017 Impact Fee (tables 14-17) are the fees in effect as of 1 May 2015.

Table 13. Price Indices and Cost of Living Adjustment

| BEA Table Line | Fee Category | Structure Class | Price Index CY 2015 | Price Index CY 2016 | Differential (Inflation Adjustment Factor) |
|-------------------------------|-------------------------|---------------------------------|------------------------------------|------------------------------------|---|
| 35 | School | State and Local – Educational | 113.408 | 114.355 | 1.0083 |
| 36 | Law & EMS | State and Local – Public Safety | 112.408 | 117.553 | 1.0457 |
| 37 | Parks | Amusement & Recreation | 112.379 | 117.517 | 1.0457 |

Source: Bureau of Economic Analysis, US Department of Commerce.

3.2. Inflation Adjustment – Schools

Table 14. Inflation Adjustment – Schools

| Residential Development | 2017 Impact Fee | 2018 Adjusted | Differential |
|--------------------------------|------------------------|----------------------|---------------------|
| Single Family | \$5,700 | \$5,747 | \$47 |
| Town home | \$6,420 | \$6,473 | \$53 |
| Duplex | \$6,420 | \$6,473 | \$53 |
| Multi-family | \$3,982 | \$4,015 | \$33 |

3.3. Inflation Adjustment – Law Enforcement

Table 15. Inflation Adjustment - Law Enforcement

| Residential Development | 2017 Impact Fee | 2018 Adjusted | Differential |
|---|----------------------------|--------------------------|---------------------|
| Single Family | \$161 | \$168.36 | \$7.36 |
| Town home | \$161 | \$168.36 | \$7.36 |
| Duplex | \$118 | \$123.39 | \$5.39 |
| Multi-family | \$118 | \$123.39 | \$5.39 |
| Non Residential Development (fees per 1,000 sq ft gross usable floor area) | 2017 Impact Fee | 2018 Adjusted | Differential |
| Commercial/Shopping Center 25,000 SF or less | \$278 | \$290.70 | \$12.70 |
| Commercial/Shopping Center 25,001 – 50,000 SF | \$278 | \$290.70 | \$12.70 |
| Commercial/Shopping Center 50,001 – 100,000 SF | \$278 | \$290.70 | \$12.70 |
| Commercial/Shopping Center 100,001 – 200,000 SF | \$278 | \$290.70 | \$12.70 |
| Commercial/Shopping Center over 200,000 SF | \$278 | \$290.70 | \$12.70 |
| Office/Institutional 10,000 SF or less | \$109 | \$113.98 | \$4.98 |
| Office/Institutional 10,001 – 25,000 SF | \$109 | \$113.98 | \$4.98 |
| Office/Institutional 25,001 – 50,000 SF | \$109 | \$113.98 | \$4.98 |
| Office/Institutional 50,001 – 100,000 SF | \$109 | \$113.98 | \$4.98 |
| Office/Institutional over 100,000 SF | \$109 | \$113.98 | \$4.98 |
| Business Park | \$123 | \$128.62 | \$5.62 |
| Light Industrial | \$69 | \$72.15 | \$3.15 |
| Warehousing | \$35 | \$36.60 | \$1.60 |
| Manufacturing | \$37 | \$38.69 | \$1.69 |

3.4. Inflation Adjustment – Parks & Recreation

Table 16. Inflation Adjustment - Parks & Recreation

| Residential Development | 2017 Impact Fee | 2018 Adjusted | Differential |
|--------------------------------|------------------------|----------------------|---------------------|
| Single Family | \$438 | \$458 | \$20 |
| Town home | \$438 | \$458 | \$20 |
| Duplex | \$322 | \$337 | \$15 |
| Multi-family | \$322 | \$337 | \$15 |

3.5. Inflation Adjustment – EMS

Table 17. Inflation Adjustment - EMS

| Residential Development | 2017 Impact Fee | 2018 Adjusted | Differential |
|---|----------------------------|--------------------------|---------------------|
| Single Family | \$48 | \$50.19 | \$2.19 |
| Town home | \$48 | \$50.19 | \$2.19 |
| Duplex | \$36 | \$37.65 | \$1.65 |
| Multi-family | \$36 | \$37.65 | \$1.65 |
| Non Residential Development (fees per 1,000 sq ft gross usable floor area) | 2017 Impact Fee | 2018 Adjusted | Differential |
| Commercial/Shopping Center 25,000 SF or less | \$52 | \$54.38 | \$2.38 |
| Commercial/Shopping Center 25,001 – 50,000 SF | \$52 | \$54.38 | \$2.38 |
| Commercial/Shopping Center 50,001 – 100,000 SF | \$52 | \$54.38 | \$2.38 |
| Commercial/Shopping Center 100,001 – 200,000 SF | \$52 | \$54.38 | \$2.38 |
| Commercial/Shopping Center over 200,000 SF | \$52 | \$54.38 | \$2.38 |
| Office/Institutional 10,000 SF or less | \$86 | \$89.93 | \$3.93 |
| Office/Institutional 10,001 – 25,000 SF | \$86 | \$89.93 | \$3.93 |
| Office/Institutional 25,001 – 50,000 SF | \$86 | \$89.93 | \$3.93 |
| Office/Institutional 50,001 – 100,000 SF | \$86 | \$89.93 | \$3.93 |
| Office/Institutional over 100,000 SF | \$86 | \$89.93 | \$3.93 |
| Business Park | \$80 | \$83.66 | \$3.66 |
| Light Industrial | \$60 | \$62.74 | \$2.74 |
| Warehousing | \$24 | \$25.10 | \$1.10 |
| Manufacturing | \$46 | \$48.10 | \$2.10 |

3.6. Residential Fee Totals – Inflation Adjusted

The Impact Fee Procedure Ordinance (2003-1) indicates that unless the Commission acts to prevent these adjustments from taking effect, they automatically apply on the first day of April (c.f. §6(B) *et seq.*). If the County Commission does not act to prevent the inflation adjustments listed in Table 18 from going into effect, the fee schedule listed in Table 18 below will apply on 1 April 2018. Commercial fee schedules are always determined by the Impact Fee Program Specialist on a case by case basis and thus may not easily be condensed into a summary table. This fee schedule is based on the schedule resulting from the fee recalculations of 2015. There has been no inflationary adjustments to the fee amounts since 2011.

Table 18. Inflation Adjusted Maximum Fee Schedule - 01 April 2018

| Residential Development | Impact Fee Category | Current Impact Fee per Dwelling Unit | 01 April 2018 Impact Fee per Dwelling Unit |
|-------------------------|---------------------|--------------------------------------|--|
| Single Family | Schools | \$5,700 | \$5,747 |
| | Law Enforcement | \$161 | \$168 |
| | Parks & Recreation | \$438 | \$458 |
| | EMS | \$48 | \$50 |
| | TOTAL | \$6,347 | \$6,423 |
| Town Home | Schools | \$6,420 | \$6,473 |
| | Law Enforcement | \$161 | \$168 |
| | Parks & Recreation | \$438 | \$458 |
| | EMS | \$48 | \$50 |
| | TOTAL | \$7,067 | \$7,149 |
| Duplex | Schools | \$6,420 | \$6,473 |
| | Law Enforcement | \$118 | \$123 |
| | Parks & Recreation | \$322 | \$337 |
| | EMS | \$36 | \$38 |
| | | \$6,896 | \$6,971 |
| Multi-Family | Schools | \$3,982 | \$4,015 |
| | Law Enforcement | \$118 | \$123 |
| | Parks & Recreation | \$322 | \$337 |
| | EMS | \$36 | \$38 |
| | TOTAL | \$4,458 | \$4,513 |

ORDINANCE NO. 2013-1

AN ORDINANCE OF JEFFERSON COUNTY, WEST VIRGINIA, AMENDING CERTAIN PARTS OF PRIOR COUNTY IMPACT FEE ORDINANCES 2005-1 AND 2005-3; REGARDING AMENDING AND/OR REDUCING CERTAIN IMPACT FEE RATES APPLYING TO NON-RESIDENTIAL UNITS FOR A SPECIFIED PERIOD OF TIME; REQUIRING A REVIEW OF COMMERCIAL AND ECONOMIC DEVELOPMENT AT THE END OF ONE YEAR.

WHEREAS, the County Commission of Jefferson County, West Virginia adopted Ordinance 2005-1 and 2005-3 on January 20, 2005, which Ordinances provide for Law Enforcement and Fire and EMS fees to be paid on new construction;

WHEREAS, the Jefferson County Commission recognizes that the adverse effects of the national recession and the financial and credit crises are still impacting the state and local economy;

WHEREAS, said impacts have resulted in a significant reduction in new non-residential commercial development and construction activity in Jefferson County;

WHEREAS, Non-residential Commercial development provides local jobs and economic opportunity to the citizens of Jefferson County;

WHEREAS, a decrease in Non-residential Commercial development has a negative impact upon the citizens of Jefferson County;

WHEREAS, the Jefferson County Commission hereby finds that it is in the best interest of the citizens of Jefferson County to encourage economic development by temporarily reducing the impact fees assessed on new Non-residential Commercial Development;

WHEREAS, the Commission has determined that a reduction on the rate of collection of the Law Enforcement and the Fire and EMS impact fees will further the desired purpose of stimulating economic development and non-residential commercial construction activity in Jefferson County;

WHEREAS, the County Commission desires an update from the Jefferson County Development Authority on the development and permitting activity of non-residential construction after the initial twenty-four (24) months of the reduction to determine the effectiveness of the reduction in stimulating economic and commercial growth;

NOW, THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA:

SECTION 1. AMENDING THE NON-RESIDENTIAL IMPACT FEES SET FORTH IN ORDINANCES 2005-1 AND 2005-3.

- (1) The impact fee rates charged to Non-residential Development in Ordinance No. 2005-1 (Law Enforcement Impact Fees) and Ordinance No. 2005-3 (Fire and EMS Impact Fees) shall be reduced by ninety-nine and one half percent (99.5%) commencing on July 1, 2013 for a

period of twenty-four (24) months through the County Commission's review at the end of the twenty-four (24) month period.

(2) At the end of the initial twenty-four (24) month period, the County Commission, using the report received from the Jefferson County Development Authority, shall review the effectiveness of the reduction in encouraging commercial development and stimulating the local economy. After completion of such review, the Commission shall either: 1) maintain the reduction implemented by the Ordinance; 2) return the non-residential development impact fees to the fee schedule provided in Ordinance Nos. 2005-1 and 2005-3; or 3) implement a new non-residential development impact fee schedule.

(3) The reduction in the non-residential fees as provided for in this Ordinance may extend beyond the initial twenty-four (24) month period and shall remain in effect until the County Commission completes its review of the reduction's impact on commercial and economic development.

SECTION 2. EFFECTIVE DATE.

This Ordinance shall take effect upon an affirmative, majority vote of the County Commission. Except as specifically provided otherwise herein, this Ordinance shall supersede all other Ordinance(s) of Jefferson County, West Virginia to the extent such other Ordinance(s) are in conflict herewith. However, the amended impact fees associated with non-residential development as set forth in this Ordinance shall not become effective until July 1, 2013.

SECTION 3. Severability.

(1) If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase or portion of this Ordinance shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of this Ordinance nor impair or nullify the remainder of this Ordinance which shall continue in full force and effect.

(2) If the application of any provision of this Ordinance to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Commissioners is that such decision shall be limited only to the specific new development expressly involved in the controversy, action or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify this Ordinance as a whole or the application of any provision of this Ordinance to any other new development.

SECTION 4. DEFINITIONS.

Terms used in this Ordinance shall have the meaning provided in the applicable "Definition" Section(s) of the Jefferson County Impact Fee Procedures Ordinance unless modified or otherwise stated herein.

SECTION 5. INCLUSION IN THE CODE.

It is the intention of the County Commission of Jefferson County, West Virginia, and it is hereby provided, that the provisions of this Ordinance shall be made part of the Jefferson County Impact Fee Ordinances. To this end, any section or subsection of this Ordinance may be re-numbered or re-lettered to accomplish such intention, and the word "Ordinance" may be changed to "Section", "Article", or any other appropriate designation.

SECTION 6. FULL FORCE AND EFFECT OF REMAINDER.

All section, subsections, clauses, sentences, phrases, and provisions of Ordinance Nos. 2005-1 and 2005-3 not changed or amended herein shall stay the same and remain in full force and effect until amended, repealed or otherwise acted upon by the County Commission of Jefferson County.

The undersigned hereby certifies that this Ordinance was approved and adopted by the Jefferson County Commission on the 11th day of ~~June~~ July, 2013.

Dale Manue



COUNTY COMMISSION

A TRUE COPY
ATTEST: JENNIFER S. MAGHAN
CLERK, COUNTY COMMISSION
JEFFERSON COUNTY, WV

BY *Jennifer S. Maghan*
DEPUTY CLERK

Jennifer S. Maghan
JEFFERSON County 11:09:52 AM
Instrument No 2013012802
Date Recorded 07/17/2013
Document Type ORD1
Pages Recorded 3
Book-Page 1-610

JEFFERSON COUNTY, WEST VIRGINIA
Engineering Department
Office of Impact Fees
116 East Washington Street, P.O. Box 716
Charles Town, WV 25414

Phone: (304) 728-3331

Fax: (304) 728-3953

Michelle Mason
Impact Fee Program Specialist

mmason@jeffersoncountywv.org

Affordable Housing Discounted Impact Fee Per Dwelling Unit Type

December 31, 2017 Housing Index Average Market Value

for Jefferson County, WV: \$247,486

| Current Impact Fee | <i>Single Family</i> | | <i>Town Home</i> | | <i>Duplex</i> | | <i>Multi-Family</i> | |
|--------------------|---------------------------------|-----------|--|---------|---------------|---------|---------------------|--|
| | \$6,347 | | \$7,067 | | \$6,896 | | \$4,458 | |
| Percentage | Affordable Housing Market Value | | Discounted Impact Fee Per Dwelling Unit Type | | | | | |
| | 60% | \$148,492 | \$3,808 | \$4,240 | \$4,138 | \$2,675 | | |
| 59% | \$146,017 | \$3,745 | \$4,170 | \$4,069 | \$2,630 | | | |
| 58% | \$143,542 | \$3,681 | \$4,099 | \$4,000 | \$2,586 | | | |
| 57% | \$141,067 | \$3,618 | \$4,028 | \$3,931 | \$2,541 | | | |
| 56% | \$138,592 | \$3,554 | \$3,958 | \$3,862 | \$2,496 | | | |
| 55% | \$136,117 | \$3,491 | \$3,887 | \$3,793 | \$2,452 | | | |
| 54% | \$133,642 | \$3,427 | \$3,816 | \$3,724 | \$2,407 | | | |
| 53% | \$131,168 | \$3,364 | \$3,746 | \$3,655 | \$2,363 | | | |
| 52% | \$128,693 | \$3,300 | \$3,675 | \$3,586 | \$2,318 | | | |
| 51% | \$126,218 | \$3,237 | \$3,604 | \$3,517 | \$2,274 | | | |
| 50% | \$123,743 | \$3,173 | \$3,533 | \$3,448 | \$2,229 | | | |
| 49% | \$121,268 | \$3,110 | \$3,463 | \$3,379 | \$2,184 | | | |
| 48% | \$118,793 | \$3,047 | \$3,392 | \$3,310 | \$2,140 | | | |
| 47% | \$116,318 | \$2,983 | \$3,321 | \$3,241 | \$2,095 | | | |
| 46% | \$113,844 | \$2,920 | \$3,251 | \$3,172 | \$2,051 | | | |
| 45% | \$111,369 | \$2,856 | \$3,180 | \$3,103 | \$2,006 | | | |
| 44% | \$108,894 | \$2,793 | \$3,109 | \$3,034 | \$1,962 | | | |
| 43% | \$106,419 | \$2,729 | \$3,039 | \$2,965 | \$1,917 | | | |
| 42% | \$103,944 | \$2,666 | \$2,968 | \$2,896 | \$1,872 | | | |
| 41% | \$101,469 | \$2,602 | \$2,897 | \$2,827 | \$1,828 | | | |
| 40% | \$98,994 | \$2,539 | \$2,827 | \$2,758 | \$1,783 | | | |
| 39% | \$96,520 | \$2,475 | \$2,756 | \$2,689 | \$1,739 | | | |
| 38% | \$94,045 | \$2,412 | \$2,685 | \$2,620 | \$1,694 | | | |
| 37% | \$91,570 | \$2,348 | \$2,615 | \$2,552 | \$1,649 | | | |
| 36% | \$89,095 | \$2,285 | \$2,544 | \$2,483 | \$1,605 | | | |
| 35% | \$86,620 | \$2,221 | \$2,473 | \$2,414 | \$1,560 | | | |
| 34% | \$84,145 | \$2,158 | \$2,403 | \$2,345 | \$1,516 | | | |
| 33% | \$81,670 | \$2,095 | \$2,332 | \$2,276 | \$1,471 | | | |
| 32% | \$79,196 | \$2,031 | \$2,261 | \$2,207 | \$1,427 | | | |
| 31% | \$76,721 | \$1,968 | \$2,191 | \$2,138 | \$1,382 | | | |
| 30% | \$74,246 | \$1,904 | \$2,120 | \$2,069 | \$1,337 | | | |
| 29% | \$71,771 | \$1,841 | \$2,049 | \$2,000 | \$1,293 | | | |
| 28% | \$69,296 | \$1,777 | \$1,979 | \$1,931 | \$1,248 | | | |
| 27% | \$66,821 | \$1,714 | \$1,908 | \$1,862 | \$1,204 | | | |
| 26% | \$64,346 | \$1,650 | \$1,837 | \$1,793 | \$1,159 | | | |
| 25% | \$61,872 | \$1,587 | \$1,767 | \$1,724 | \$1,115 | | | |

Disclaimer: Figures updated and effective through 31 December 2018 per the WV Tax Commissioner.



STATE OF WEST VIRGINIA
Department of Revenue
State Tax Department

Jim Justice
Governor

Dale W. Steager
Tax Commissioner

December 28, 2017

The Honorable Mitch Carmichael
Senate Chairperson
Joint Committee on Government & Finance
Building 1, Room 227M
1900 Kanawha Blvd., East
Charleston, WV 25305

The Honorable Tim Armstead
House Chairperson
Joint Committee on Government & Finance
Building 1, Room 228M
1900 Kanawha Blvd., East
Charleston, WV 25305

Gentlemen:

In conformity with requirements of West Virginia Code § 11-1-2b, attached is the housing index report to the Joint Committee on Government and Finance. This report compares average and median costs of single dwelling residential property by county and includes various multipliers that are specified in Section 11-1-2b.

If after review of the attached information you should have questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Dale W. Steager".

Dale W. Steager
State Tax Commissioner

DWS/jaj
Attachment

cc: Dave Hardy, Cabinet Secretary
Department of Revenue

Aaron Allred, Staff
Joint Committee on Government & Finance

✓ Jeff Amburgey, Director
Property Tax Division

**TAX YEAR 2017
MEDIAN COST PER SQUARE FOOT**

| COUNTY | MEDIAN PER SQ FT | MULTIPLIER |
|--------------------|------------------|------------|
| 31MONONGALIA | 94.3 | 2.00 |
| 19JEFFERSON | 90.1 | 1.91 |
| 33MORGAN | 87.0 | 1.84 |
| 02BERKELEY | 82.2 | 1.74 |
| 40PUTNAM | 79.0 | 1.67 |
| 14HAMPSHIRE | 73.8 | 1.56 |
| 16HARDY | 63.4 | 1.34 |
| 20KANAWHA | 62.6 | 1.33 |
| 35OHIO | 62.5 | 1.32 |
| 24MARION | 62.5 | 1.32 |
| 36PENDLETON | 62.4 | 1.32 |
| 54WOOD | 62.1 | 1.32 |
| 49UPSHUR | 61.5 | 1.30 |
| 29MINERAL | 61.3 | 1.30 |
| 39PRESTON | 57.7 | 1.22 |
| 42RANDOLPH | 57.6 | 1.22 |
| 17HARRISON | 57.5 | 1.22 |
| 47TUCKER | 56.5 | 1.20 |
| 12GRANT | 55.6 | 1.18 |
| 37PLEASANTS | 54.8 | 1.16 |
| 18JACKSON | 54.5 | 1.15 |
| 46TAYLOR | 53.2 | 1.13 |
| 06CABELL | 50.9 | 1.08 |
| 32MONROE | 50.9 | 1.08 |
| 15HANCOCK | 49.4 | 1.05 |
| 21LEWIS | 49.1 | 1.04 |
| 25MARSHALL | 48.1 | 1.02 |
| 01BARBOUR - MEDIAN | 47.2 | 1.00 |
| 41RALEIGH | 46.7 | 0.99 |
| 26MASON | 46.2 | 0.98 |
| 10FAYETTE | 45.0 | 0.95 |
| 44ROANE | 44.3 | 0.94 |
| 52WETZEL | 43.6 | 0.92 |
| 43RITCHIE | 43.4 | 0.92 |
| 13GREENBRIER | 43.3 | 0.92 |
| 05BROOKE | 43.0 | 0.91 |
| 34NICHOLAS | 42.6 | 0.90 |
| 45SUMMERS | 42.4 | 0.90 |
| 48TYLER | 42.3 | 0.90 |
| 22LINCOLN | 42.3 | 0.90 |
| 09DODDRIDGE | 42.1 | 0.89 |
| 50WAYNE | 41.7 | 0.88 |
| 28MERCER | 38.9 | 0.82 |
| 04BRAXTON | 37.6 | 0.80 |
| 53WIRT | 36.9 | 0.78 |
| 38POCAHONTAS | 36.2 | 0.77 |
| 07CALHOUN | 34.3 | 0.73 |
| 11GILMER | 34.2 | 0.73 |
| 03BOONE | 34.0 | 0.72 |
| 23LOGAN | 33.7 | 0.71 |
| 51WEBSTER | 28.5 | 0.60 |
| 08CLAY | 25.5 | 0.54 |
| 30MINGO | 25.5 | 0.54 |
| 55WYOMING | 22.1 | 0.47 |
| 27MC DOWELL | 12.4 | 0.26 |

MULTIPLIER COMPARING MOST EXPENSIVE TO LEAST EXPENSIVE

7.62

**TAX YEAR 2017
AVERAGE COST DATA**

| COUNTY | AVERAGE VALUE | MULTIPLIER |
|--------------|---------------|------------|
| 19JEFFERSON | 247,486 | 1.85 |
| 33MORGAN | 245,453 | 1.83 |
| 14HAMPSHIRE | 214,810 | 1.60 |
| 31MONONGALIA | 208,529 | 1.56 |
| 02BERKELEY | 192,544 | 1.44 |
| 40PUTNAM | 185,954 | 1.39 |
| 13GREENBRIER | 158,109 | 1.18 |
| 36PENDLETON | 157,580 | 1.18 |
| 49UPSHUR | 156,797 | 1.17 |
| 47TUCKER | 156,242 | 1.17 |
| 37PLEASANTS | 148,275 | 1.11 |
| 46TAYLOR | 143,182 | 1.07 |
| 29MINERAL | 138,769 | 1.04 |
| 54WOOD | 138,714 | 1.04 |
| 24MARION | 135,552 | 1.01 |
| 20KANAWHA | 134,617 | 1.01 |
| 16HARDY | 134,008 | 1.00 |
| STATEWIDE | 133,864 | 1.00 |
| 35OHIO | 132,509 | 0.99 |
| 17HARRISON | 127,026 | 0.95 |
| 39PRESTON | 126,584 | 0.95 |
| 18JACKSON | 125,906 | 0.94 |
| 21LEWIS | 122,478 | 0.91 |
| 12GRANT | 120,642 | 0.90 |
| 01BARBOUR | 120,386 | 0.90 |
| 42RANDOLPH | 119,294 | 0.89 |
| 38POCAHONTAS | 116,926 | 0.87 |
| 43RITCHIE | 116,716 | 0.87 |
| 32MONROE | 116,707 | 0.87 |
| 26MASON | 113,244 | 0.85 |
| 06CABELL | 112,349 | 0.84 |
| 44ROANE | 107,759 | 0.80 |
| 04BRAXTON | 104,105 | 0.78 |
| 34NICHOLAS | 101,782 | 0.76 |
| 52WETZEL | 101,657 | 0.76 |
| 25MARSHALL | 101,210 | 0.76 |
| 11GILMER | 99,143 | 0.74 |
| 03BOONE | 97,179 | 0.73 |
| 41RALEIGH | 96,670 | 0.72 |
| 10FAYETTE | 91,897 | 0.69 |
| 05BROOKE | 91,784 | 0.69 |
| 23LOGAN | 88,987 | 0.66 |
| 50WAYNE | 87,496 | 0.65 |
| 15HANCOCK | 86,058 | 0.64 |
| 09DODDRIDGE | 83,878 | 0.63 |
| 48TYLER | 83,527 | 0.62 |
| 45SUMMERS | 83,021 | 0.62 |
| 28MERCER | 81,609 | 0.61 |
| 22LINCOLN | 79,942 | 0.60 |
| 53WIRT | 66,980 | 0.50 |
| 07CALHOUN | 61,680 | 0.46 |
| 30MINGO | 59,584 | 0.45 |
| 51WEBSTER | 58,405 | 0.44 |
| 08CLAY | 52,738 | 0.39 |
| 55WYOMING | 51,702 | 0.39 |
| 27MC DOWELL | 23,340 | 0.17 |

MULTIPLIER COMPARING MOST EXPENSIVE TO LEAST EXPENSIVE

10.60

**TAX YEAR 2017
AVERAGE COST PER SQUARE FOOT**

| COUNTY | AVG PER SQ FT | MULTIPLIER |
|--------------|---------------|------------|
| 31MONONGALIA | 90.8 | 1.49 |
| 19JEFFERSON | 87.3 | 1.43 |
| 33MORGAN | 81.0 | 1.33 |
| 02BERKELEY | 77.2 | 1.26 |
| 40PUTNAM | 76.5 | 1.25 |
| 14HAMPSHIRE | 68.1 | 1.12 |
| 47TUCKER | 67.4 | 1.10 |
| 35OHIO | 66.0 | 1.08 |
| 20KANAWHA | 65.3 | 1.07 |
| 17HARRISON | 64.8 | 1.06 |
| 16HARDY | 64.5 | 1.06 |
| 24MARION | 63.8 | 1.05 |
| 54WOOD | 63.4 | 1.04 |
| 13GREENBRIER | 63.3 | 1.04 |
| 49UPSHUR | 62.8 | 1.03 |
| 29MINERAL | 61.5 | 1.01 |
| 42RANDOLPH | 61.4 | 1.01 |
| STATEWIDE | 61.1 | 1.00 |
| 36PENDLETON | 60.7 | 0.99 |
| 46TAYLOR | 59.3 | 0.97 |
| 39PRESTON | 58.3 | 0.95 |
| 41RALEIGH | 57.6 | 0.94 |
| 37PLEASANTS | 56.0 | 0.92 |
| 18JACKSON | 56.0 | 0.92 |
| 06CABELL | 55.5 | 0.91 |
| 12GRANT | 54.7 | 0.90 |
| 25MARSHALL | 50.4 | 0.82 |
| 15HANCOCK | 50.1 | 0.82 |
| 21LEWIS | 49.7 | 0.81 |
| 32MONROE | 49.1 | 0.80 |
| 10FAYETTE | 49.0 | 0.80 |
| 01BARBOUR | 48.0 | 0.79 |
| 26MASON | 47.1 | 0.77 |
| 43RITCHIE | 46.9 | 0.77 |
| 45SUMMERS | 46.2 | 0.76 |
| 44ROANE | 45.0 | 0.74 |
| 05BROOKE | 45.0 | 0.74 |
| 09DODDRIDGE | 44.8 | 0.73 |
| 34NICHOLAS | 44.6 | 0.73 |
| 22LINCOLN | 44.4 | 0.73 |
| 52WETZEL | 43.9 | 0.72 |
| 28MERCER | 43.9 | 0.72 |
| 48TYLER | 43.8 | 0.72 |
| 50WAYNE | 43.6 | 0.71 |
| 03BOONE | 40.8 | 0.67 |
| 04BRAXTON | 40.5 | 0.66 |
| 38POCAHONTAS | 38.8 | 0.64 |
| 23LOGAN | 37.5 | 0.61 |
| 53WIRT | 36.8 | 0.60 |
| 11GILMER | 35.0 | 0.57 |
| 07CALHOUN | 34.6 | 0.57 |
| 51WEBSTER | 29.8 | 0.49 |
| 30MINGO | 28.8 | 0.47 |
| 08CLAY | 28.0 | 0.46 |
| 55WYOMING | 24.2 | 0.40 |
| 27MC DOWELL | 15.1 | 0.25 |

MULTIPLIER COMPARING MOST EXPENSIVE TO LEAST EXPENSIVE

6.01

**TAX YEAR 2017
MEDIAN COST DATA**

| COUNTY | MEDIAN VALUE | MULTIPLIER |
|------------------|--------------|------------|
| 19JEFFERSON | 203,790 | 2.52 |
| 33MORGAN | 176,490 | 2.18 |
| 31MONONGALIA | 169,125 | 2.09 |
| 40PUTNAM | 153,560 | 1.90 |
| 02BERKELEY | 153,300 | 1.90 |
| 14HAMPSHIRE | 149,550 | 1.85 |
| 47TUCKER | 113,880 | 1.41 |
| 37PLEASANTS | 107,970 | 1.34 |
| 49UPSHUR | 105,320 | 1.30 |
| 24MARION | 104,145 | 1.29 |
| 29MINERAL | 104,000 | 1.29 |
| 36PENDLETON | 101,640 | 1.26 |
| 54WOOD | 101,600 | 1.26 |
| 20KANAWHA | 100,060 | 1.24 |
| 16HARDY | 99,600 | 1.23 |
| 46TAYLOR | 99,250 | 1.23 |
| 39PRESTON | 96,695 | 1.20 |
| 12GRANT | 94,280 | 1.17 |
| 18JACKSON | 93,740 | 1.16 |
| 35OHIO | 93,720 | 1.16 |
| 21LEWIS | 92,190 | 1.14 |
| 42RANDOLPH | 90,860 | 1.12 |
| 17HARRISON | 87,615 | 1.08 |
| 32MONROE | 87,220 | 1.08 |
| 13GREENBRIER | 85,240 | 1.05 |
| 01BARBOUR | 84,165 | 1.04 |
| 06CABELL | 84,085 | 1.04 |
| 26MASON - MEDIAN | 80,870 | 1.00 |
| 43RITCHIE | 79,430 | 0.98 |
| 25MARSHALL | 78,320 | 0.97 |
| 44ROANE | 76,300 | 0.94 |
| 52WETZEL | 74,910 | 0.93 |
| 34NICHOLAS | 73,550 | 0.91 |
| 38POCAHONTAS | 71,430 | 0.88 |
| 15HANCOCK | 69,730 | 0.86 |
| 11GILMER | 68,695 | 0.85 |
| 48TYLER | 67,560 | 0.84 |
| 05BROOKE | 66,675 | 0.82 |
| 41RALEIGH | 66,500 | 0.82 |
| 10FAYETTE | 65,505 | 0.81 |
| 04BRAXTON | 65,225 | 0.81 |
| 50WAYNE | 63,490 | 0.79 |
| 03BOONE | 63,305 | 0.78 |
| 09DODDRIDGE | 63,045 | 0.78 |
| 28MERCER | 60,235 | 0.74 |
| 22LINCOLN | 59,980 | 0.74 |
| 45SUMMERS | 57,435 | 0.71 |
| 23LOGAN | 57,255 | 0.71 |
| 53WIRT | 49,600 | 0.61 |
| 07CALHOUN | 45,310 | 0.56 |
| 30MINGO | 41,260 | 0.51 |
| 51WEBSTER | 39,360 | 0.49 |
| 08CLAY | 37,375 | 0.46 |
| 55WYOMING | 33,395 | 0.41 |
| 27MC DOWELL | 15,315 | 0.19 |

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 – 1st Choice: **March 15, 2018**

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

Date Requested – 2nd 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. Discussion of proposed contract for Judicial elevator upgrade. 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

not applicable

Law Offices of Hoy Shingleton, L.C.
115 Aikens Center, Suite 24
Martinsburg, WV 25404

304-262-4773 Telephone
304-262-4775 Fax

shinglet@comcast.net

March 7, 2018

Ms. Ingrid Ferrell
Executive Secretary
Public Service Commission of West Virginia
201 Brooks Street
PO Box 812
Charleston, WV 25323

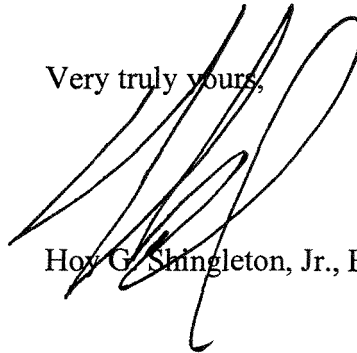
10:28 AM MAR 09 2018 PSC EXEC SEC DIV

RE: Case No. 17-0915-PSWD-PC
Case No. 18-0006-PSD-C

Dear Ms. Ferrell:

Enclosed please find thirteen (13) copies of a proposed "Purchase Agreement" between the Jefferson County Public Service District and the City of Charles Town for the sale of the assets of the Jefferson County Public Service District.

Very truly yours,



Hoy G. Shingleton, Jr., Esquire

HGS/kms

Enclosures

cc: Jane Arnett, Utility Manager
Charles Town Utility Board
832 South George Street
Charles Town, WV 25414

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

CASE NO. 17-0915-PSWD-PC

10:29 AM MAR 09 2018 PSC EXEC SEC DIV

JEFFERSON COUNTY COMMISSION
Petition for consent and approval of dissolution of
Jefferson County Public Service District.

CASE NO. 18-0006-PSD-C

JEFFERSON COUNTY CITIZENS FOR ECONOMIC
PRESERVATION, SHENANDOAH JUNCTION
PUBLIC SEWER, INC. and ARCADIA LAND, INC.
Jefferson County,

Complainants,

v.

JEFFERSON COUNTY PUBLIC SERVICE DISTRICT,
A public utility,

Defendant.

**NOTICE OF FILING OF AMENDED PURCHASE AGREEMENT BETWEEN THE
JEFFERSON COUNTY PUBLIC SERVICE DISTRICT AND THE CITY OF CHARLES
TOWN**

Comes now, Hoy G. Shingleton, Jr., counsel for the City of Charles, and files a Purchase Agreement between the Jefferson County Public Service District and the City of Charles Town for the sale of the assets of the Jefferson County Public Service District.

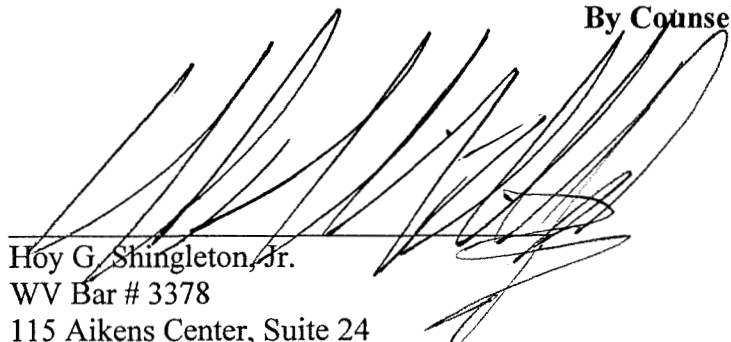
Previously, counsel for the Jefferson County Commission had filed a Purchase Agreement for the assets of the Public Service District between the Jefferson County Commission and the City of Charles Town.

This Agreement was approved by the District Board of the Public Service District on March 1, 2018 after a Public Hearing as required by Chapter 16, Article 13A, Section 8a of the Code of West Virginia. The Agreement was approved by the Charles Town City Council during its regular meeting held on March 5, 2018.

The undersigned has been authorized by counsel for both the Jefferson County Public Service District and the Jefferson County Commission to state that they and their clients concur with the filing of this Agreement.

Dated this 7th day of March, 2018.

CITY OF CHARLES TOWN,
By THE CHARLES TOWN UTILITY BOARD,
By Counsel



Hoy G. Shingleton, Jr.
WV Bar # 3378
115 Aikens Center, Suite 24
Martinsburg, WV 25404
Phone (304) 262-4773
Fax (304) 262-4775
Shinglet@comcast.net

CERTIFICATE OF SERVICE

I, Hoy G. Shingleton, Jr., counsel for The City of Charles Town by Charles Town Utility Board, do hereby certify that a copy of the foregoing **“Notice of Filing of Amended Purchase Agreement between the Jefferson County Public Service District and the City of Charles Town.”** has been served this 7th day of March, 2018, upon the following in the manner indicated:

VIA Federal Epress:

Ms. Ingrid Ferrell
Public Service Commission
201 Brooks Street
Charleston, WV 25301

VIA First Class Mail:

Public Service Commission
Attn: Ronald Robinson, Staff Attorney
201 Brooks Street
Charleston, WV 25301

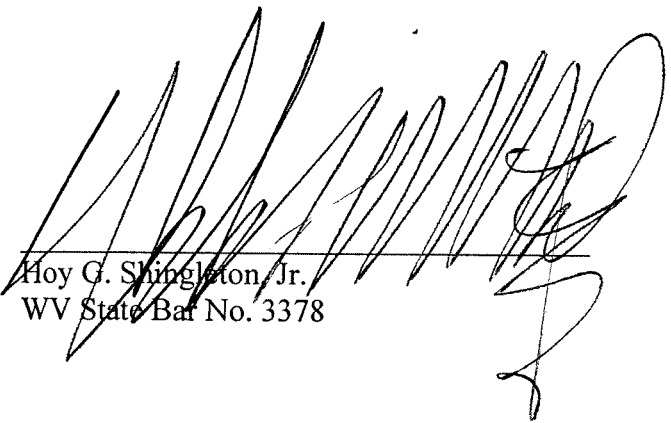
William F. Rohrbaugh
Attorney at Law
142 N. Queen Street
P.O. Box 3090
Martinsburg, WV 25402-3090

Law Offices of Hammer, Ferretti & Sciavoni
Attn: David Hammer
408 W. King Street
Martinsburg, WV 25401

Hanna & Hanna, PLLC
Attn: David Hanna
PO Box 3967
Charleston, WV 25339

Shuman, McCuskey & Clicer, PLLC
Attn: Christopher Negley
1411 Virginia Street, East
PO Box 3953
Charleston, WV 25339

Peter Chakmakian
118 North George Street
PO Box 547
Charles Town, WV 25414



Hoy G. Shingleton, Jr.
WV State Bar No. 3378

PURCHASE AGREEMENT

THIS PURCHASE AGREEMENT dated this 1st day of March, 2018, is made and entered into by and between the **JEFFERSON COUNTY PUBLIC SERVICE DISTRICT**, a public service district, public corporation and political subdivision of the State of West Virginia with its principal office at 340 Edmond Road, Suite A, Kearneysville, West Virginia, 25430 (“Seller”), and the **CITY OF CHARLES TOWN**, a municipal corporation and political subdivision of the State of West Virginia, having its principal office at P.O. Box 14, Charles Town, West Virginia, 25414, (“Purchaser,” and collectively with the Seller, the “Parties”).

RECITALS:

A. Whereas, Seller is a public service district, public corporation and political subdivision of the State of West Virginia created by The County Commission of Jefferson County (the “County Commission”) pursuant to the provisions of Chapter 16, Article 13A of the West Virginia Code of 1931, as amended (the “PSD Act”), for the purpose of providing potable water service and sanitary sewerage service within its service territory in Jefferson County, West Virginia (the “County”);

B. Whereas, the Seller currently owns and operates a potable water storage and distribution system (collectively, the “District Water System”) which provides potable water service to approximately 113 customers, all residing in Jefferson County (collectively, the “District Water Customers”);

C. Whereas, the Seller has financed, and in certain instances, refinanced, the design, acquisition, construction and equipping of the District Water System through the issuance of the following water revenue bonds secured by the net revenues of the District Water System as authorized by the PSD Act;

- (i) Water Revenue Bonds, Series 2014 A (West Virginia DWTRF Program), dated April 17, 2014, issued in the original aggregate principal amount of \$985,350 and outstanding in the principal amount of \$916,463 as of December 31, 2017 (the “Series 2014 A Bonds”). The Series 2014 A Bonds mature September, 2045.

December 31, 2017 (the “Series 2014 A Bonds”). The Series 2014 A Bonds mature September, 2045.

(The Series 2014 A Bonds are hereinafter referred to as the “District Water Revenue Bonds”).

D. Whereas, the Seller currently owns and operates a sanitary sewerage collection and transmission system (collectively, the “District Sewer System”) which provides sanitary sewerage service to approximately 2,565 customers, all residing in Jefferson County (collectively, the “District Sewer Customers”);

E. Whereas, the Seller has financed, and in certain instances, refinanced, the design, acquisition, construction and equipping of the District Sewer System through the issuance of the following sewer revenue bonds secured by a first lien on the net revenues of the District Sewer System as authorized by the PSD Act;

- (i) Sewer Revenue Bonds, Series 1988 B, dated May 5, 1988, issued in the original aggregate principal amount of \$425,767 and outstanding in the principal amount of \$120,091 as of December 31, 2017 (the “Series 1988 B Bonds”). The Series 1988 B Bonds mature October, 2028.
- (ii) Sewer Revenue Bonds, Series 1998 B (West Virginia SRF Program), dated June 25, 1998, issued in the original aggregate principal amount of \$599,089 and outstanding in the aggregate principal amount of \$44,928 as of December 31, 2017 (the “Series 1998 B Bonds”). The Series 1998 B Bonds mature June, 2019.
- (iii) Sewer Revenue Bonds, Series 1998 C (West Virginia Infrastructure Fund), dated June 25, 1998, issued in the original aggregate principal amount of \$662,039 and outstanding in the aggregate principal amount of \$662,039 as of December 31, 2017 (the “Series 1998 C Bonds”). The Series 1998 C Bonds mature June, 2038.

- (iv) Sewer Revenue Bonds, Series 1999 A (West Virginia SRF Program), dated December 8, 1999, issued in the original aggregate principal amount of \$378,363 and outstanding in the aggregate principal amount of \$154,497 as of December 31, 2017 (the “Series 1999 A Bonds”). The Series 1999 A Bonds mature March, 2030.
- (v) Sewer Revenue Bonds, Series 2000 A (West Virginia SRF Program), dated June 22, 2000, issued in the original aggregate principal amount of \$1,154,889 and outstanding in the aggregate principal amount of \$538,944 as of December 31, 2017 (the “Series 2000 A Bonds”). The Series 2000 A Bonds mature December, 2031.
- (vi) Sewer Revenue Bonds, Series 2008 A (West Virginia SRF Program), dated June 18, 2008, issued in the original aggregate principal amount of \$2,005,000 and outstanding in the aggregate principal amount of \$1,403,476 as of December 31, 2017 (the “Series 2008 A Bonds”). The Series 2008 A Bonds mature December, 2038.
- (vii) Sewer Refunding Revenue Bonds, 2010 Series A, dated June 24, 2010, issued in the original principal amount of \$1,895,000 and outstanding in the aggregate principal amount of \$1,300,000 as of December 31, 2017 (the “Series 2010 A Bonds”). The Series 2010 A Bonds mature October, 2028.
- (viii) Sewer Revenue Bonds, 2013 Series A, dated June 14, 2013, issued in the original aggregate principal amount of \$1,660,000 and outstanding in the aggregate principal amount of \$1,270,000 as of December 31, 2017 (the “Series 2013 A Bonds”). The Series 2013 A Bonds mature June, 2028.

(Collectively the above described sewer revenue bonds, excluding the Series 2010 A Bonds and the Series 2013 A Bonds, are hereinafter referred to as the “District Sewer Revenue Bonds”).

F. **Whereas**, the Seller has financed, and in certain instances, refinanced, the design, acquisition, construction and equipping of the District Sewer System through the issuance of the following sewer revenue bonds secured by a second lien on the net revenues of the District Sewer System, authorized by the PSD Act, which are junior and subordinate to the District Sewer Revenue Bonds, the Series 2010 A Bonds and the Series 2013 A Bonds:

- (i) Sewer Revenue Bond (Sewer Project Development), Series 2015, dated November 3, 2015, issued in the original principal amount of \$660,000 and outstanding in the aggregate principal amount of \$584,271.22 as of December 31, 2017 (the “Series 2015 Bonds”). The Series 2015 Bonds mature November, 2030.

G. **Whereas**, Purchaser is a municipal corporation and political subdivision of the State of West Virginia, and, pursuant to Chapter 8, Article 20 of the West Virginia Code of 1931, as amended (the “Utility Board Act”), owns both a potable water treatment, storage and distribution system and a sanitary sewerage collection, transmission and treatment system providing service to customers within the municipal boundaries of the Purchaser and the municipal boundaries of the City of Ranson (“Ranson”) as well as certain unincorporated areas within the County, and also providing sanitary sewerage service to customers within the municipal boundaries of the Purchaser and providing bulk sewer service to the Seller and Ranson (collectively, the “CTUB System”). The CTUB System is managed and operated on behalf of the Purchaser by the Charles Town Utility Board (the “Utility Board”).

G. **Whereas**, the Seller desires to sell to Purchaser and Purchaser desires to purchase from Seller the District Water System and the District Sewer System and to thereafter be the certificated water utility and sewer utility in the Seller’s service territory for which Purchaser shall provide certain consideration to Seller as provided herein (collectively, the “Transaction”).

NOW THEREFORE, in consideration of the premises and mutual covenants and agreement set forth below the Parties agree as follows:

Section 1: Defined Terms.

For purposes of this Section 1 and this Agreement, the following definitions shall apply (and capitalized terms used in such definitions shall have the meanings assigned in Section

1 or the introductory paragraphs preceding Section 1):

(a) "Assets" shall mean:

(i) All Inventory (including such Inventory in transit as is covered by a vendor purchase order that Purchaser has assumed in writing);

(ii) The Real Property;

(iii) All Fixed Assets;

(iv) All of the service territories, permits, patents, trademarks, service marks, trade names, copyrights, licenses, franchise or dealer licenses and agreements, servitudes, easements, rights-of-way, orders, operating and processing agreements, options, leases of equipment or facilities, other contracts, agreements, rights and privileges, which are owned by Seller, in whole or in part, on in which Seller has an interest; and

(v) All other personal property whether tangible or intangible assets, specifically including, but not limited to, cash, deposit accounts, investment accounts, Capacity Improvement Funds, Capacity Assurance Funds, lending commitments, and accounts receivable.

(b) "Business" shall mean, collectively, the water utility business and sewer utility business currently conducted by the Seller within the Seller's service territory.

(c) "Closing Date" shall mean a date not later than ninety (90) days after all of the Conditions Precedent to Purchaser's obligation to close the Transaction set forth in this Agreement shall have been satisfied.

(d) "Developer Agreements" shall mean the agreements entered into between the Seller and any one or more developers providing for water or sewer service to real property owned by, or under the control of, such developer, which said agreements have been approved by the PSC and which remain unfulfilled by the Seller. Exhibit 1(a) hereto is a list of all Developer Agreements. Seller shall provide copies of all Agreements within thirty (30) days of the date on which this Agreement is executed.

(e) “Fixed Assets” shall mean all tangible personal property owned by the Seller in whole or in part other than Inventory and Real Property, including all water distribution mains, water treatment facilities, water storage tanks, wells, pumps, sewer collection mains, lift stations, manholes, sewer treatment facilities, vehicles, tools and equipment, and any other tangible personal property used and/or useful in providing service to the Seller water customers and Seller sewer customers.

(f) “GAAP” shall mean generally accepted accounting principles consistently applied, as modified by the Public Service Commission of West Virginia (“PSC”).

(g) “Capital Improvement Funds” shall mean the sum of all funds in the possession of the Seller paid to the Seller by customers or developers pursuant the Seller’s tariff. Attached as Exhibit 1(b) is an itemized list by payors, reflecting payor, real property, date paid and amount, of all Capital Improvement Funds held by Seller.

(h) “Capacity Assurance Agreement” shall mean all agreements entered into by the Seller and a developer to reserve capacity in the District Sewer System. Attached as Exhibit 1(c) is a list of all Capacity Assurance Agreements. Seller shall provide Purchaser copies of all Capacity Assurance Agreements within thirty (30) days of the date on which this Agreement is executed.

(i) “Capacity Assurance Funds” shall mean the sum of all funds in the possession of the Seller paid to Seller by developers pursuant to Capacity Assurance Agreements. Attached as Exhibit 1(b) is an itemized list by payors, reflecting payor, dated provided and amount, of all capital Assurance Funds held by the Seller for which capacity in the District Sewer System has not yet been provided.

(j) “Inventory” shall mean any and all goods, merchandise and other items of tangible personal property owned and held by the Seller at the Locations or held by, or on behalf of, the Seller for sale or other delivery, whether parts or components, finished goods, returned goods or otherwise.

(k) “Land” shall mean all parcels of real property, easements, rights of way, licenses and any other interest in real property owned in whole or in part by the Seller.

(l) “Liabilities” shall mean all existing or future liabilities of the Seller, matured or unmatured, fixed or contingent and known or unknown in respect of any matter or

event arising or occurring prior to the Closing Date which, if unpaid or not otherwise settled or released, would result in a liability to Purchaser or a lien on, or could otherwise be satisfied out of, the Assets.

(m) “Locations” shall mean, collectively, the places of business of the Business in Jefferson County, West Virginia.

(n) “Real Property” shall mean the Land and any and all improvements thereon, specifically including, but not limited to, any buildings, excluding, however, fixtures and other fixtures affixed to the Land or improvements thereon that can be removed without material and irreparable damage to the Land and the improvements thereon (which fixtures are included in the definition of “Fixed Assets,” above).

Article 2: Sale and Purchase of Assets.

Subject to the terms and conditions of this Agreement, at the Closing provided for in Section 4, Seller shall convey all of the Assets to Purchaser in consideration for the undertaking by Purchaser of certain financial obligations as specified in this Section 2.

2.1 Purchase Price. As consideration for the acquisition of the Seller Assets the Purchaser shall (collectively, the “Purchase Price”):

2.1.1 Pay to the West Virginia Municipal Bond Commission, on behalf of the Seller, (i) an amount sufficient to pay, on the next prepayment date, the entire outstanding principal of, and accrued interest on, the Seller’s Sewer Revenue Bonds, Series 2010 A, and, (ii) an amount sufficient to defease, to the first call date, the entire outstanding principal of, and accrued interest on, the Seller’s Sewer Revenue Bonds, Series 2013 A.

2.1.2. Pay the holder of the District’s Sewer Revenue Bonds, Series 2015, on behalf of the Seller, an amount sufficient to pay, on the next prepayment date, the entire outstanding principal of, and all accrued interest on, the District’s Sewer Revenue Bonds, Series 2015.

2.1.3 Assume the obligations of the Seller set forth in the Developer Agreements and the Capacity Assurance Agreements.

2.1.4 Assume, subject to the consent of the holders thereof, the District’s Sewer Revenue Bonds as “Combined Waterworks and Sewerage System Revenue Bonds” of the

Purchaser.

2.1.5 Assume, subject to the consent of the holders thereof, the District's Water Revenue Bonds as "Combined Waterworks and Sewerage System Revenue Bonds" of the Purchaser.

Section 3: Title Matters; Purchaser's Access to, Inspection of and Acceptance of Assets.

3.1 Title Examination. Purchaser shall, at its expense, be responsible for conducting any title examinations and obtaining any title insurance policies it deems advisable. Title to the Real Property shall be good and marketable and insurable at regular rates by a title insurance company licensed in the State of West Virginia selected by Purchaser. The Purchaser shall notify Seller in writing of any title defects to which Purchaser objects disclosed by its examination of the title to the Real Property not later than sixty (60) days after the date of execution of this Agreement. Such notice shall specify any title defects to which Purchaser objects at the conclusion of said sixty (60) day period. Title should be conclusively deemed acceptable to Purchaser except with respect to any matters properly raised by Purchaser within said sixty (60) day period, and any title matters not objected to by Purchaser in the manner and within the time period specified herein shall be deemed to be approved, accepted or waived by Purchaser. In objecting to any defects with respect to Seller's title, Purchaser shall be obligated to act reasonably and agrees not to object to the Permitted Encumbrances or any other matters which would not materially affect the operation of and use of the Real Property for Purchaser's intended use as part of a sewer utility and/or water utility. If Purchaser objects to the condition of the title of any piece of Real Property within said sixty (60) day period, Purchaser may, at its election and in its sole discretion (i) terminate this Agreement without recourse or liability on its part, or (ii) extend the date of Closing an additional period of time, not exceeding one hundred twenty (120) days, during which time Seller shall cure the objections to title at its sole cost and expense.

3.2 Warranty and Representation as to Title.

(a) Seller warrants and represents to Purchaser that it has the authority to convey title to the Assets, free and clear of all claims, liens, or other encumbrances of record,

other than the Permitted Encumbrances (as this term is defined in this Section), by a covenant of special warranty.

“Permitted Encumbrances” means (i) real estate taxes and assessments both general and special, which are a lien but not due and payable at the time of Closing; (ii) those encumbrances created by or affirmatively assumed in writing by Purchaser; (iii) those encumbrances specifically set forth in this Agreement; (iv) zoning ordinances, provided the same do not interfere with Purchaser’s intended use, which is as a water utility or sewer utility; (v) state or municipal highways, roads, thoroughfares, and any easements thereof; and (vi) restrictions and utility easements of record, provided the same do not interfere with the Purchaser’s intended use as part of a water utility or sewer utility.

(b) Seller shall execute and deliver to Purchaser at Closing such deeds, assignment of easements, assignment of judgments and bill of sale and any certificates of title to any vehicles, covering all of the Assets, which shall contain a special warranty of title as to the Assets subject only to the Permitted Encumbrances. As reasonably required by Buyer, Seller shall also execute and deliver at (and after) the Closing of such other deeds, assignments, bills of sale, certificates of title and other documents or instruments which are appropriate to transfer the Assets to Buyer (collectively, the “Supplemental Assignments”).

3.3 Purchaser’s Access to Assets.

(a) Purchaser and its authorized employees, agents and contractors shall be provided full access to the Assets for the purpose of conducting inspections for any purpose, specifically including, but not limited to, the existence of any environmental conditions on, under or affecting the Assets which could affect Purchaser's intended use of the Assets. Purchaser agrees to repair any material damage to the Assets resulting from Purchaser's inspections thereof and to indemnify, save and hold Seller harmless, to the extent permitted by law, from and against any and all loss, damage, cost, fine, suit, claim and liability arising as a result of Purchaser's inspections of the Assets. This indemnity shall, to the extent permitted by law, survive termination of this Agreement. Purchaser shall complete such inspections as it deems necessary within one hundred twenty (120) days of the execution of this Agreement by the Parties (the “Inspection Period”) and notify the Seller of any objections.

(b) Purchaser's Acceptance of Assets. If Purchaser, in Purchaser's sole discretion, is not satisfied with the results of Purchaser's inspections as referenced above, Purchaser may

notify Seller on or before the expiration of the Inspection Period that Purchaser is not satisfied with the results of Purchaser's inspections and that Purchaser is terminating this Agreement. Such notice shall be sent to Seller in writing on or before the expiration of the Inspection Period and, upon the transmittal of such notice by Purchaser by a method provided in Section 14 hereof, this Agreement shall be deemed terminated, canceled and of no further force or effect.

Section 4: Closing.

4.1 Closing. The Closing of the sale and purchase of the Assets contemplated hereby (the "Closing") shall take place on the Closing Date at 10:00 a.m. at the Law Offices of Hoy G. Shingleton, Jr., 115 Aikens Center, Suite 24, Martinsburg, West Virginia or at such other location as shall be agreed upon by the Parties.

4.2 Delivery of Assets. At the Closing, Seller shall deliver to Purchaser deeds, assignments, bills of sale and certificates of title and all other documentation of ownership, representing all of the Assets in proper form for transfer, thereby transferring to Purchaser good and marketable title to the Assets, free and clear of all liens, encumbrances and security interests of record, except Permitted Encumbrances.

4.3 Simultaneous Transactions. All actions taken and transactions consummated at the Closing shall be deemed to have occurred simultaneously and no such transaction shall be considered consummated unless all are consummated.

Section 5: Conditions Precedent to the Obligations of Purchaser.

All obligations of Purchaser to be discharged under this Agreement at the Closing are subject to the fulfillment, prior to or at the Closing, of each of the following conditions (unless expressly waived in writing by Purchaser at any time at or prior to the Closing):

5.1 The consideration to be given by Purchaser shall not exceed the consideration outlined in Section 2.1 of this Agreement.

5.2 There shall not have been a materially adverse change in the Business or operations of the Business.

5.3 There shall have been no litigation instituted having as an objective the enjoining of the Transaction or seeking a lien on any Asset or any restraint on the operation of the Business which would prevent the acquisition of the District Water System and District Sewer System by

Purchaser.

5.4 Not less than sixty percent (60%) of the duly appointed members of the Public Service Board of the Seller shall have adopted a resolution finding that it is in the best interests of the Seller and its customers to sell the Assets of the District Water System and District Sewer System to Purchaser pursuant to the terms and provisions of this Agreement, after holding a public hearing regarding the sale of the Assets as required by the PSD Act.

5.5 The County Commission shall have approved the sale of the Assets of the District Water System and District Sewer System to the Purchaser pursuant to the terms and provisions of this Agreement as required by the PSD Act.

5.6 The County Commission shall have adopted an Order dissolving the Seller simultaneously with the Closing pursuant to the provisions of the PSD Act.

5.7 The PSC shall have entered a Final Order, to which all appeal periods have expired, which shall: (i) approve the terms and conditions of this Agreement; (ii) authorize the Seller to convey the Assets of the District Water System and District Sewer System; (iii) grant to the Purchaser the authority to acquire and operate the District Sewer System and the District Water System as part of the CTUB System at the tariffs approved by the PSC as of the date of the execution of this Agreement by the Parties; and (iv) approve the dissolution of the Seller simultaneously with the Closing.

5.8 Purchaser shall have received a satisfactory opinion of Seller's counsel, dated the Closing Date, in form and substance satisfactory to Buyer, confirming the matters set forth in Sections 9.1, 9.2, 9.3 and 9.9.

5.9 Purchaser shall have received a satisfactory opinion of Seller's counsel, dated the Closing Date, to the effect that the deeds, assignments and bill of sale, and the supplemental assignments existing at such time are each in proper form for recording in each jurisdiction where the Assets are located, and when duly executed, acknowledged and delivered by Seller to Purchaser will transfer, assign, and convey to Purchaser the Assets, free and clear of all liens and encumbrances of record, except the Permitted Encumbrances.

5.10 Seller's representations and warranties herein shall be true, and Seller shall not be in breach of its covenants contained herein, in all material respects at the Closing.

5.11 All consents, permits and approvals from anyone not a party hereto that may be required in connection with the performance of this Agreement or for Purchaser's operation of

the Business after the Closing Date shall have been obtained. These consents, permits and approvals shall include, but not be limited to, all consents, permits or approvals required to own and operate the Business issued by the West Virginia Department of Health, the West Virginia Division of Environmental Protection and the PSC.

Section 6: Conditions Precedent to the Obligations of Seller.

All obligations of Seller to be discharged under this Agreement at the Closing are subject to the fulfillment, prior to or at the Closing, of each of the following conditions (unless waived in writing by Seller at any time at or prior to the Closing):

6.1 Purchaser shall provide to Seller the consideration as described in Section 2.1 hereof.

6.2 There shall have been no litigation instituted having as an objective the enjoining of the Transaction.

6.3 The Seller shall have obtained approval from the PSC and such other federal or state governmental authorities having any control over the transfer of the District Water System or the District Sewer System to the Purchaser pursuant to the terms of this Agreement.

6.4 Seller shall have received a satisfactory opinion of Purchaser's counsel concerning Purchaser's authority to execute and perform this Agreement, the absence of conflicting agreements and such other matters as Seller's counsel shall reasonably require.

6.5 Seller shall have received a satisfactory opinion of Purchaser's counsel that the Purchaser has adopted changes to Chapter 147 of the Purchaser's Code, effective upon consummation of the Transaction, (i) that the Utility Board will continue, following the acquisition of the Assets, to be comprised of five (5) members, each of which, having the same rights and responsibilities, shall be appointed by the Council of the Purchaser and (ii) within twenty-four (24) months of Closing the Chair of the Utility Board shall be selected by vote of the members of the Utility Board. The Purchaser will further provide that, with respect to one (1) member of the Utility Board, the Council of the Purchaser will consider the recommendation of the County Commission for the individual to serve on the Utility Board as follows:

(a) The County Commission shall have the right to nominate not more than three (3) individuals to serve as a member of the Utility Board, each of whom shall satisfy all of the following criteria:

- (i) Resident of Jefferson County, West Virginia;
- (ii) Customer of the CTUB served by the Assets of the former “District Sewer System,” or extensions thereof; and,
- (iii) Customer of the CTUB paying the same prevailing sewer rate charged to the customers of the former “District Sewer System.”

The Council of the Purchaser shall timely either (i) select one (1) of the individuals so nominated by the County Commission, or (ii) ask the County Commission to nominate not more than three (3) different individuals, each of whom shall satisfy all of the above criteria, who have not previously been so nominated for consideration by the Council of the Purchaser.

(b) If the Council of the Purchaser requests that the County Commission nominate not more than three (3) additional individuals, each of whom shall satisfy all of the above criteria, the County Commission shall nominate not more than three (3) such individuals who have not previously been nominated for consideration to serve as a member of the Utility Board.

6.6 Seller shall have received a satisfactory opinion of Purchaser’s counsel that the Purchaser has adopted changes to Chapter 147 of the Purchaser’s Code, effective upon consummation of the Transaction, that the County Commission shall have the right to appoint an individual to serve as the “County Liaison” to the Utility Board, the identity of which individual shall be at the sole and exclusive discretion of the County Commission, and such individual as County Liaison:

(a) Shall have the right to engage in all discussion and debate at meetings of the Utility Board, with the exception of any executive session under W.V. Code Section 6-9A-1, *et seq.*, as would a member of the Utility Board, and such right to engage in discussion and debate of the Utility Board shall not be limited as would a member of the public;

(b) Shall not be voting member of the Utility Board, nor have the right to make or second any motion at a meeting of the Utility Board; and

(c) Shall receive all notices of meetings and documents and other materials provided to any member of the Utility Board either in anticipation of, or prior to, any meeting of the Utility Board, except to the extent any such documents or other materials relate to, or are in connection with, any issue which could be considered in executive session by the Utility Board pursuant to W.V. Code Section 6-9A-1 *et seq.*

Section 7: Representations and Warranties of Seller.

Seller makes the following representations and warranties to Purchaser as of the date of execution of this Agreement and shall confirm same as of the Closing as set forth in this Section 7. References herein to Seller's knowledge or belief or awareness shall include the knowledge of Seller and its employees.

7.1 Organization and Status of Seller. Seller is a public service district, a public corporation and political subdivision of the State of West Virginia, and has the authority to transfer its assets to the Purchaser pursuant to the terms and conditions of this Agreement.

7.2 Authority. Seller has full right and authority to execute this Agreement, to perform its obligations hereunder and to consummate the Transaction provided for herein. All required action with respect to Seller has been taken to approve this Agreement and the Transaction contemplated hereby. This Agreement constitutes the valid and binding obligation of Seller, enforceable in accordance with its terms, subject, however, to the effect of bankruptcy, insolvency, reorganization, moratorium and similar laws from time to time in effect relating to the rights and remedies of creditors, as well as to general principles of equity (regardless of whether such enforceability is considered in a proceeding in equity or at law). The execution and delivery of this Agreement, the consummation of the Transaction contemplated hereby and the performance by Seller of this Agreement in accordance with its terms will not require the approval or consent of, or notice to or filing with, any foreign, federal, state, county, local or other governmental or regulatory body except for approvals required by the federal and state governmental authorities as set forth in Sections 5.4, 5.5, 5.6, 5.7 and 5.11 of this Agreement.

7.3 No Breach. The execution, delivery and performance by Seller of this Agreement does not and will not (i) result in any violation by Seller of any law, rule or regulation, or any judgment, injunction, order, decree, permit or license of any judicial or administrative authority or any arbitrator applicable to Seller, or (ii) conflict with, breach or, with notice or the passage of time or both, result in a breach by Seller of any agreement or lease to which Seller is a party or by which Seller or any of its property may be bound. Seller is not a party to, or bound by, any judgment, injunction or decree of any court or governmental authority, or any such agreement or lease, which in any material respect may restrict or interfere with the performance of this Agreement.

7.4 Financial Statements; Subsequent Events.

7.4.1 Financial Statements. Seller has delivered to Purchaser the Seller's financial statements for the year ending June 30, 2017 relating to the District Water System and District Sewer System.

To the best of Seller's knowledge, after due inquiry:

7.4.2 Absence of Certain Events.

(a) Since the most recent balance sheet, the Seller has not (i) suffered any material adverse change in its business, properties, assets or liabilities, operations or financial conditions; (ii) terminated or amended, or suffered termination or amendment of, any material lease, contract or other agreement to which it is or was a party or under which it is or was bound or possessed rights; (iii) made any material change in accounting method or practice; (iv) entered into any agreement or commitment (whether or not in writing) to take or do any of the actions described in subsections (i) through (iii) above.

(b) Except as fully disclosed in this Agreement or as expressly required or permitted by this Agreement, the Seller has (i) continued the Business, conducted its operations and maintained its equipment and facilities in substantially the same manner as during the preceding fiscal year; (ii) used its best efforts to preserve the good will of its suppliers, customers, potential customers, and all others have relationships with the Business; and (iii) maintained its books, records and accounts in accordance with GAAP applied in the usual, regular and ordinary manner.

7.5 Ownership and Condition of Assets.

7.5.1 Real Property. Seller has the authority to convey title to the Real Property to be purchased by Purchaser pursuant to this Agreement, including, without limitation, easements and rights-of-way, free and clear of all claims, liens or other encumbrances of record, other than the Permitted Encumbrances, by a covenant of special warranty.

7.5.2 Inventory, Accounts Receivable and Other Assets. Seller has the authority to convey title to and ownership of all Assets, specifically including, but not limited to, fixed assets, Inventory, personal property, whether tangible or intangible, and all other assets and properties identified in this Agreement or reflected in the financial statements or acquired by or for the Business since June 30, 2017, except for those Assets disposed of in the ordinary course

of business subsequent to June 30, 2017, free and clear of all liens, encumbrances and restrictions of record, except the Permitted Encumbrances, inchoate liens prescribed by law, liens securing debt provided that fully executed releases for such liens are delivered to Purchaser (and where necessary to the release of such liens, placed of record in the applicable state and local Uniform Commercial Code and real estate records) as of the Closing Date, and other encumbrances and restrictions not securing debt and not materially and adversely affecting the value or utility of Asset, by a covenant of special warranty.

7.6 Liabilities. Except as explicitly permitted hereby, Seller has no knowledge of any liabilities as of June 30, 2017 (accrued, contingent or otherwise) that should have been but were not adequately reflected or adequately reserved against in the financial statements.

Except as so disclosed or agreed to by Purchaser subsequent to June 30, 2017, Seller has not incurred any liability (accrued, contingent or otherwise), including, without limitation, those of the types alluded to in the preceding sentence nor does Seller have any knowledge that any liability will be claimed or incurred in the future.

7.7 Contracts.

9.7.1 **Material Contracts.** Except as disclosed within thirty (30) days after the execution of this Agreement by the Parties, Seller is not a party to or bound by any written or oral contract, agreement or commitment which may be material to the Business of Seller to be maintained, owned or held as of and after the Closing Date (collectively, "Contracts"). Except for immaterial short term supply and equipment maintenance contracts, ("MROs" [*i.e.*, maintenance, repair and operation]) all Contracts shall be deemed material, and shall be included with the definition of "Contracts". Seller shall furnish the Purchaser copies of all Contracts specifically including, without limitation, MRO Contracts within thirty (30) days after the execution of this Agreement by the Parties.

7.8 Insurance. With respect to the Business (i) Seller has not been refused any insurance, nor has the coverage of Seller been limited by any insurer; (ii) Seller shall indemnify and hold Purchaser harmless from and against any and all claims, costs, expenses, liabilities and premiums relating to any and all such insurance policies and coverage, and any and all illnesses, injuries, claims, claims processing and handling, premiums or other matters related thereto, that occur, relate to or arise out of any time period before the Closing; and (iii) Purchaser shall have no responsibility for or with respect to any such matters and items.

7.9 Litigation, Investigations and Claims.

To the knowledge of the seller:

(a) There is no existing, pending or, to the knowledge of Seller, threatened litigation, arbitration, judgment, court order, decree, injunction, administrative order, claim (including, without limitation, any claim for Withdrawal Liability), dispute or process, against the Assets or the operation of the Business, whether or not allegedly in the name of Seller;

(b) There is no investigation, cessation order or notice of violation or other proceeding, administrative or otherwise, concerning the existence of any fact or facts and there are no conditions which would result in the commencement of any of the foregoing, against the Assets or the operation of the Business (if directly or indirectly related to Seller and its Business) that, in the case of either Sections 7.9(a) or 7.9(b) of this Agreement, would materially and adversely affect the Assets or the operation of the Business or that would prevent or hinder the consummation of the Transaction;

(c) The Seller is not in default in respect of any order, writ, injunction, decree or process of any arbitrator or court or of any foreign or domestic, national, state, municipal or other governmental commission, board, department or agency, which default would have a material adverse effect on either the Assets or the operation of the Business; and

(d) Seller has not received notice with respect to a charge of violation of any provision of any foreign, federal, state or local law or administrative ruling or regulation relating to any material aspect of the Business which violation, if proved, is likely to have a material adverse effect on the Assets or the operation of the Business.

7.10 Completeness of Books and Records. To the knowledge of Seller, the books, records and accounts of the Business accurately and fairly reflect its transactions and assets and liabilities.

7.11 Eminent Domain or Condemnation Proceedings. To the knowledge of the Seller, there are no eminent domain or condemnation proceedings pending or threatened against any parcel or interest in the Real Property.

7.12 Corporate Minutes. Seller shall make its best efforts to make available to Purchaser for inspecting true and correct copies of minutes of meetings of the Public Service Board of the Seller relating to the authorization of this Agreement.

7.13 Taxes. To the knowledge of Seller, there are no unpaid taxes, additions to tax,

penalties, or interest payable by Seller or by any other person that are or could become a lien on the Assets or otherwise adversely affect the operation of the Business. To the knowledge of Seller, the Seller has collected or withheld all amounts required to be collected or withheld by Seller for income, social security, unemployment, excise, or any other taxes or assessments, and all such amounts have been paid to the appropriate governmental agencies or set aside in appropriate accounts for future payment when due. To the knowledge of Seller, the financial statements fully and properly reflect, as of June 30, 2017, the liabilities of Seller for all accrued taxes, additions to tax, and penalties and any interest thereon, and interest of the Business.

7.14 Brokers. All negotiations relative to this Agreement and the Transaction contemplated hereunder have been conducted and carried out by the Seller directly with Purchaser and without the assistance or intervention of any other person so as, through action of the Seller or otherwise, to give rise to any valid claim against Seller for a finder's fee, broker's fee, commission or other like payment. Seller has not engaged, retained or contracted with any finder, broker or similar person with respect to the sale of the Assets, or of any part thereof, so as to incur any liability for a finder's fee, broker fee, commission or like payment in connection with the execution of this Agreement or the consummation of the Transaction contemplated hereunder.

7.15 No Misleading or Untrue Representations or Warranties. To the knowledge of Seller, no representation or warranty in this Agreement, the schedules hereto or any other written statement, certificate or exhibit furnished by Seller pursuant to this Agreement contains any untrue statement of a material fact or omits to state a material fact necessary to make the statements contained therein not materially misleading.

Section 8: Representations and Warranties of Purchaser.

Purchaser makes the following representations and warranties to Seller as of the date of the execution of this Agreement and shall confirm same as of the Closing set forth in this Section 8. References herein to Purchaser's knowledge, belief or awareness shall include the knowledge, belief or awareness of the Utility Board and its employees.

8.1 Organization, Status and Authority of Purchaser. Purchaser is a West Virginia Municipal Corporation and political subdivision of the State of West Virginia and has full right and authority to execute this Agreement, to perform its obligations hereunder and to

consummate the Transaction provided for herein. All required corporate action with respect to Purchaser has been taken to approve this Agreement and the Transaction contemplated hereby. This Agreement constitutes the valid and binding obligation of Purchaser, enforceable in accordance with its terms. The execution and delivery of this Agreement, the consummating of the Transaction contemplated hereby, and the performance by Purchaser of this Agreement in accordance with its terms will not require the approval or consent of, or notice to or filing with any foreign, federal, state, county, local or other governmental or regulatory body except as otherwise disclosed by this Agreement.

8.2 No Breach. The execution, delivery and performance by Purchaser of this Agreement do not and will not (i) result in any violation of any law, rule or regulation, or any judgment, injunction, order, decree, permit or license of any judicial or administrative authority or arbitrator applicable to Purchaser; or (ii) conflict with, breach, or with notice or the passage of time, or both, result in a breach by Purchaser of any agreement or lease to which Purchaser is a party or by which it or any of its property be bound. Purchaser is not a party to, or bound by, any judgment, injunction or decree of any court or governmental authority, or any such agreement or lease, which in any material respect may restrict or interfere with the performance of this Agreement.

8.3 Brokers. All negotiations relative to this Agreement and the Transaction contemplated hereunder have been conducted and carried out by the Purchaser directly with Seller and without the assistance or intervention of any other person so as, through action of the Purchaser or otherwise, to give rise to any valid claim against Purchaser for a finder's fee, broker's fee, commission or other like payment. Purchaser has not engaged, retained or contracted with any finder, broker or similar person with respect to the acquisition of the Assets, or any part thereof, so as to incur any liability for a finder's fee, broker fee, commission or like payment in connection with the execution of this Agreement of the consummation of the Transaction contemplated by this Agreement.

Section 9. Seller's Covenants.

9.1 Conduct of Business Prior to Closing. Seller covenants that during the period from the date of execution of this Agreement by the Parties to and including the Closing Date, except as otherwise expressly required or permitted by this Agreement or approved in writing by

Purchaser:

(a) The Business will be conducted in the normal and ordinary course of business, in its current operating condition, all so as to produce during such period continuous compliance with Section 7.4.2.

(b) There will be no execution of contracts or undertakings of obligations with respect to the Business out of the normal course, specifically including, without limitation, maintenance contracts as well as agreements covered by Section 7.7.1 hereof, without prior written consent of Purchaser.

(c) Maintenance of facilities and equipment will be conducted in accordance with prudent practice.

(d) No sale, option to sell or other disposition of all, or any portion of, the Business will be made or permitted by Seller.

(e) Seller will operate and maintain the Business in a sound and prudent manner and will use its reasonable efforts not to allow any contract, lease, permit, license, franchise, certificate or privilege necessary for the operation of the Business to lapse, terminate or be in default and not to violate or to allow liability to arise under any law or regulation or any permit or license. Seller will timely file all required reports and notices with the applicable governmental agencies and authorities and will properly and timely pay all expenses, bonuses, rentals, royalties or other payments due and owing with respect to the Assets and the operation of the Business.

(f) Seller will not take or fail to take, or suffer Seller to take or fail to take, any action that would result in the representations and warranties of Seller set forth herein to be untrue at the Closing as if made at that time.

(g) Seller will collect and withhold all amounts required to be collected or withheld by Seller for income, social security, unemployment, excise, or any other taxes or assessments in respect of the Business and will pay to the appropriate governmental agencies or set aside in appropriate accounts any such amounts.

(h) Seller covenants that it will not enter into or permit the Business to enter into any collective bargaining agreement or other labor agreement with any union or other labor organization without Purchaser's prior written agreement.

Section 10: Purchaser's Covenants.

10.1 Employment of Existing Personnel. The Purchaser shall, through the Utility Board, offer full-time employment to employees who are active employees of the Seller as of the Closing Date for a period of two (2) years, provided, however, that each individual possesses a valid driver's license, a high school diploma or GED equivalent, and passes a routine pre-screening physical, including testing for illicit drugs, and other examinations and background tests required of all other individuals for employment with the Utility Board. Excepting credited years of service and accrued vacation leave, the terms of employment for any such employee of the Seller subsequently hired by the Utility Board shall be at the sole discretion of the Utility Board, and employees may be terminated or disciplined for cause. The job descriptions and the duties of the employees of the Seller subsequently hired by the Utility Board shall be determined by the Utility Board and all such employees shall be subject to the terms and conditions of the Personnel Policies of the Utility Board. The Utility Board will credit vacation leave accrued on the financial records of the Seller of each such employee of the Seller subsequently hired by the Utility Board. The Utility Board will credit years of service of Seller employees subsequently hired by the Utility Board as if those years of service had been in the service of the Utility Board for all purposes including sick leave / paid time off and retirement benefits.

The Parties agree that employees employed by the Seller and subsequently hired by the Utility Board will be deemed by the Parties to have transferred employment without a break in service and, therefore not be subject to any notice requirement in order to leave the Seller for the Utility Board's employ.

10.2 Extension of Service. The Purchaser shall, at all times in the future, continue to operate the District Water System and District Sewer System in a professional and businesslike manner and will provide potable water and sanitary sewer service to all areas of the County subject only to the limitations in the Utility Board Act, provided, however, that the Purchaser is only willing to extend water or sewer service when such extension of service is technically and economically feasible. The determination as to the technical and financial feasibility of an extension of water or sewer service will be in the sole discretion of the Purchaser, provided, however, the Purchaser specifically agrees and affirms that the rules and regulations of the PSC, as presently existing or as may be modified in the future, specifically

including, but not limited to, 150 W.V. CSR 7.5.5 and 150 W.V. CSR 5.5.5., regulate the provision of public utility service to unserved customers by public utilities and the right of an individual or party seeking service to bring an action at the PSC to enforce such rules and regulations.

10.3 Existing Seller Water Tariff. The Purchaser will agree to enact, prior to the Closing Date, an ordinance modifying the Purchaser's existing tariff for water service to provide that the customers served by the District Water System as of the Closing Date, as well as future customers added thereon, shall be charged at the same tariff for water service from the Seller in existence as of the Closing Date. The Purchaser acknowledges and agrees that the rates and charges under the Seller's existing tariff for water service are higher than such rates and charges for water service from the Purchaser and the Purchaser agrees that it shall exercise its best efforts to equalize the rates and charges for water service of all water customers of the Purchaser within ten (10) years after the Closing Date.

10.4 Existing Seller Sewer Tariff. The Purchaser will agree to enact, prior to the Closing Date, an ordinance modifying the Purchaser's existing tariff for sewer service to provide that the customers served by the District Sewer System as of the Closing Date, as well as future customers added thereon, shall be charged at the same tariff for sewer service from the Seller in existence as of the Closing Date. The Purchaser acknowledges and agrees that the rates and charges under the Seller's existing tariff for sewer service are higher than such rates and charges for sewer service from the Purchaser and the Purchaser agrees that it shall exercise its best efforts to equalize the rates and charges for sewer service of all sewer customers of the Purchaser within ten (10) years after the Closing Date.

Section 11: Miscellaneous Provisions.

11.1 Release and Indemnification. Purchaser, to the extent permitted by law, hereby agrees to indemnify, defend and hold harmless Seller from and against any and all costs, expenses, damages, losses, claims, and liabilities (collectively, the "Losses") incurred by Seller in connection with (i) any failure to perform, breach or default (whether actual or alleged) by Purchaser after Closing under any Contracts and/or Leases of Seller assumed by Purchaser, and (ii) any actions or inactions relating to the Assets that occur or arise after the Closing unless such Losses result from Seller's direct actions. These obligations of Purchaser shall survive Closing.

11.2 Approvals. Seller and Purchaser shall cooperate with one another in promptly complying with all applicable government filing, approval or consent requirements as may be necessary or desirable in order to close the Transaction contemplated hereunder.

Section 12: Termination of the Agreement.

12.1 Purchaser's Rights. If any of the conditions specified in Section 5 of this Agreement are not satisfied at or prior to the Closing, and if any such condition is not waived by Purchaser, and if any such failure is not cured by Seller within thirty (30) days after written notice from the Purchaser of the failure of any such condition, or if the Closing is not held as provided in Section 4.1 for any reason other than a default by Purchaser hereunder, then Purchaser may, without liability, terminate this Agreement by written notice to Seller.

12.2 Seller's Rights. If any of the conditions specified in Section 6 of this Agreement are not satisfied at or prior to the Closing, and if any such condition is not waived by Seller, and if any such failure is not cured by Purchaser within thirty (30) days after written notice from the Seller of the failure of any such condition, or if Closing is not held as provided in Section 4.1 for any reason other than a default hereunder by Seller, then Seller may, without liability, terminate this Agreement by written notice to Purchaser.

12.3 Effect of Termination. In the event of the termination of this Agreement pursuant to the provisions of this Section 11, this Agreement shall become void and have no effect, without any liability on the part of any party hereto or its directors, officers or asset holders, in respect of this Agreement, provided that Sections 13.4 and 13.5 shall survive any such termination.

Section 13: Survival of Representations, Covenants and Warranties.

13.1 Seller's Representations, Agreements, Covenants and Warranties. The representations, warranties, agreements and covenants made by Seller herein, except as they may be fully performed prior to or contemporaneously with the Closing, shall survive the Closing and shall be fully enforceable at law or in equity against Seller and its successors and assigns by Purchaser and its successors and assigns, until the date one (1) year following the Closing Date, provided that the foregoing one-year limitation shall not apply to any liabilities, representations,

warranties, covenants or agreements as to taxes or environmental matters or to any claims made in writing to Seller during such one-year period, or to any Claim or pending actions

13.2 Purchaser's Representations, Agreements, Covenants and Warranties. The representations, warranties, agreements and covenants made by Purchaser herein, except as they may be fully performed prior to or contemporaneously with the Closing, shall survive the Closing and shall be fully enforceable at law or in equity against Purchaser and its successors and assigns by Seller and its successors and assigns, until the date one (1) year following the Closing Date, provided that the foregoing one-year limitation shall not apply to any claims made in writing to Purchaser concerning Purchaser's Covenants set forth in Section 10 .

Section 14: General Provisions.

14.1 Notices. All notices, requests, demands and other communications hereunder shall be furnished to the other party at the address listed below, shall be in writing, and shall be deemed to have been duly given if delivered personally or by certified mail, return receipt requested:

(a) If to Seller to:

JEFFERSON COUNTY PUBLIC SERVICE DISTRICT
Attn: General Manager
340 Edmond Road, Suite A
Kearneysville, WV 25430

Copy to:

Hammer, Ferretti & Schiavoni Law Offices
Attn: David Hammer, Esquire
408 W. King Street
Martinsburg, WV 25401

(b) If to Purchaser to:

CITY OF CHARLES TOWN
Attn: City Manager
P.O. Box 14
Charles Town, WV 25414

Copy to:

CHARLES TOWN UTILITY BOARD
Attn: Jane Arnett

832 South George Street
Charles Town, WV 25414

Law Offices of Hoy Shingleton, L.C.
Hoy G. Shingleton, Jr., Esq.
115 Aikens Center, Suite 24
Martinsburg, West Virginia 25405

14.2 Entire Agreement; Amendments. This Agreement supersedes all prior agreements between Purchaser and Seller or any of their respective affiliates (written or oral) relating to the subject matter, is intended as an entire and complete statement of the terms of the Agreement between the Parties, and may be amended or modified only by a written instrument executed by Purchaser and Seller.

14.3 Expenses. Except as otherwise specifically provided herein, each party to this Agreement shall pay its own expenses (including, without limitation, the fees and expenses of their respective agents, representatives, counsel and accountants) incidental to the preparation and carrying out of this Agreement and the consummation of the Transaction.

14.4 Confidentiality. All books, records and documents and information provided to Purchaser in connection with this Transaction shall, to the extent permitted by law, be kept confidential and shall not be disclosed to the officers or employees of the Parties except those individuals whose assistance in the preparation and consummation of the Transaction is in good faith deemed essential. In the event that the Transaction is not consummated for any reason, all books, records and documents delivered by either party shall promptly be returned and no copies shall be retained.

14.5 No Third Party Beneficiaries. Nothing in this Agreement shall entitle any person other than the undersigned Parties, and the persons designated as Purchaser Indemnities or Seller Indemnities, to any claim, cause or action, remedy or right of any kind.

14.6 Law to Govern. This Agreement shall be executed, construed, performed and enforced in accordance with the substantive laws of the State of West Virginia.

14.7 Section and Other Headings. The section and other headings contained in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement.

14.8 Counterparts. This Agreement may be executed simultaneously in any number

of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

14.9 Parties in Interest. This Agreement shall inure to the benefit of and be binding upon Purchaser, and its successors and assigns, and upon Seller, and its successors and assigns. Notwithstanding the foregoing, this Agreement shall not be assigned by any party, in whole or in part, by operation of law or otherwise, except that Purchaser may assign any or all its interests hereunder to the Utility Board.

14.10. Currency. All references to “dollars” or “\$” herein are references to lawful money of the United States of America.

14.11 Public Disclosures. Except as required by law, neither party shall make any public disclosure with respect to this Agreement without prior written notice to, and consultation with, the other party.

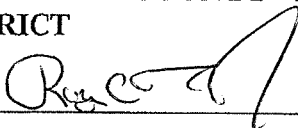
Section 15: Public Service Commission.

15.1 Both Seller and Purchaser recognize that Seller and the Utility Board are regulated utilities subject to the jurisdiction of the PSC and they acknowledge that this Agreement or any amendments thereto must be approved by the PSC. The Parties covenant and agree that they shall make a diligent effort to secure the permission of the PSC for the approvals required of the PSC pursuant to this Agreement and any amendments thereto, and the Closing Date as set forth herein shall be extended for such time as necessary to receive such approval. In the event that any such approval of the PSC is not secured or reasonably forthcoming then either party, at its option, may declare this Agreement null and void and be released of all obligations hereunder.

IN WITNESS WHEREOF, the Parties have executed or caused this Agreement to be executed by their respective officers hereunto duly authorized, as of the date first above written.

SELLER:

JEFFERSON COUNTY PUBLIC SERVICE DISTRICT

By: 

Its: CHAR

PURCHASER:

CITY OF CHARLES TOWN

By: _____

Its: _____

IN WITNESS WHEREOF, the Parties have executed or caused this Agreement to be executed by their respective officers hereunto duly authorized, as of the date first above written.

SELLER:

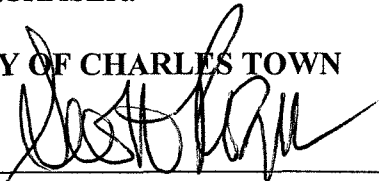
JEFFERSON COUNTY PUBLIC SERVICE DISTRICT

By: _____

Its: _____

PURCHASER:

CITY OF CHARLES TOWN

By:  _____

Its: Mayor _____

EXHIBIT

1(a)

Jefferson County Public Service District
Alternate Mainline Extension Agreements

| Development | AMEA PSC Case No. | Date Initiated | Date Approved | Status | Development Complete? | Total Development EDU's Requested | Total EDU's Used | Total EDU's Remaining |
|--|-------------------|----------------|---------------|---|-----------------------|-----------------------------------|------------------|-----------------------|
| Breckenridge | 97-1468-PSD-ECN | N/A | 2/26/1998 | Final | Yes | 282 | 282 | 0 |
| Briar Run | 97-1468-PSD-ECN | N/A | 2/26/1998 | Final | No | 436 | 305 | 131 |
| Briar Run Addenda | 07-0294-PSD-PC | 3/07 | 1/14/2009 | Final | | | | |
| Cambridge | 97-1468-PSD-ECN | N/A | 2/26/1998 | Final | No | 151 | 79 | 72 |
| Cambridge Addenda | 07-0294-PSD-PC | 3/07 | 1/14/2009 | Final | | | | |
| Spruce Hill North | 05-1487-PSD-PC | 11/05 | 8/1/2006 | Final | Yes | 119 | 119 | 0 |
| Harvest Hills | 05-0908-PSD-PC | 6/05 | 11/18/2005 | Final, not signed | No | 392 | 0 | 392 |
| Beallair (and 2017 Amendment) | 02-1791-PSD-PC | 11/02 | 3/2/2004 | Final | No | 304 | 89 | 215 |
| Jefferson Crossing | 94-0739-PSWD-PC | 8/94 | 4/11/1995 | Final | No | 287 | 287 | 0 |
| Green Meadows/County Green | 02-0650-PSD-PC | 5/02 | 7/17/2002 | Final | Yes | 77 | 77 | 0 |
| Jefferson Avenue | 02-0069-PSD-PC | 1/02 | 7/1/2002 | Final | Yes | 7 | 7 | 0 |
| Norborne Glebe | 00-1272-PSD-PC | 6/05 | 11/18/2005 | Final | No | 1000 | 237 | 763 |
| Robelei | 95-0563-PSD-PC | 6/95 | 10/12/1995 | Final | Yes | 34 | 34 | 0 |
| Greenfield/Hillside | 01-1694-PSD-PC | 1/02 | 7/7/2002 | Final | Yes | 47 | 47 | 0 |
| Thorn Hill LLC | 10-1085-PSD-PC | 7/10 | 2/16/2011 | Final, not signed by Board | No | 179 | 0 | 179 |
| Jefferson County BOE (Drisswood Elementary School) | 09-2056-PSD-PC | 12/09 | 1/25/2010 | Final | Yes | 17 | 17 | 0 |
| Aspen Greens (and 2013 Amendment) | 12-1567-PSD-PC | 11/12 | 6/6/2013 | Final | No | 203 | 6 | 197 |
| Crosswinds | 94-0753-PSD-PC | 8/94 | 3/14/1995 | Final | Yes | 147 | 147 | 0 |
| Burns Street | N/A | N/A | N/A | Signed 3/11/2005 but not submitted to PSC | No | 16 | 11 | 5 |
| Burr Business Park-Phase II (Planning Ltr 1/11/2007) | N/A | N/A | N/A | N/A | No | 200 | 40 | 160 |
| Breckenridge East | N/A | N/A | N/A | Drafted, not submitted to PSC | No | 694 | 0 | 694 |
| Butler Farms | N/A | N/A | N/A | Drafted, not submitted to PSC | No | 71 | 0 | 71 |
| Daniels Forest | N/A | N/A | N/A | Drafted, not submitted to PSC | No | 192 | 0 | 192 |
| Stonecrest | N/A | N/A | N/A | Drafted, not submitted to PSC | No | 225 | 0 | 225 |
| Jefferson Heights North (Planning letter 10/27/14) | N/A | N/A | N/A | N/A | No | 135 | 0 | 135 |
| Kings Crossing (Planning Letter 1/10/2005) | N/A | N/A | N/A | N/A | No | 276 | 0 | 276 |

EXHIBIT

1(b)

Capital Improvement Fee/Capital Assurance Fee

| Development | Total CIF Collected | Charles Town CIF | PSD CIF | Total CAF Collected | Charles Town CAF | PSD CAF |
|-----------------------------|-----------------------|-----------------------|-----------------------|---------------------|--------------------|--------------------|
| Huntfield | \$127,351.00 | \$127,351.00 | | | | |
| County Green | \$94,668.00 | \$94,668.00 | | | | |
| Aspen Greens | \$22,449.00 | \$7,889.00 | \$14,560.00 | | | |
| Norborne Glebe | \$644,991.00 | \$227,654.00 | \$353,962.00 | | | |
| Briar Run | \$177,597.00 | \$132,986.00 | \$44,611.00 | | | |
| Burns Street | \$19,159.00 | \$19,159.00 | | | | |
| Cambridge | \$22,018.00 | \$15,778.00 | \$6,240.00 | | | |
| Robelei | \$1,127.00 | \$1,127.00 | | | | |
| Jefferson Crossing II | \$844,218.00 | \$328,678.28 | \$450,539.72 | | | |
| Miscellaneous | \$168,391.00 | \$39,445.00 | \$120,821.00 | | | |
| Burr Industrial Park | \$148,558.50 | \$92,977.50 | \$37,706.00 | | | |
| Walnut Grove | \$3,381.00 | \$3,381.00 | | | | |
| Beallair Homes | \$172,151.00 | \$104,811.00 | \$47,840.00 | \$57,726.00 | \$20,286.00 | \$37,440.00 |
| Harris & Owens- Holiday Inn | \$72,128.00 | \$72,128.00 | | | | |
| Breckenridge | \$2,254.00 | \$2,254.00 | | | | |
| Spruce Hill North | \$440,017.00 | \$134,113.00 | \$305,904.00 | | | |
| Total | \$2,960,458.50 | \$1,404,399.78 | \$1,382,183.72 | \$57,726.00 | \$20,286.00 | \$37,440.00 |
| | | | | | | |
| | | | | | | |

* Please see additional worksheets for development details

| Total Paid to Joint Utility Account | | | | | |
|--|------------|----------------------------|----------------|---------------------------|----------------|
| Year | Total EDUs | CIF per EDU (Charles Town) | Total EDUs CAF | CAFper EDU (Charles Town) | Total Deposits |
| FY-06 | 466.5 | \$1,127 | | | \$525,745.50 |
| FY-07 | 96 | \$1,127 | | | \$108,192.00 |
| FY-08 | 86 | \$1,127 | | | \$96,922.00 |
| FY-09 | 38 | \$1,127 | | | \$42,826.00 |
| * FY-09 (Refunded, Briar Run Lots 293-300) | (8) | \$1,127 | | | (\$9,016.00) |

| | | | | | |
|---|----------------|---------|----|---------|-----------------------|
| FY-10 | 37 | \$1,127 | | | \$41,699.00 |
| FY-11 | 74.64 | \$1,127 | | | \$84,119.28 |
| * FY-11 (Refunded, Cambridge Lots 75,87,89,90 and 112 & Ricky French, 19 Flow. Acres) | (6) | \$1,127 | | | (\$6,762.00) |
| FY-12 | 26 | \$1,127 | | | \$29,302.00 |
| FY-13 | 76 | \$1,127 | | | \$85,652.00 |
| FY-14 | 91 | \$1,127 | | | \$102,557.00 |
| FY-14 (Refunded-Beallair Lot 98) | (1) | \$1,127 | | | (\$1,127.00) |
| *FY-14 (Refunded, 30 EDUs-Lot 18 Burr) | (30) | \$1,127 | | | (\$33,810.00) |
| FY-15 | 138 | \$1,127 | | | \$155,526.00 |
| *FY-15 (Refunded, 1 EDU-85 Belvedere) | (1) | \$1,127 | | | (\$1,127.00) |
| FY-16 | 67 | \$1,127 | | | \$75,509.00 |
| FY-17 | 69 | \$1,127 | | | \$77,763.00 |
| FY-18 | 26 | \$1,127 | 18 | \$1,127 | \$49,588.00 |
| Total | 1245.14 | | | | \$1,423,558.78 |
| * Please see additional worksheets for deposit details | | | | | |

| New Service added since 12/12/05 \$6.10 | |
|---|------------|
| Development | Total EDUs |
| County Green | 38 |
| Norborne Glebe | 183 |
| Briar Run | 105 |
| Burns Street | 16 |
| Cambridge | 5 |
| Jefferson Crossing II | 268.24 |
| Miscellaneous | 35 |
| Burr Industrial Park | 49.5 |
| Walnut Grove | 2 |
| Beallair Homes | 88 |
| Harris & Owens- Holiday Inn | 64 |

| | |
|-------------------|---------------|
| Breckenridge | 2 |
| Spruce Hill North | 119 |
| Aspen Green | 3 |
| | |
| Total | 977.74 |

EXHIBIT

1(c)



AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 15, 2018**

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

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

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

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Josh Compton, Commissioner**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 15, 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*): **Approval of PSD purchase agreement - 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



Name: **Josh Compton, Commissioner**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 15, 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*): **Discuss Courthouse storm windows - 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



Name: **Josh Compton, Commissioner**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 15, 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*): **Discuss County ATV Ordinance - 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.

BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA
ORDINANCE RELATING TO THE REGULATION OF ALL-TERRAIN VEHICLES IN JEFFERSON COUNTY, WEST VIRGINIA

WHEREAS the West Virginia Legislature, by an act designated as W.VA Code § 17F-1, et. seq., had adopted an amendment to the Code of West Virginia relating to the regulation of all terrain vehicles generally prohibiting the operation of all all-terrain vehicle on interstate highways and on center lined roads or road with more than two lanes containing certain exception and other prohibitions; and

WHEREAS the West Virginia Legislature specifically authorized the political subdivisions of the state of West Virginia, including the County Commission of any County within this State with authority to regulate the operation of all-terrain vehicles of public roads within the County; and

WHEREAS the Legislature specifically authorized the County Commission of Jefferson County pursuant to W. Va. Code § 17F-1-3(3) to lawfully enact an ordinance regulating or prohibiting the operation of all-terrain vehicles on any road in this County except on interstate highways; and

WHEREAS W. Va. Code § 17F-1-3(3) authorizes only a County who has adopted a countywide Comprehensive Plan pursuant to W. Va. Code § 17F-1-3(3); and

WHEREAS the Jefferson County Commission has adopted a Comprehensive Plan on the 18th day of March, 2004, and meets the conditions for a local government to regulate the operation of all-terrain vehicles.

It is hereby enacted as an Ordinance of Jefferson County, West Virginia upon the duly authorized Motion, second and approval by the Jefferson County Commission on this 17th day of June, 2004 as follows:

I. (a) It shall be unlawful for any person to operate an all-terrain vehicle, as defined in W.VA. Code § 17F-1-9 on any road or highway within Jefferson County, West Virginia, whether or not the road or highway has a center line.

(b) All-terrain vehicle, or ATV, shall mean any motor vehicle, fifty-two inches or less in width, having an unladen weight of eight hundred pounds or less, traveling on three or more low pressure tires with a seat designed to be straddled by the ride, designed for or capable of travel over unimproved terrain.

(c) All-terrain vehicles, as defined in W.Va Code § 17F-1-9, shall be permitted to cross a public road or highway at an angle of approximately ninety degrees to the direction of the public road where this is not obstruction preventing a quick and safe crossing providing that the operator has a valid driver's license.

(d) Roads – a way made for traveling; a way; a course; a highway. This definition shall include public or private roads to which the public has access. Highway – a public road; a main road; a thoroughfare.

II. In addition to any other legal remedy for violation of civil or criminal provisions of this Ordinance of W.Va. Code § 17F-1 et. seq.:

(a) Any person who violates the provision of this Ordinance or who owns or has control over an all-terrain vehicle and knowingly permits it to be used in violation of the provisions of this Ordinance shall

be guilty of a misdemeanor and upon conviction thereof, shall be subject to the penalties set forth in § 17F-1-8, W. Va. Code.

III. There is exempt from this Ordinance, the operation of all-terrain vehicle for lawful farm use, pursuant to W.Va. Code § 17F-1-6.

IV. It is further enacted by the County Commission that any homeowner association as provided in W. Va. Code § 17-1-3(2), may petition the County Commission for the enactment of an ordinance regulation or prohibiting the operation of all-terrain vehicle in all areas regulated by the homeowners' association; provided a petition in the form authorized by the County Commission, setting forth and verifying (1) that the petitioner is a duly constituted homeowners association as defined under West Virginia Law, (2) that the homeowner association has, through an appropriate vote of the majority of its participating members upon proper notice as provided by the homeowners association by-laws or rules, authorized and duly appointed representative or representative of the homeowners association, through its officers and/or directors, (3) to file a petition with the County Commission certifying that it is a duly authorized homeowners association under West Virginia Law, specifying the area to be regulated by the Ordinance, (4) providing verification that a majority of the participating property owners, who are legitimate voters in the homeowners association, have voted at a duly noticed, properly held meeting to petition the County Commission to enact an Ordinance regulation or prohibiting the operation of all-terrain vehicles, (5) specifically requesting the County Commission to enact such Ordinance regulating or prohibiting the operation of all terrain vehicles and (6) specifically designating the roads or area to be regulated by the homeowners association with reasonable certainty.

This Ordinance shall be effective the 1st day of July, 2004

Adopted this 17th day of June, 2004.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Michelle Gordon, Finance Director

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1st Choice: **March 15, 2018**

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

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

- Review and Approval of FY2018 State Budget Revision 8 for the General Fund
- Review and Approval of FY2018 State Budget Revision 9 for the General Fund
- Review and Approval of the FY2018-2019 Draft Budget (Levy Estimate)

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

State Budget Revision 8: 1) needed to cover cost overruns in the Commission department related to the PSD Audit, EEOC Complaints, and the upcoming Cable Franchise Renewal; 2) Overtime needs for Bailiffs in response to the approval of additional evening regular sessions; 3) health insurance increase due to changes in employee elections for FY18. **Total budget impact is \$56,695**

State Budget Revision 9: The County Clerk has asked that we approve the reallocation of salary savings from a vacant position in the Elections Department to the County Clerk Office for 2 employees. The affected employees are newly hired within the last year and the increase is requested to ensure department equity for 3 clerks with similar hire dates, and similar work experience and skills. The County Clerk originally misunderstood how the payscale should be administered, and, she assumed that she must offer salaries only up to the amount available in her budget for the vacancy being replaced. As a result, 2 employees were hired at much lower rates than the 3rd. Going forward all merit increase considerations will be based on performance and available budget. **Budget Neutral in FY18 and FY19.**

Is this a funding request? Y/N YES

If so, how much? \$ 56,695

Provide exact financial impact/request -Reduction in Fund Balance transfers to the Financial Stabilization Fund

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

- Motion to approve State Budget Revision 8 and 9 for the General Fund
- Motion to approve the FY2018-2019 Draft Levy Estimate
- Motion to approve the release of the FY2018-2019 Draft Levy Estimate for publication and to the WV State Auditor for review

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

If not attached, explain:

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

Contact information:

Email address: Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

REQUEST FOR REVISION TO APPROVED BUDGET

CONTROL NUMBER

Ora Ash, Director
 West Virginia State Auditor's Office
 200 West Main Street
 Clarksburg, WV 26302
 Phone: 627-2415 ext. 5114
 Fax: 627-2417

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

2018
 FY
001
 FUND
8
 REV. NO.
1 of 1
 PG. OF NO.

Jefferson County Commission
 GOVERNMENT ENTITY

Person To Contact Regarding
 Budget Revision: **Michelle Gordon**
 Phone: **304-724-8425**
 Fax: **304-725-7916**

P.O. Box 250
 STREET OR PO BOX
 Charles Town 25414
 CITY ZIP CODE

COUNTY
 Government Type

REVENUES: (net each acct.)

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | PREVIOUSLY APPROVED AMOUNT | (INCREASE) | (DECREASE) | REVISED AMOUNT |
|----------------|---------------------|----------------------------|------------|------------|----------------|
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | PREVIOUSLY APPROVED AMOUNT | (INCREASE) | (DECREASE) | REVISED AMOUNT |
|----------------|--|----------------------------|------------|------------|----------------|
| 401 | County Commission | 1,785,277 | 39,108 | | 1,824,385 |
| 700 | Sheriff-Law Enforcement | 4,431,556 | 1,187 | | 4,432,743 |
| 413 | Elections-County Clerk | 356,922 | 16,400 | | 373,322 |
| 696 | Transfer to Financial Stabilization Fund | 1,569,233 | | 56,695 | 1,512,538 |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |
| | #N/A | | | | |

NET INCREASE/(DECREASE) Expenditures

APPROVED BY THE STATE AUDITOR

BY: Director, Local Government Services Division Date

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 15th day of March, 2018, the following Order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Jefferson. The following resolution was offered.

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised as shown on **Fiscal Year 2018 budget revision number #8 to the General County Fund**, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by

_____, and duly seconded by _____
the vote was as follows:

| | |
|-----------------|-------|
| Peter Onoszko | _____ |
| Jane Tabb | _____ |
| Patricia Noland | _____ |
| Caleb Hudson | _____ |
| Josh Compton | _____ |

Whereupon, Commissioner Compton declared said Resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said Resolution be, and the same is, hereby adopted as so stated above, and Josh Compton, President of the Jefferson County Commission, is authorized to affix his signature to the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

Josh Compton, President
Jefferson County Commission

Jefferson County Commission
 State Budget Revision JE

Budget Revision #8 of General Fund FY18

| <u>Description</u> | <u>GL Account</u> | <u>Increase</u> | <u>Decrease</u> |
|--|---------------------------|-----------------|-----------------|
| Budget revision needed to cover Costs associated with the PSD Audit, EEOC Complaints, and the upcoming Franchise Cable Agreement Renewal. | | | |
| Co Comm-Professional Services | 001.401.02.223.000.GG.000 | 39,108 | |
| Transfers to Financial Stabilization Fund | 001.696.05.566.000.GG.000 | | 39,108 |
| Due to the recent approval of additional evening regular sessions, Law Enforcement anticipates that additional funding will be needed to cover the cost of Bailiff Overtime. | | | |
| Law Enf Cir Ct Bailiffs | 001.700.01.108.003.PS.000 | 1,000 | |
| Law Enf FICA | 001.700.01.104.000.PS.000 | 62 | |
| Law Enf Medicare | 001.700.01.104.001.PS.000 | 15 | |
| Law Enf Retirement | 001.700.01.106.000.PS.000 | 110 | |
| Transfers to Financial Stabilization Fund | 001.696.05.566.000.GG.000 | | 1,187 |
| Due to changes in employee health insurance elections, additional funding is needed in the Elections department to cover the cost of employee health insurance. | | | |
| Elec Co Clk Group Ins | 001.413.01.105.000.GG.000 | 16,400 | |
| Transfers to Financial Stabilization Fund | 001.696.05.566.000.GG.000 | | 16,400 |
| Total | | 56,695 | 56,695 |

ACCOUNT NUMBER/DESCRIPTION

| POST | JRNL. | TRANS | REF. | VENDOR | CHECK | | | | | |
|--|-----------------------|-------|------------|----------|--------|--------|--------------------------|----------|--------|----------|
| --TRANSACTION-- | DATE | NO. | DATE | NUMBER | NUMBER | NUMBER | TRANSACTION DESCRIPTION | DEBIT | CREDIT | BALANCE |
| | | | | | | | VENDOR NAME | | | |
| 001-401-02-223-000-GG-000 | CO COMM PROF SERVICES | | | | | | * BEGINNING BALANCE | | | .00 |
| VR CBR06/17-001 | 07/2017 | 07358 | 07/13/2017 | CBR06/17 | 28232 | 078670 | AMERIFLEX COBRA ADMIN | 114.75 | | |
| | | | | | | | SHERIFF OF JEFFERSON CO | | | |
| VR CBR07/17-001 | 07/2017 | 07415 | 07/13/2017 | CBR07/17 | 28232 | 078829 | AMRFLX COBRA ADMIN 07/17 | 113.25 | | |
| | | | | | | | SHERIFF OF JEFFERSON CO | | | |
| VR COBRFY18-001 | 07/2017 | 07441 | 07/25/2017 | COBRFY18 | 28232 | 078930 | COBRA RENEWAL FY 18 FEE | 175.00 | | |
| | | | | | | | SHERIFF OF JEFFERSON CO | | | |
| VR HRA07/17-001 | 07/2017 | 07345 | 07/06/2017 | HRA07/17 | 22192 | 078623 | MILLENIU HRA ADM 07/17 | 750.00 | | |
| | | | | | | | MILLENIU INSURANCE GROUP | | | |
| VR CBR-8/17-001 | 08/2017 | 07441 | 08/07/2017 | CBR-8/17 | 28232 | 078930 | CBRA ADMIN AUG 2017 | 113.25 | | |
| | | | | | | | SHERIFF OF JEFFERSON CO | | | |
| VR HRA08/17-001 | 08/2017 | 07398 | 08/01/2017 | HRA08/17 | 22192 | 078783 | MLLNIU HRA ADM AUG 2017 | 750.00 | | |
| | | | | | | | MILLENIU INSURANCE GROUP | | | |
| VR 7478SS -001 | 08/2017 | 07398 | 07/01/2017 | 7478SS | 28305 | 078797 | REIMB ATTY FEE/MILEAGE | 4617.98 | | |
| | | | | | | | STEVE STOLIPHER | | | |
| VR CBR09/17-001 | 09/2017 | 07503 | 09/30/2017 | CBR09/17 | 28232 | 079061 | COBRA ADMIN SEPT 2017 | 113.25 | | |
| | | | | | | | SHERIFF OF JEFFERSON CO | | | |
| VR HRA09/17-001 | 09/2017 | 07441 | 09/01/2017 | HRA09/17 | 22192 | 078916 | HRA ADMIN SEPT 2017 | 750.00 | | |
| | | | | | | | MILLENIU INSURANCE GROUP | | | |
| VR JCWV715 -001 | 09/2017 | 07441 | 08/18/2017 | JCWV715 | 22201 | 078917 | COACHING/DEBRIEFING/DNA | 300.00 | | |
| | | | | | | | MAZZITTI & SULLIVAN EAP | | | |
| VR CBR-1017-001 | 10/2017 | 07553 | 10/16/2017 | CBR-1017 | 28232 | 079254 | COBRA ADMIN OCTOBER 2017 | 113.25 | | |
| | | | | | | | SHERIFF OF JEFFERSON CO | | | |
| VR HRA-1017-001 | 10/2017 | 07503 | 10/05/2017 | HRA-1017 | 22192 | 079047 | HRA- ADMIN FEE OCT 2017 | 750.00 | | |
| | | | | | | | MILLENIU INSURANCE GROUP | | | |
| VR CBR11/17-001 | 11/2017 | 07578 | 11/15/2017 | CBR11/17 | 28232 | 079374 | COBRA ADMIN NOV 2017 | 113.25 | | |
| | | | | | | | SHERIFF OF JEFFERSON CO | | | |
| VR HRA11/17-001 | 11/2017 | 07543 | 11/01/2017 | HRA11/17 | 22192 | 079224 | HRA ADMIN NOV 2017 | 750.00 | | |
| | | | | | | | MILLENIU INSURANCE GROUP | | | |
| VR 18OPEB1 -001 | 11/2017 | 07558 | 11/08/2017 | 18OPEB1 | 22100 | 079275 | FY18 OPEB VLTN/GASB75 | 1300.00 | | |
| | | | | | | | MENARD CONSULTING, INC. | | | |
| VR CBR12/17-001 | 12/2017 | 07618 | 12/05/2017 | CBR12/17 | 28232 | 079527 | AMFLX COBRA ADMIN DEC 17 | 113.25 | | |
| | | | | | | | SHERIFF OF JEFFERSON CO | | | |
| VR HRA12/17-001 | 12/2017 | 07578 | 12/01/2017 | HRA12/17 | 22192 | 079367 | HRA ADMIN DEC 2017 | 750.00 | | |
| | | | | | | | MILLENIU INSURANCE GROUP | | | |
| VR CBR01/18-001 | 01/2018 | 07646 | 01/04/2018 | CBR01/18 | 28232 | 079641 | COBRA ADM JAN 2018 | 113.25 | | |
| | | | | | | | SHERIFF OF JEFFERSON CO | | | |
| VR HRA01/18-001 | 01/2018 | 07608 | 01/04/2018 | HRA01/18 | 22192 | 079490 | MILLENIU HRA ADMIN 01/18 | 750.00 | | |
| | | | | | | | MILLENIU INSURANCE GROUP | | | |
| VR HRA02/18-001 | 01/2018 | 07628 | 01/25/2018 | HRA02/18 | 22192 | 079582 | HRA ADMIN FEB 2015 | 750.00 | | |
| | | | | | | | MILLENIU INSURANCE GROUP | | | |
| VR 297956 -001 | 01/2018 | 07628 | 12/01/2017 | 297956 | 15101 | 079572 | EEOC CMPLT M.TURNER | 5670.00 | | |
| | | | | | | | FRANKLIN & PROKOPIK CORP | | | |
| VR 301397 -001 | 01/2018 | 07628 | 12/01/2017 | 301397 | 15101 | 079572 | EEOC CMPLT T.GAINEY | 1926.00 | | |
| | | | | | | | FRANKLIN & PROKOPIK CORP | | | |
| VR 306830 -001 | 02/2018 | 07654 | 01/08/2018 | 306830 | 15101 | 079655 | EEOC COMPLAINT T.GAINEY | 19839.00 | | |
| | | | | | | | FRANKLIN & PROKOPIK CORP | | | |
| VR JC3.2018-001 | 03/2018 | 07669 | 02/26/2018 | JC3.2018 | 22192 | 079724 | HRA ADMIN MARCH 2018 | 750.00 | | |
| | | | | | | | MILLENIU INSURANCE GROUP | | | |
| TOTAL VOUCHERS PAYABLE | | | | | | | | 41485.48 | .00 | |
| TOTAL CO COMM PROF SERVICES | | | | | | | | 41485.48 | .00 | |
| ** ACCOUNT TOTALS | | | | | | | | 41485.48 | .00 | |
| *** ENDING BALANCE | | | | | | | | | | 41485.48 |
| TOTAL LEDGER BEGINNING BALANCE | | | | | | | | | | .00 |
| * BEGINNING BALANCE | | | | | | | | | | .00 |
| TOTAL PERIOD TRANSACTIONS & ENDING BALANCE | | | | | | | | 41485.48 | .00 | 41485.48 |

Michelle Gordon

From: Pete Dougherty
Sent: Monday, March 05, 2018 10:26 AM
To: Michelle Gordon
Subject: Re: Evening Sessions

Michelle if you add \$1000 to my bailiff court Security fund that should work.

Pete Dougherty

Sent from my iPhone

On Mar 5, 2018, at 9:33 AM, Michelle Gordon <mgordon@jeffersoncountywv.org> wrote:

All/

The Commission has formally voted to make the 3rd Thursday of each month an evening regular session from May 1 through October 31 as a test period. Since this increases the number of potential evening meetings for hourly staff, I wanted to reach out to all of you regarding funding. If you feel you will need more OT than originally budgeted for in either FY18 or FY19 please let me know so I can prepare a budget revision for your department. Flex time is an option when possible. I will also monitor it regularly for potential need during the year.

Michelle

Michelle Gordon

Finance Director, Jefferson County

Jefferson County Commission

124 East Washington Street

PO Box 250

Charles Town, WV 25414

O: 304.724.8425

F: 304.725.7916

mgordon@jeffersoncountywv.org

www.jeffersoncountywv.org

Michelle Gordon

From: Nikki Painter
Sent: Wednesday, February 21, 2018 2:27 PM
To: Michelle Gordon
Subject: RE: Group Ins

And it also looks like it is too low for the 2018-19 budget.

From: Nikki Painter
Sent: Wednesday, February 21, 2018 2:02 PM
To: Michelle Gordon <mgordon@jeffersoncountywv.org>
Subject: Group Ins

I just noticed on the monthly report that the line item 413-01-105 (Group Ins) is under by almost \$9,000. Is this an error?

Nikki Painter
Chief Deputy Clerk of Elections

304-728-3246
100 E Washington St
PO Box 208
Charles Town, WV 25414

Visit us on the web at www.jeffersoncountywv.org.

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 15th day of March, 2018, the following Order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Jefferson. The following resolution was offered.

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised as shown on **Fiscal Year 2018 budget revision number #9 to the General County Fund**, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by

_____, and duly seconded by _____
the vote was as follows:

| | |
|-----------------|-------|
| Peter Onoszko | _____ |
| Jane Tabb | _____ |
| Patricia Noland | _____ |
| Caleb Hudson | _____ |
| Josh Compton | _____ |

Whereupon, Commissioner Compton declared said Resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said Resolution be, and the same is, hereby adopted as so stated above, and Josh Compton, President of the Jefferson County Commission, is authorized to affix his signature to the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

Josh Compton, President
Jefferson County Commission

Budget Revision #9 of General Fund FY18

| Description | GL Account | Increase | Decrease |
|-------------|------------|----------|----------|
|-------------|------------|----------|----------|

The County Clerk has asked that we reallocate salary savings from a vacant position in the Elections Department to the County Clerk Office for 2 employees. The affected employees are new and the increase is requested to ensure department equity for 3 clerks with similar hire dates and similar work experience and skills. The County Clerk originally misunderstood how the payscale worked, and, she assumed that she must offer salaries only up to the amount available in her budget for the vacancy being replaced. As a result, 2 employees were hired a much lower rates than the 3rd. Going forward all merit increase considerations will be based on performance and available budget. Effective 3/15/2018

| | | | |
|----------------------------|---------------------------|-----|-----|
| Elec Co Clerk Salary/Wages | 001.413.01.103.000.GG.000 | | 317 |
| Elec Co Clerk FICA | 001.413.01.104.000.GG.000 | | 20 |
| Elec CO Clerk Medicare | 001.413.01.104.001.GG.000 | | 5 |
| Elec Co Clerk Retirement | 001.413.01.106.000.GG.000 | | 35 |
| Co Clerk Salary/Wages | 001.402.01.103.000.GG.000 | 317 | |
| Co Clerk FICA | 001.402.01.104.000.GG.000 | 20 | |
| Co Clerk Medicare | 001.402.01.104.001.GG.000 | 5 | |
| Co Clerk retirement | 001.402.01.106.000.GG.000 | 35 | |

| | | | |
|-------|--|-----|-----|
| Total | | 377 | 377 |
|-------|--|-----|-----|

FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019

Jefferson

County Commission

CLASS: 1

TOTAL ASSESSED VALUE: 4,041,893,337

**LEVY ESTIMATE
OFFICIAL BUDGET DOCUMENT**



**Prescribed and furnished by the
West Virginia State Auditor**

The Levy Estimate shall be made on this form between March 7 and March 28. ONE (1) certified copy is forwarded to:
West Virginia State Auditor's Office, Attn: Ora Ash
153 West Main Street, Suite C, Clarksburg, West Virginia 26301
Phone: 627-2415 / Toll Free 1-877-982-9148

R O S T E R

| | | | | | | |
|------------------|--|-------|--------------|------|-----------------------|---|
| COUNTY | Jefferson County Commission | | | | Mailing Address: | P. O. Box 250 |
| | | | | | City, State Zip Code: | Charles Town, WV 25414 |
| COMMISSION MEETS | Monthly: 1st, 3rd & 5th Thursday at 9:30am | | | | Courthouse Hours | 9-5 Monday thru Friday |
| PRESIDENT | Josh Compton | PHONE | 304-728-3282 | ext. | FAX | E-MAIL jjcompton05@gmail.com |
| COMMISSIONER | Caleb Wayne Hudson | PHONE | 304-728-3282 | ext. | FAX | E-MAIL calebhudsonforjeffersonwv@gmail.com |
| COMMISSIONER | Peter Onoszko | PHONE | 304-728-3282 | ext. | FAX | E-MAIL ponoszko@aol.com |
| COMMISSIONER | Patricia Noland | PHONE | 304-728-3282 | ext. | FAX | E-MAIL patsynol@gmail.com |
| COMMISSIONER | Jane Tabb | PHONE | 304-728-3282 | ext. | FAX | E-MAIL vinemont.farm@gmail.com |
| COUNTY CLERK | Jacqueline Shadle | PHONE | 304-728-3347 | ext. | FAX | E-MAIL jshadle@jeffersoncountywv.org |
| CIRCUIT CLERK | Laura Storm | PHONE | 304-728-3398 | ext. | FAX | E-MAIL laura.storm@courtswv.gov |
| ASSESSOR | Angela Banks | PHONE | 304-728-3224 | ext. | FAX | E-MAIL abanks@jeffersoncountywv.org |
| SHERIFF | Peter Dougherty | PHONE | 304-728-3205 | ext. | FAX | E-MAIL pdougherty@jcsdvw.com |
| PROSECUTING ATTY | Matthew Harvey | PHONE | 304-724-6279 | ext. | FAX | E-MAIL mharvey@jeffersoncountywv.org |
| ADM. ASSISTANT | Sandy Slusher McDonald | PHONE | 304-728-3282 | ext. | FAX | E-MAIL sandy@jeffersoncountywv.org |
| TAX OFFICE | Teresa Hendricks | PHONE | 304-728-3220 | ext. | FAX | E-MAIL jenkinsteresa@hotmail.com |

PERSON TO CONTACT FOR BUDGET INFORMATION

| | | | | |
|-----------------|------------------|--------------|--------------|--|
| Michelle Gordon | Finance Director | 304-724-8425 | 304-725-7916 | mgordon@jeffersoncountywv.org |
| Name | Title | Phone | Fax | Email |

ANY QUESTIONS ABOUT COMPLETING THESE FORMS SHOULD BE DIRECTED TO LOCAL GOVERNMENT SERVICES, WEST VIRGINIA STATE AUDITOR'S OFFICE, 153 WEST MAIN STREET, SUITE C, CLARKSBURG WEST VIRGINIA 26301 OR TELEPHONE 627-2415 (TOLL FREE) 1-877-982-9148.

CERTIFICATE OF VALUATION

Jefferson County Commission
(Levying Body)

Jefferson
(County)

TO: County Commission President

(County Commission President, School Board Secretary or Municipal Clerk or Recorder)

The undersigned Assessor and County Clerk of said County do hereby certify the assessed value of the various classes of real estate, personal property and public utility property for the assessment year 2018.

| | Column A | Column B | Column C | Column D | Column E |
|-----------------------------------|---|---|---|-----------------------------------|--|
| | Assessed Value Including Back Tax And New Property (Total) | All Other Exempt Value (excluding P U) | Gross Assessed (Col A Plus Col B) (County Classification Purpose Only) | Homestead Exempt Value | Assessed Valuation For Tax Purposes <small>(w/o Homestead & Exempt)</small> (Col A Minus Col D) |
| Class I | | | | | |
| Personal Property | | | | | |
| Public Utility Property | | | | | |
| Total Class I | | | | | |
| Class II | | | | | |
| Real Estate | N/A | N/A | N/A | N/A | 2,269,924,200 |
| Personal Property | N/A | N/A | N/A | N/A | 2,957,900 |
| Total Class II | | | | | 2,272,882,100 |
| Class III | | | | | |
| Real Estate | N/A | N/A | N/A | | 545,812,570 |
| Personal Property | N/A | N/A | N/A | | 256,512,980 |
| Public Utility Property | N/A | N/A | N/A | | 139,113,248 |
| Total Class III | | | | | 941,438,798 |
| Class IV | | | | | |
| Real Estate | N/A | N/A | N/A | | 299,892,330 |
| Personal Property | N/A | N/A | N/A | | 69,471,500 |
| Public Utility Property | N/A | N/A | N/A | | 24,854,989 |
| Total Class IV | | | | | 394,218,819 |
| TOTAL FOR LEVYING BODY | N/A | N/A | 4,041,893,337 | N/A | 3,608,539,717 |
| Previous Year Tot: | N/A | N/A | N/A | N/A | 3,514,243,754 |

Jefferson County Commission
SUPPLEMENTAL INFORMATION
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019

| | |
|--|-------------------|
| Percentage for Assessor's Valuation Fund. | <u>1.80%</u> |
| Percentage for Delinquencies and Exonerations. | <u>4.08%</u> |
| Percentage for Tax Discounts. | <u>1.92%</u> |
| Previous Year's Projected Revenue. | <u>13,804,765</u> |

(Previous Years Projected Revenue from LAST YEAR'S "Levy page" tab: 'REGULAR CURRENT EXPENSE LEVY' Page, cell I31)

ASSESSED VALUES FOR CALCULATING REDUCED (ROLLED BACK) LEVY RATES

Jefferson County Commission

Jefferson

(Levying Body)

County

TO: County Commission President

(County Commission President, School Board Secretary or Municipal Clerk or Recorder)

The undersigned Assessor and County Clerk of said County do hereby certify the assessed value of the various classes of real estate, personal property and public utility property FOR THE CALCULATION OF THE REDUCE (ROLLED BACK LEVY RATE for the assessment year 2018.

| | Column A | Column B | Column C | Column D |
|-------------------------------|--|--|--|---|
| | Assessed Valuation For Tax Purposes (w/o Homestead & Exempt) | New Property and Back Tax Property (Excluding TIF) | TIF Tax Incremental Financing Value | Assessed Valuation For Tax Purposes Minus New Property, Back Tax Property & TIF (Col A Minus Col B and C) |
| Class I | | | | |
| Personal Property | | | | |
| Public Utility Property | | | | |
| Total Class I | | | | |
| Class II | | | | |
| Real Estate | N/A | N/A | | 2,238,150,500 |
| Personal Property | N/A | N/A | | 2,957,900 |
| Total Class II | | | | 2,241,108,400 |
| Class III | | | | |
| Real Estate | N/A | N/A | | 541,678,570 |
| Personal Property | N/A | N/A | | 255,234,200 |
| Public Utility Property | N/A | N/A | | 133,071,894 |
| Total Class III | | | | 929,984,664 |
| Class IV | | | | |
| Real Estate | N/A | N/A | | 294,926,630 |
| Personal Property | N/A | N/A | | 68,702,600 |
| Public Utility Property | N/A | N/A | | 23,284,965 |
| Total Class IV | | | | 386,914,195 |
| TOTAL FOR LEVYING BODY | | | | 3,558,007,259 |
| Previous Year Total | N/A | N/A | N/A | 3,396,428,164 |

JEFFERSON COUNTY, WEST VIRGINIA CALCULATING REDUCED LEVY RATE 2018 - 2019

| CLASS | ROLL BACK VALUE (Column D) | X | WEIGHTING | = | WEIGHTED ASSESSED VALUE |
|--------------------------|--------------------------------|---|--------------------|---|-----------------------------|
| Class 1 | \$ _____ | X | 0.01 | = | \$ _____ 0 |
| Class 2 | <u>2,241,108,400</u> | X | 0.02 | = | <u>44,822,168</u> |
| Class 3 | <u>929,984,664</u> | X | 0.04 | = | <u>37,199,387</u> |
| Class 4 | <u>386,914,195</u> | X | 0.04 | = | <u>15,476,568</u> |
| Total All Classes | \$ <u>3,558,007,259</u> | | (Total WAV) | | \$ <u>97,498,123</u> |

Assessor's Valuation % per PVC: 1.80%
 Previous year's projected revenue \$ 13,804,765 102.80% % \$ 14,191,298

Divide by the **TOTAL WEIGHTED ASSESSED VALUE (Total WAV)**
 (use 4 decimal places here) \$ 0.1430

The result of this division is then multiplied x 100 (use 2 decimal places here)
 and this will = the Class 1 Levy Rate in cents per \$100 of assessed value **14.30**

The Class 2, 3, and 4 Levy Rates are determined by multiplying the Class 1 Rate as follows:

Class 1 Rate 14.30 ¢ X 2 = **Class 2 Rate:**
28.60

Class 1 Rate 14.30 ¢ X 4 = **Class 3 & 4 Rate:**
57.20

DO NOT USE RATES IN EXCESS OF 2 DECIMAL PLACES

Divide by the **TOTAL WEIGHTED ASSESSED VALUE (TOTAL WAV) USE 4 DECIMAL POINTS HERE** **0.1456**

JEFFERSON COUNTY, WEST VIRGINIA CALCULATING REDUCED LEVY RATE Maximum with Hearing 2018 - 2019

| CLASS | ROLL BACK VALUE (Column D) | X | WEIGHTING | = | WEIGHTED ASSESSED VALUE |
|--------------------------|--------------------------------|---|--------------------|---|-----------------------------|
| Class 1 | \$ _____ | X | 0.01 | = | \$ _____ 0 |
| Class 2 | <u>2,241,108,400</u> | X | 0.02 | = | <u>44,822,168</u> |
| Class 3 | <u>929,984,664</u> | X | 0.04 | = | <u>37,199,387</u> |
| Class 4 | <u>386,914,195</u> | X | 0.04 | = | <u>15,476,568</u> |
| Total All Classes | \$ <u>3,558,007,259</u> | | (Total WAV) | | \$ <u>97,498,123</u> |

Assessor's Valuation % per PVC: 1.80%
 Previous year's projected revenue \$ 13,804,765 111.80% % \$ 15,433,727

Divide by the **TOTAL WEIGHTED ASSESSED VALUE (Total WAV)**
 (use 4 decimal places here) \$ 0.1430

The result of this division is then multiplied x 100 (use 2 decimal places here)
 and this will = the Class 1 Levy Rate in cents per \$100 of assessed value 14.30

The Class 2, 3, and 4 Levy Rates are determined by multiplying the Class 1 Rate as follows:

Class 1 Rate 14.30 ¢ X 2 = Class 2 Rate:
28.60

Class 1 Rate 14.30 ¢ X 4 = Class 3 & 4 Rate:
57.20

DO NOT USE RATES IN EXCESS OF 2 DECIMAL PLACES

Divide by the **TOTAL WEIGHTED ASSESSED VALUE (TOTAL WAV) USE 4 DECIMAL POINTS HERE** **0.1583**

JEFFERSON COUNTY, WEST VIRGINIA
LEVY PAGE
REGULAR CURRENT EXPENSE LEVY
2018 - 2019

| | Column E | Levy | Taxes |
|--|--|------------------------|----------------------|
| Current Year | Certificate of Valuation | Rate/\$100 | Levied |
| | Assessed Value for Tax Purposes | Rate/\$100 | Levied |
| Class I | | | |
| Personal Property | \$ _____ | 14.30 | \$ _____ |
| Public Utility | _____ | | _____ |
| Total Class I | \$ _____ | | \$ _____ |
| Class II | | | |
| Real Estate | \$ 2,269,924,200 | 28.60 | \$ 6,491,983 |
| Personal Property | 2,957,900 | | 8,460 |
| Total Class II | \$ 2,272,882,100 | | \$ 6,500,443 |
| Class III | | | |
| Real Estate | \$ 545,812,570 | 57.20 | \$ 3,122,048 |
| Personal Property | 256,512,980 | | 1,467,254 |
| Public Utility | 139,113,248 | | 795,728 |
| Total Class III | \$ 941,438,798 | | \$ 5,385,030 |
| Class IV | | | |
| Real Estate | \$ 299,892,330 | 57.20 | \$ 1,715,384 |
| Personal Property | 69,471,500 | | 397,377 |
| Public Utility | 24,854,989 | | 142,171 |
| Total Class IV | \$ 394,218,819 | | \$ 2,254,932 |
| Total Value & Projected Revenue | \$ 3,608,539,717 | | \$ 14,140,405 |
| Less Delinquencies, Exonerations & Uncollectable Taxes | | 4.08% | 576,929 |
| Less Tax Discounts | | 1.92% | 260,419 |
| Less Allowance for Tax Increment Financing - see worksheet (Subtracted from regular current expense taxes levied only) | | | _____ |
| Total Projected Property Tax Collection | | | 13,303,057 |
| Less Assessor Valuation Fund (Subtracted from regular current expense taxes levied only) | | 1.80% | 239,455 |
| Net Amount to be Raised by Levy of Property Taxes For Budget Purposes (Transfer amount to Worksheet GCRev - Account No. 301-01) | | | \$ 13,063,602 |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Account Number | 01 GENERAL FUND REVENUE SUMMARY | Budgeted Revenues | Budgeted Revenues |
|----------------|--|-----------------------|-------------------|
| | | (Including Revisions) | |
| | | 2017 - 2018 | 2018 - 2019 |
| 295 | Nonspendable Fund Balance | | |
| 296 | Restricted Fund Balance | | |
| 297 | Committed Fund Balance | | |
| 298 | Assigned Fund Balance | | |
| 299 | Unassigned Fund Balance | 4,598,827 | 4,634,541 |
| 301 | 01 Property Taxes - Current Expense (Page 3-Net) | 12,747,029 | 13,063,602 |
| 301 | 02-05 Prior Year Taxes | 737,371 | 748,150 |
| 301 | 06 Supplemental Taxes | 220,000 | 263,000 |
| 301 | 07 Surplus | | |
| 301 | 08 Delinquent & Nonentered Land Fund | 40,000 | 40,000 |
| 301 | 09 Redemptions from State Auditor | | |
| 301 | 10 Prior Years Fifth and Other Prior Years | | |
| 301 | 11 Tax Lien Surplus | | |
| 301 | 12 Tax Loss Restoration | | |
| 301 | 90 Property Taxes - Excess Levy (Page 4-Net) | | |
| 301 | 91 Property Taxes - Excess Levy (Page 4-Net) | | |
| 301 | 92 Property Taxes - Excess Levy (Page 4-Net) | | |
| 302 | Tax Penalties, Interest & Publication Fees | 295,000 | 297,950 |
| 303 | Dog Taxes | | |
| 304 | Property Transfer Tax | 773,000 | 795,380 |
| 306 | Gas and Oil Severance Tax | 99,000 | 64,040 |
| 307 | Horse and Dog Racing Tax | 8,068 | 12,440 |
| 308 | Wine & Liquor Tax | 37,000 | 49,180 |
| 309 | Hotel Occupancy Tax | 695,787 | 726,600 |
| 310 | Waste Coal Producing Counties | | |
| 311 | Payment in Lieu of Taxes | | |
| 312 | Synthetic Fuel Tax | | |
| 313 | Miscellaneous Energy Tax (Coal Bed Methane) | | |
| 317 | Licenses | 65 | 65 |
| 318 | Building Permits | 245,000 | 340,140 |
| 319 | Miscellaneous Permits | 130 | 130 |
| 322 | Federal Grants | 690,660 | 445,000 |
| 323 | State Grants | | 15,000 |
| 324 | Other Grants | | |
| 325 | Federal Payment in Lieu of Taxes | 16,000 | 20,000 |
| 327 | Charges for Services | | |
| 328 | Magistrate Court Clerk | | |
| 329 | Sheriff's Service of Process | 18,700 | 18,700 |
| 330 | Sheriff's Earnings | 143,000 | 199,300 |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Account Number | 01 GENERAL FUND REVENUE SUMMARY | Budgeted Revenues <small>(Including Revisions)</small> | Budgeted Revenues |
|-------------------|--|--|----------------------|
| | | 2017 - 2018 | 2018 - 2019 |
| 331 | County Clerk's Earnings | 199,900 | 191,000 |
| 332 | Circuit Clerk's Earnings | 62,900 | 64,000 |
| 333 | Prosecuting Attorney's Earnings | 1,400 | 1,600 |
| 334 | Accident Reports | 4,300 | 4,700 |
| 335 | Motor Vehicle License Fee | | |
| 336 | Map Sales | 3,200 | |
| 337 | Clerk Deed Fees | | |
| 339 | Parks & Recreation Fees | | |
| 340 | Rents & Concessions | 360,715 | 362,580 |
| 341 | Landfill/Incinerator Fees | | |
| 342 | Airport Revenue | | |
| 343 | Cemetery Revenue | | |
| 344 | Ambulance Fees | 854,415 | 853,000 |
| 345 | Emergency Services Fees | | |
| 346 | Emergency 911 Fee | 2,007,900 | 2,089,100 |
| 347 | Special Patrol/Security Systems | | |
| 348 | Franchise Agreement | 533,300 | 544,000 |
| 349 | Inspection Fees | | |
| 350 | IRP Fees (Interstate Registration Plan) | 15,100 | 15,000 |
| 351 | Jail Fees | | |
| 361 | Fines, Fees & Court Costs | | |
| 362 | Regional Jail Operations Partial Reimbursement | 98,000 | 100,000 |
| 365 | Interest Earned | 31,945 | 32,170 |
| 366 | Miscellaneous Revenue | 17,800 | 21,300 |
| 367 | Sheriff's Commission | 11,200 | 11,600 |
| 368 | Confiscated Property | | |
| 369 | Commissions | | |
| 370 | Gaming Income | 617,700 | 544,200 |
| 371 | Recycling Programs | | |
| 372 | Filing Fees | | |
| 373 | Video Lottery | 3,020,000 | 2,941,500 |
| 374 | Planning Commission Revenue | | |
| 375 | Sale of Materials | | |
| 376 | Royalties | | |
| 377 | Sale of Bonds | | |
| 378 | Proceeds from Bond Restructuring | 40,227 | |
| 379 | Lease Purchase Revenue | | |
| 380 | Contributions/Transfer from Other Entities | 36,265 | |
| 381 | Charges to Other Entities | 70,097 | |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Account Number | 01 GENERAL FUND REVENUE SUMMARY | Budgeted Revenues <small>(Including Revisions)</small> | Budgeted Revenues |
|-------------------|--|--|----------------------|
| | | 2017 - 2018 | 2018 - 2019 |
| 382 | Refunds/Reimbursements (External Sources) | 279,200 | 173,600 |
| 383 | Parking | | |
| 384 | Sale of Fixed Assets | | |
| 385 | Gain/Loss on Sale of Fixed Assets | | |
| 388 | Transfers From Other Funds | 70,000 | 25,000 |
| 390 | Emergency 911 Reimbursement | | |
| 391 | Dog & Kennel Reimbursement | | |
| 392 | Concealed Weapons Reimbursements | | |
| 393 | Home Confinement Reimbursements | | |
| 394 | General School Reimbursements | 264,000 | 264,000 |
| 395 | Magistrate Court Reimbursements | | |
| 396 | Worthless Check Reimbursements | | |
| 397 | Payroll Reimbursements | | |
| 398 | Transfers from Rainy Day Fund | | |
| 399 | Transfers Assessor's Valuation Fund | 523,476 | 515,250 |
| 01 | Grand Totals -General Fund Revenues | 30,487,677 | 30,486,818 |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Account Number | 02 COAL SEVERANCE TAX FUND | Budgeted Revenues 2017 - 2018 | Budgeted Revenues 2018 - 2019 |
|---------------------------|--|--|--|
| 298 | Assigned Fund Balance | 167,792 | 95,121 |
| 305 | Coal Severance Tax | 86,000 | 90,000 |
| 365 | Interest Earned on Investment | 730 | 900 |
| 382 | Refunds/Reimbursements | | |
| 02 | Grand Totals - Coal Severance Tax Fund Revenues | 254,522 | 186,021 |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Expenditures | General Fund | | Coal Severance Fund | |
|--|--|-------------------------------|---|----------------------------|
| | General Budget (Including Revisions) 2017 - 2018 | General Budget 2018 - 2019 | Coal Budget (Including Revisions) 2017 - 2018 | Coal Budget 2018 - 2019 |
| | | | | |
| GENERAL GOVERNMENT #401 - 699 | | | | |
| 401 County Commission | 1,785,277 | 1,902,000 | 152,522 | 129,021 |
| 402 County Clerk | 719,326 | 716,760 | | |
| 403 Circuit Clerk | 604,626 | 624,407 | | |
| 404 Sheriff - Treasurer | 571,366 | 534,467 | | |
| 405 Prosecuting Attorney | 1,810,599 | 1,825,538 | | |
| 406 Assessor | 528,057 | 539,183 | | |
| 407 Assessor's Valuation Fund | 523,476 | 515,250 | | |
| 408 Statewide Computer Network | 51,356 | 54,871 | | |
| 409 Sheriff's Tax Processing | | | | |
| 410 County Surveyor | | | | |
| 411 Fiduciary Supervisor | | | | |
| 412 Agricultural Agent | 127,568 | 134,464 | | |
| 413 Elections - County Clerk | 356,922 | 302,666 | | |
| 415 Magistrate Court | 2,000 | 2,000 | | |
| 416 Circuit Court | | | | |
| 417 County Administrator | | | | |
| 418 Purchasing Department | | | | |
| 419 Personnel Office | | | | |
| 420 Custodial | | | | |
| 421 Civil Service | | | | |
| 422 Capital Planning | | | | |
| 423 Insurance Program (Self Insured) | | | | |
| 424 Courthouse | 1,044,079 | 985,296 | | |
| 425 Other Buildings | 596,200 | 591,200 | | |
| 426 Printing | | | | |
| 427 Microfilm | | | | |
| 428 Data Processing | 417,238 | 502,103 | | |
| 429 Regional Development Authority | 19,795 | 19,795 | | |
| 430 Community Development | | | | |
| 431 Economic Development | 463,051 | 545,034 | | |
| 432 Industrial Development | | | | |
| 433 Geographic Information Systems (GIS) | | | | |
| 434 Airports | | | | |
| 435 Public Works Department | | | | |
| 436 Rehabilitation of Property | | | | |
| 437 Acquisition of Property | | | | |
| 438 Building Inspection | | | | |
| 439 Planning & Zoning | | | | |
| 440 Engineering | 1,491,458 | 1,470,732 | | |
| 441 Housing Authority | | | | |
| 442 Federal Grants | | | | |
| 443 State Grants | | | | |
| 444 Other Grants | | | | |
| 445 Litigation Reserve | | | | |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Expenditures | General Fund | | Coal Severance Fund | |
|--|---|---------------------------------------|--|------------------------------------|
| | General Budget (Including Revisions) 2017 - 2018 | General Budget 2018 - 2019 | Coal Budget (Including Revisions) 2017 - 2018 | Coal Budget 2018 - 2019 |
| 446 Parking | | | | |
| 447 Finance Department | | | | |
| 448 Courthouse Annex | | | | |
| 449 Worthless Check | | | | |
| 450 Farm Preservation Program | | | | |
| 451 Zoning Board | | | | |
| 452 Teen Court | | | | |
| 460 County Clerk Operations | | | | |
| 696 Transfer to Financial Stabilization Fund | 1,569,233 | 2,222,399 | | |
| 697 Contributions to Comms/Authorities | | | | |
| 698 Transfers/Reimbursements | 971,200 | 83,980 | 70,000 | 25,000 |
| 699 Contingencies - Not to Exceed 10% of Budget | 2,790,609 | 2,569,492 | | |
| TOTAL GENERAL GOVERNMENT | 16,443,436 | 16,141,637 | 222,522 | 154,021 |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Expenditures | General Fund | | Coal Severance Fund | |
|---|--------------------------------------|-----------------------|--------------------------------------|--------------------|
| | General Budget | General Budget | Coal Budget | Coal Budget |
| | (Including Revisions) 2017 - 2018 | 2018 - 2019 | (Including Revisions) 2017 - 2018 | 2018 - 2019 |
| PUBLIC SAFETY #700 - 799 | | | | |
| 700 Sheriff - Law Enforcement | 4,431,556 | 4,369,258 | | |
| 701 Sheriff - Service of Process | 18,700 | 18,700 | | |
| 702 County Jail - Reimbursable J/C | | | | |
| 703 County Jail - Nonreimbursable J/C | | | | |
| 704 Regional Jail | 1,720,000 | 1,850,000 | | |
| 705 Home Confinement | | | | |
| 706 Concealed Weapons | | | | |
| 707 Investigative Services | | | | |
| 708 Police Special Duty | | | | |
| 709 Juvenile Detention Center | | | | |
| 710 Civil Defense | | | | |
| 711 Emergency Services | 291,825 | 267,865 | | |
| 712 Communication Center | 1,977,650 | 2,069,805 | | |
| 713 Fire Department | 665,000 | 665,000 | | |
| 714 Fire Coordinator | | | | |
| 715 Ambulance Authority | 2,819,808 | 3,006,648 | 17,000 | 17,000 |
| 716 Dog Warden/Humane Society | 304,805 | 247,180 | | |
| 717 Central Garage | 261,862 | 280,857 | | |
| 718 Flood Control | | | | |
| 719 Watershed Project | | | | |
| 720 Dams & Dredging | | | | |
| 721 Local Law Enforcement Block Grant | | | | |
| 722 Public Safety Grant | | | | |
| 723 Public Safety Grant | | | | |
| 724 Public Safety Grant | | | | |
| 725 Public Safety Grant | | | | |
| 726 Public Safety Grant | | | | |
| 727 Public Safety Grant | | | | |
| 728 Public Safety Grant | | | | |
| 729 Public Safety Grant | | | | |
| 730 Courthouse Security | | | | |
| 731 Community Based Corrections Program | | | | |
| 732 Rapid Response | | | | |
| 733 Mapping and Addressing | | | | |
| 734 Local Emergency Planning Commission | | | | |
| 735 Project Lifesaver | | | | |
| 736 K-9 | | | | |
| 737 Public Safety Grant | | | | |
| TOTAL PUBLIC SAFETY | 12,491,206 | 12,775,313 | 17,000 | 17,000 |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Expenditures | General Fund | | Coal Severance Fund | |
|--|---|---------------------------------------|--|------------------------------------|
| | General Budget (Including Revisions) 2017 - 2018 | General Budget 2018 - 2019 | Coal Budget (Including Revisions) 2017 - 2018 | Coal Budget 2018 - 2019 |
| HEALTH & SANITATION #800 - 899 | | | | |
| 800 Local Health Department | 79,550 | 79,980 | | |
| 801 Mental Health | | | 15,000 | 15,000 |
| 802 Other Health Programs | | | | |
| 803 Hospital | | | | |
| 804 Dental Clinic | | | | |
| 805 Vital Statistics | | | | |
| 806 Sewer | | | | |
| 807 Storm Sewer | | | | |
| 808 Solid Waste Authority | 15,600 | | | |
| 809 Water | | | | |
| 810 Garbage Department | | | | |
| 811 Landfill/Incinerator | | | | |
| 812 Recycling Center | | | | |
| 813 Litter Control | | | | |
| 814 Federal Grants - H&S | | | | |
| 815 State Grants - H&S | | | | |
| TOTAL HEALTH & SANITATION | 95,150 | 79,980 | 15,000 | 15,000 |
| CULTURE & RECREATION #900 - 949 | | | | |
| 900 Parks & Recreation | 711,369 | 726,306 | | |
| 901 Swimming Pools | | | | |
| 902 4 - H Camp | | | | |
| 903 Arts & Humanities | 13,916 | 14,532 | | |
| 904 Museum Commission | | | | |
| 905 Fair Associations/Festivals | | | | |
| 906 Youth Camp | | | | |
| 907 Summer Youth Program | | | | |
| 908 Community Center | | | | |
| 909 Historical Commission | 20,606 | 21,550 | | |
| 910 Civic Promotion | | | | |
| 911 Visitor's Bureau | 361,994 | 377,500 | | |
| 912 Travel Council | | | | |
| 913 Beautification | | | | |
| 914 Rails to Trails | | | | |
| 915 Hotel/Motel Promotion of Tourism | | | | |
| 916 Library | 330,000 | 330,000 | | |
| 917 Law Library | | | | |
| 918 Federal Grants | | | | |
| 919 State Grants | | | | |
| TOTAL CULTURE & RECREATION | 1,437,885 | 1,469,888 | | |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Expenditures | General Fund | | Coal Severance Fund | |
|---|---|---------------------------------------|--|------------------------------------|
| | General Budget (Including Revisions) 2017 - 2018 | General Budget 2018 - 2019 | Coal Budget (Including Revisions) 2017 - 2018 | Coal Budget 2018 - 2019 |
| SOCIAL SERVICES #950 - 959 | | | | |
| 950 Social Services | | | | |
| 951 Human Resources | | | | |
| 952 Senior Citizens | | | | |
| 953 Public Transit | 20,000 | 20,000 | | |
| 954 Federal Grants | | | | |
| 955 State Grants | | | | |
| 956 Homeless Shelter | | | | |
| 957 Family Law Judge | | | | |
| 958 Community Council | | | | |
| 959 Cemeteries | | | | |
| TOTAL SOCIAL SERVICES | 20,000 | 20,000 | | |
| CAPITAL PROJECTS #960 - 999 | | | | |
| 960 General Government | | | | |
| 961 Public Safety | | | | |
| 962 Health & Sanitation | | | | |
| 963 Culture & Recreation | | | | |
| 964 Social Services | | | | |
| 965 Central Garage | | | | |
| 966 Geographic Information System (GIS) | | | | |
| 972 Federal Grants | | | | |
| 973 Federal Grants | | | | |
| 974 State Grants | | | | |
| 975 County Clerk | | | | |
| 976 Circuit Clerk | | | | |
| 977 Assessor | | | | |
| 978 Prosecuting Attorney | | | | |
| 979 Sheriff-Treasurer | | | | |
| 980 Sheriff-Law Enforcement | | | | |
| 981 Sheriff-Jail | | | | |
| 982 Data Processing | | | | |
| 983 Election - County Clerk | | | | |
| 984 Circuit Court | | | | |
| 985 Community Development | | | | |
| 986 County Commission | | | | |
| 987 Courthouse | | | | |
| 988 Other Buildings | | | | |
| 989 Extension Services | | | | |
| 990 Other Boards & Authorities | | | | |
| 991 Purchasing | | | | |
| 992 Communication Center | | | | |
| 993 Dog Warden | | | | |
| 994 Emergency Services | | | | |
| 995 Service of Process | | | | |
| 996 Ambulance | | | | |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Expenditures | General Fund | | Coal Severance Fund | |
|-----------------------------|---|---------------------------------------|--|------------------------------------|
| | General Budget (Including Revisions) 2017 - 2018 | General Budget 2018 - 2019 | Coal Budget (Including Revisions) 2017 - 2018 | Coal Budget 2018 - 2019 |
| 997 Water | | | | |
| 998 Parks & Recreation | | | | |
| 999 Streets and Highways | | | | |
| TOTAL CAPITAL OUTLAY | | | | |
| Total Expenditures | 30,487,677 | 30,486,818 | 254,522 | 186,021 |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Expenditures | General Fund | | Coal Severance Fund | |
|---------------------|--|-------------------------------|---|----------------------------|
| | General Budget (Including Revisions) 2017 - 2018 | General Budget 2018 - 2019 | Coal Budget (Including Revisions) 2017 - 2018 | Coal Budget 2018 - 2019 |

| | Amount of Appropriation 2018 - 2019 | Account Number |
|---|---|-------------------|
| PREMIUM TO PROSECUTING ATTORNEY INSTITUTE: | 4,800 | 401 |
| AUDIT COST / ALL FUNDS: | 35,000 | 401 |

Gas & Oil Expenditures

| | |
|-----------------------------------|---------------|
| General Government Expenditures | 64,040 |
| Public Safety Expenditures | |
| Health & Sanitation Expenditures | |
| Culture & Recreation Expenditures | |
| Social Services Expenditures | |
| Capital Projects Expenditures | |
| Total | 64,040 |

Gas & Oil total expenditures are tied to the total revenue budgeted. Money will be posted to the general government line unless it is posted in the other lines. Then the remaining balance will post to general government.

CHART FOR ACCOUNT #388 TRANSFERS FROM OTHER FUNDS

| | |
|-------------------------|---------------|
| Funds: | |
| Coal Severance Fund 002 | \$ 25,000 |
| | |
| | |
| | |
| Total | 25,000 |

CHART FOR ACCOUNT 380 CONTRIBUTIONS/TRANSFERS FROM OTHER ENTITIES

| | |
|--------------|----|
| Funds: | |
| | \$ |
| | |
| | |
| | |
| Total | |

**JEFFERSON COUNTY, WEST VIRGINIA
STATEMENT OF SALARIES OF ELECTED OFFICIALS
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

County Classification:

1

FOR THE FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019, ALL COUNTY OFFICIALS SHOULD BE COMPENSATED BASED ON THE COUNTY'S CLASSIFICATION AS OF: JULY 1,

| Office | Elected Official | Does Salary Increase Apply | Date Current Term Began | 2018 - 2019 Salary | West Virginia Code Reference |
|---|-------------------------------|----------------------------|-------------------------|--------------------|------------------------------|
| County Commissioners: | | | | | |
| | Josh Compton | Yes | January 1, 2017 | 41,395 | §7-7-4 |
| | Caleb Wayne Hudson | Yes | January 1, 2017 | 41,395 | |
| | Peter Onoszko | Yes | July 21, 2016 | 41,395 | |
| | Patricia Noland | Yes | January 1, 2015 | 41,395 | |
| | Jane Tabb | No | January 1, 2013 | 36,960 | |
| County Clerk: | | | | | |
| | Jacqueline Shadle | Yes | January 1, 2017 | 62,093 | §7-7-4 |
| Circuit Clerk | | | | | |
| | Laura Storm | Yes | January 1, 2017 | 62,093 | §7-7-4 |
| Assessor | | | | | |
| | Angela Banks | Yes | January 1, 2017 | 50,266 | §7-7-4 |
| | Agricultural Report | | | 5,027 | §7-7-6c |
| | Supplemental Salary | | | 15,000 | §7-7-6b |
| Sheriff | | | | | |
| | Peter Dougherty | Yes | January 1, 2017 | 50,266 | §7-7-4 |
| | Sheriff's Commission on Taxes | | | 15,000 | §11A-1-17 |
| Prosecuting Attorney | | | | | |
| | Matthew Harvey | Yes Increase & F | January 1, 2017 | 108,192 | §7-7-4 |
| * Is the Prosecuting Attorney Full Time? (please answer above) | | | | | Yes |

| W.Va. Code § 7-7-4 Salary Schedule for Counties Approved for Salary Increase | | | | |
|---|---------------|----------------|------------|-------------|
| | County | County & | Assessor & | Prosecuting |
| Class | Commissioners | Circuit Clerks | Sheriff | Attorney |
| Class 1 | 41,395 | 62,093 | 50,266 | 108,192 |
| Class 2 | 40,656 | 61,354 | 49,526 | 105,728 |
| Class 3 | 39,917 | 59,875 | 49,157 | 103,264 |
| Class 4 | 39,178 | 59,532 | 48,787 | 100,800 |
| Class 5 | 38,438 | 59,136 | 48,418 | 98,336 |
| Class 6 | 31,786 | 55,440 | 48,048 | 66,528 |
| Class 7 | 31,046 | 54,701 | 47,678 | 63,571 |
| Class 8 | 28,090 | 53,962 | 47,309 | 60,614 |
| Class 9 | 27,350 | 53,222 | 46,939 | 56,179 |
| Class 10 | 22,176 | 47,309 | 42,874 | 51,744 |

**JEFFERSON COUNTY, WEST VIRGINIA
STATEMENT OF SALARIES OF ELECTED OFFICIALS
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| W. Va. Code §7-7-3 County Classification | | | Class | Assessor's Supplemental |
|---|-----------------------------------|-----------------------------------|--------------|------------------------------------|
| Class | Minimum Property Value | Maximum Property Value | | |
| | | | Class 1-5 | 15,000 |
| | | | Class 6-7 | 10,000 |
| Class 1 | 2,000,000,000 | No Limit | Class 8-9 | 9,000 |
| Class 2 | 1,500,000,000 | 1,999,999,999 | Class 10 | 6,500 |
| Class 3 | 1,000,000,000 | 1,499,999,999 | | |
| Class 4 | 700,000,000 | 999,999,999 | | |
| Class 5 | 600,000,000 | 699,999,999 | | |
| Class 6 | 500,000,000 | 599,999,999 | | |
| Class 7 | 400,000,000 | 499,999,999 | | |
| Class 8 | 300,000,000 | 399,999,999 | | |
| Class 9 | 200,000,000 | 299,999,999 | | |
| Class 10 | | 199,999,999 | | |

**JEFFERSON COUNTY, WEST VIRGINIA
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019**

| Account Number | | REVENUE RECAP | General Fund | | Coal Severance Tax | |
|----------------|-----|----------------------------------|-------------------|-------------------|--------------------|----------------|
| | | | Budgeted Revenues | | Budgeted Revenues | |
| | | | 2017 - 2018 | 2018 - 2019 | 2017 - 2018 | 2018 - 2019 |
| 280 | 299 | Beginning Balance, July 1st | 4,598,827 | 4,634,541 | 167,792 | 95,121 |
| 301 | 302 | Taxes | 14,039,400 | 14,412,702 | | |
| 303 | 312 | Other Taxes | 1,612,855 | 1,647,640 | 86,000 | 90,000 |
| 317 | 319 | Licenses & Permits | 245,195 | 340,335 | | |
| 322 | 325 | Intergovernmental | 706,660 | 480,000 | | |
| 327 | 350 | Charges for Services | 4,204,830 | 4,342,980 | | |
| 361 | 361 | Fines | | | | |
| 362 | 362 | Regional Jail Op. Partial Reimb. | 98,000 | 100,000 | | |
| 363 | 365 | Interest | 31,945 | 32,170 | 730 | 900 |
| 366 | 385 | Miscellaneous | 4,092,489 | 3,692,200 | | |
| 388 | 399 | Transfers | 857,476 | 804,250 | | |
| | | Grand Totals - Revenues | 30,487,677 | 30,486,818 | 254,522 | 186,021 |

| Account Number | | EXPENDITURE RECAP | General Fund | | Coal Severance Tax | |
|----------------|-----|------------------------------------|-----------------------|-------------------|-----------------------|----------------|
| | | | Budgeted Expenditures | | Budgeted Expenditures | |
| | | | 2017 - 2018 | 2018 - 2019 | 2017 - 2018 | 2018 - 2019 |
| 401 | 699 | General Government Expenditures | 15,472,236 | 16,057,657 | 152,522 | 129,021 |
| 698 | 698 | Transfers | 971,200 | 83,980 | 70,000 | 25,000 |
| 700 | 799 | Public Safety Expenditures | 12,491,206 | 12,775,313 | 17,000 | 17,000 |
| 800 | 899 | Health & Sanitation Expenditures | 95,150 | 79,980 | 15,000 | 15,000 |
| 900 | 949 | Culture & Recreation Expenditures | 1,437,885 | 1,469,888 | | |
| 950 | 959 | Social Services Expenditures | 20,000 | 20,000 | | |
| 960 | 999 | Capital Projects Expenditures | | | | |
| | | Grand Totals - Expenditures | 30,487,677 | 30,486,818 | 254,522 | 186,021 |

Budget Basis of Accounting:

Modified Accrual Except for OPEB Obligations

STATE OF WEST VIRGINIA
JEFFERSON COUNTY, WEST VIRGINIA, WEST VIRGINIA

I, Jacqueline Shadle, CLERK OF THE COUNTY COMMISSION OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING ARE TRUE COPIES FROM THE RECORD OF ORDERS MADE AND ENTERED BY SAID COMMISSION ON THE ____ DAY OF MARCH 2018.

(Signature)

JEFFERSON COUNTY, WEST VIRGINIA
058 FINANCIAL STABILIZATION / RAINY DAY FUND
FISCAL YEAR JULY 1, 2018 - JUNE 30, 2019

| Account Number | REVENUES | Actual Amount | Budgeted Revenues |
|----------------|--|----------------|-------------------|
| | | 6/30/2017 | 2018 - 2019 |
| 299 | Unassigned Fund Balance | | 610,013 |
| 365 | Interest Earned | | |
| 366 | Miscellaneous Revenue | | |
| 380 | Contributions/Transfer from Other Entities | | |
| 388 | 001 Transfers From Other Funds | - | |
| 398 | Transfers From General Fund | 610,013 | 2,222,399 |
| 058 | Totals -Financial Stabilization / Rainy Day Fund Revenues | 610,013 | 2,832,412 |

| Account Number | EXPENDITURES | Actual Amount | Estimated Budget |
|----------------|--|----------------|------------------|
| | | 6/30/2017 | 2018 - 2019 |
| 696 | Transfers to General Fund | | - |
| 698 | Transfers/Reimbursements | | 210,013 |
| 699 | Contingencies | 610,013 | 2,622,399 |
| | Totals - Financial Stabilization / Rainy Day Expenditures | 610,013 | 2,832,412 |

| | |
|--|-----------------------|
| Amount of Financial Stabilization Fund | \$ 2,832,412 |
| Less: 30% of General County Fund | <u>9,146,045</u> |
| Amount over /under 30% of General Fund Budget | <u>\$ (6,313,633)</u> |
| Financial Stabilization is within the allowed 30% of General Fund Budget | |



AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name: **Stephanie Grove, County Administrator**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 15, 2018**

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

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

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

Discuss Road Summit for Spring 2018 and set date and time– 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

Name: **Stephanie Grove, County Administrator**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **March 15, 2018**

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

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

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

Discuss Meeting Session Policy – 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.](#)

COUNTY COMMISSION OF JEFFERSON COUNTY

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Regular Session Meeting Day

The County Commission meetings shall be divided into quarterly sessions each year, with each new quarter beginning in January, April, July, and October, respectively. The regular meetings of the Jefferson County Commission are held in the County Commission Meeting Room in the Old Charles Town Library, located at 200 East Washington Street, Charles Town, West Virginia.

Regular County Commission meetings shall be held on the first, third, and fifth Thursdays of each month. The meetings on the first and ~~fifth~~^{third} Thursday shall commence at 9:30 a.m. Meetings held on the ~~third~~^{fifth} Thursday shall commence at 7:00 p.m. The County Commission meets in regular session until all business is complete. The Commission may recess and reconvene to complete the business of the day. At all times, the public is invited and welcomed to attend any County Commission meeting. The Commission will provide an opportunity for public comment at the beginning of each regular meeting.

The County Commission Agenda packet for regular meetings shall be published on the Commission's website by approximately 2:00 pm the Monday before the Thursday Meeting.

Notice of County Commission Meetings

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In addition to the notice procedures outlined in the sections below, the Commission will post notice of all special, regular, and emergency meetings on its website at www.jeffersoncountywv.org.

Special Meetings

As provided by law, the County Commission may hold special sessions, whenever the public interests may require, to be called by the president with the concurrence of the majority of the County Commissioners. In the event a special session is called, the Clerk of the County Commission shall post at the front door of the Courthouse at least (2) days before a special session is to be held a notice stating the time, place and purpose for which such special session shall be held. Jurisdiction of said special session is confined to such business as the public shall have been notified in the call of the special session. If the special session is cancelled, notice of such cancellation shall be posted at the front door of the courthouse. Media shall be notified of such special session or cancellation as soon as possible.

Emergency Meetings

As provided by law, regular session and special session posting requirements shall not apply in the event of any emergency requiring immediate official action. However, in the event of an emergency meeting, the Commission will provide notice to the public as soon as

the meeting is scheduled. -In the event of any emergency requiring immediate official action, the Clerk of the Commission shall post at the front door of the Courthouse notice of the meeting at any time prior to the meeting. The meeting notice shall state the time, place and purpose of the meeting and the facts and circumstances of the emergency. Media shall be notified of emergency sessions as soon as possible.

Regular Meetings

As provided by law, the Clerk of the County Commission shall post at the front door of the Courthouse, notice of the time and place fixed and entered of record by the County Commission for the holding of regularly scheduled sessions. Should any such session fall on a holiday, the session shall be cancelled or held on an alternate day decided by the County Commission. If an alternate day is scheduled or a meeting is cancelled, notice of such alternate day or cancellation shall be posted at the front door of the Courthouse. Media shall be notified of said alternate day or cancellation of session as soon as possible.

Work Sessions

Work sessions provide commissioners the opportunity to meet with staff in order to delve into complex issues, discuss solutions and alternatives, give direction to staff, finalize agendas, or create consent agendas. Work sessions may be held immediately prior to a regular meeting or may be held at other times established by the Commission. Work sessions may be used by commissioners to prepare for upcoming regular meetings. These meetings are typically less formal and are often used for information gathering; no formal votes are taken. However, it should be noted that work sessions are subject to the open meetings law.

Executive Sessions

Commission meetings that are closed to the public are often referred to as executive sessions. Such meetings may only be held for the specific, limited purposes authorized by the West Virginia Open Meetings Act, and the Commission must comply with statutory procedures when closing a meeting. These private sessions can be held with the elected officials and any staff or appointed professionals necessary to the discussion.

Public Comment

The County Commission recognizes the value of public comment on Commission issues and the importance of allowing members of the public to express themselves on matters of community interest. As such, the Commission will set an item on the agenda of each regular meeting for public comment.

The following guidelines pertain to all speakers who will be addressing the Commission during the Public Comment Sessions. Please note that public comment is live-streamed on the internet during the Commission's meeting, and the video is retained on the Commission website. The identity of speakers and their comments are recorded in the official minutes

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of the Commission, which minutes are retained online and are publicly available in perpetuity.

- Individuals who wish to address the Commission are requested to place their name on the speakers' sign-in list posted located in the back of the County Commission meeting room five minutes prior to the commencement of each meeting. If a speaker did not have the opportunity to sign in prior to the meeting, the President will ask at the end of the public comment if there are any other individuals who wish to make public comment. Those wishing to speak should raise their hand and the President will recognize them.
- Speakers are requested to address items on the Commission's agenda or topics directly related to the business of the County Commission.
- Each speaker shall be limited to three (3) minutes during the public comment period. The Clerk will indicate when your time has expired and the next speaker will be invited to begin.
- Three or more individuals may pool their time for one speaker. The amount of time given to that person will be less than the combined time available to the individuals separately. For example, if individual speakers have 3 minutes each, a representative for a group of 3 or more speakers may be given a total of 7 minutes. Allotted times may be adjusted at the discretion of the President.
- When the President invites you to speak, please indicate if you intend to pool your time with others for a group representative. Those speaking on behalf of others who have yielded their time may be called on after those speaking as individuals.
- Public comment is not a question and answer period. It provides individuals with an opportunity to express their comments regarding any subject matter. All comments shall be directed only to the Commission as whole; no person may address or question Board members individually.
- The Commission generally will not respond to comments made during the public comment period unless it becomes necessary to ask a clarifying question, correct a factual error, provide specific factual information, or direct speakers to the appropriate staff member for assistance. Issues requiring possible action by the County Commission may be added to a future agenda.
- Unused portions of individual allotted times may not be yielded to other speakers.
- Written comments and materials brought for the Commission by speakers will be accepted during public comment and will be made available to all Commissioners.

Comments containing the following will not be permitted:

- Hate speech

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- Profanity, obscenity or vulgarity
- Defamation to a person, people, or an organization
- Name calling and/or personal attacks
- Comments not related to the business of the County Commission

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If a specific public comment violates the provisions of this policy, the President or presiding member may:

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- interrupt, warn, or terminate an individual's presentation
- request that any individual leave the meeting when that individual fails to observe reasonable decorum;
- request the assistance of bailiffs in the removal of a disorderly individual when that individual's conduct interferes with the orderly progress of the meeting; and
- call for a brief recess

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NOTICE OF PUBLIC HEARING
Thursday, March 15, 2018 at 1:30 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, **1:30 PM Thursday, March 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 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. 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



Jefferson County, West Virginia

Office of Planning and Zoning
116 East Washington Street, 2nd Floor
Charles Town, WV 25414

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

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

MEMO

TO: Planning Commission
FROM: Alexandra Beaulieu, Zoning Administrator
DATE: March 13, 2018
RE: ZTA16-02 - Historic Preservation Zoning Ordinance Text Amendment

On July 11, 2017, the Planning Commission held a Public Hearing to review the proposed text amendment pertaining to Historic Preservation and the Village District.

The Planning Commission made several revisions to the proposed text and forwarded their recommended version to the County Commission on January 4, 2018.

On February 15, 2018 the County Commission held their Public Hearing. Having received a few comments, they made some additional revisions on March 1 and will be holding a second Public Hearing to review those changes on March 15 at 1:30 p.m.

The most substantial change to the text amendment was to change all Not Permitted Commercial Uses in the Village district to Conditional Use.

The County Commission has forwarded this change back to the Planning Commission to determine if the recommended revision is consistent with the Comprehensive Plan.

Staff finds the proposed change consistent with the Comprehensive Plan in that it creates additional opportunities for restoration, rehabilitation, and adaptive reuse of structures within village areas.

Attachments:

- Envisions Jefferson 2035 Comprehensive Plan Village Recommendations (Page 45)
- ZTA16-02, Historic Preservation Text Amendment CC Recommendations from 03-01-18

| Village Recommendations (Goal 3) | |
|---|--|
| 1. | Create village plans for the redevelopment and expansion of the County’s villages through collaboration with key stakeholders. |
| | a. Identify opportunities for restoration, rehabilitation and adaptive reuse of structures within village areas. |
| | b. Identify funding sources for villages to restore historic structures and provide opportunities for projects that would restore the village character to these communities. |
| 2. | Provide land use tools that will enable expansion of the villages that will establish a continuation of village form, scale, and design, using design guidelines and/or other applicable architectural and planning methods. |
| | a. Encourage development and redevelopment of village based businesses, residential developments, small-scale multi-family housing, and applicable community facilities within designated village areas and in potential village expansion areas. |
| | b. Proposed commercial structures shall take into account similar architecture in the area or a type of structure that would be appropriate for the area in which it is located. A traditional suburban commercial strip development may or may not be appropriate in the villages and village expansion areas. |
| 3. | Collaborate with key village stakeholders to implement and create water and sewer improvements, internal interconnections between adjacent commercial properties, area-wide shared stormwater and parking facilities within village centers. |
| 4. | Identify communities that have a traditional village form but are not designated as villages and assess the ability for village zoning. |
| 5. | Encourage the state legislature to include adaptive reuses of historic structures in the state code. |

APPENDIX C: PRINCIPAL PERMITTED AND CONDITIONAL USES TABLE^{23, 29, 32, 33}

| Land Use | NC | GC | HC | LI | MI | PND ¹ | OC | R | RG | RLIC | IC | V | Additional Standards |
|--------------------------------------|----|----|----|----|----|------------------|----|----|----|------|----|---------------------|----------------------|
| Residential Uses | | | | | | | | | | | | | |
| 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 P | |
| 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 NP | |
| Dwelling, Multi-Family | CU | NP | NP | NP | NP | P | P | NP | P | P | NP | CU 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 |
| Home Uses | | | | | | | | | | | | | |
| 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 |
| Institutional Uses | | | | | | | | | | | | | |
| 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 | |
| Heliport | 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 | |

| Land Use | NC | GC | HC | LI | MI | PND ¹ | OC | R | RG | RLIC | IC | V | Additional Standards |
|--|----|----|----|----|-----------------|------------------|----|----|----------|------|-----------------|-----------------------|------------------------|
| Institutional Uses Continued | | | | | | | | | | | | | |
| 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 | |
| Industrial | | | | | | | | | | | | | |
| 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 ² | NP | NP | NP | NP | NP | CU ² | 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 | |
| Industrial Manufacturing & Processing | | | | | | | | | | | | | |
| Acid or heavy chemical manufacturer, processing or storage | NP | NP | NP | NP | CU | NP | NP | NP | NP | NP | CU | NP | |
| 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 |
| Adult Uses | | | | | | | | | | | | | |
| Adult Uses | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | P | NP | Sec. 4.4K, Sec. 8.1 |
| Recreational Uses | | | | | | | | | | | | | |
| Hunting, Shooting, Archery and Fishing Clubs, public or private | NP | NP | NP | CU | CU | NP | NP | P | NP | NP | NP | NP | Sec. 8.8 |
| Commercial Uses | | | | | | | | | | | | | |
| Antique Shop | P | P | P | P | NP | P | NP | CU | CU | P | P | <u>P</u> <u>CU</u> | |
| Appliance Sales | NP | P | P | P | CU | P | NP | CU | CU | P | P | NP | |

| Land Use | NC | GC | HC | LI | MI | PND ¹ | OC | R | RG | RLIC | IC | V | Additional Standards |
|--|----|----|----|----|----|------------------|----|----|----|------|----|----|-----------------------|
| Commercial Uses Continued | | | | | | | | | | | | | Sec. 8.9 |
| Art Gallery or Artist Studio | P | P | P | P | NP | P | P | CU | CU | P | P | P | |
| 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 | CU | |
| Automobile parts, supplies and tire stores | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Automobile, light truck and light trailer rentals, indoor | P | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Automobile, light truck and light trailer rentals, outdoor | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Bail Bond Services | NP | P | P | P | CU | NP | NP | CU | CU | CU | P | CU | |
| Bank | P | P | P | P | CU | P | P | CU | CU | P | P | P | |
| Bank with Drive-Through Facility | CU | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Bar | P | P | P | P | NP | P | P | NP | NP | P | P | CU | |
| Barber/Beauty Shop, Limited | P | P | P | P | NP | P | P | CU | CU | P | P | P | |
| 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 | CU | |
| Building Maintenance Services | CU | P | P | P | P | P | P | CU | CU | P | P | CU | |
| Building Materials and Supplies | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Campground ³¹ | CU | P | NP | NP | NP | P | NP | P | CU | P | P | CU | Sec. 8.17 |
| Car Wash | NP | P | P | P | CU | P | P | CU | CU | P | P | CU | |
| Commercial Blood Plasma Center | NP | P | P | P | NP | CU | CU | CU | CU | CU | P | CU | |
| Commercial Uses | NP | NP | NP | NP | NP | NP | NP | NP | ** | P | P | CU | Sec. 8.9 |
| Contractor with No Outdoor Storage | P | P | P | P | P | P | P | CU | CU | P | P | CU | |
| Contractor with Outdoor Storage | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| 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 (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 | CU | |
| Equipment Rental, Sales, or Service | NP | P | P | P | P | P | NP | CU | CU | P | P | CU | |
| Exterminating Services | NP | P | P | P | P | P | P | CU | CU | P | P | CU | |

| Land Use | NC | GC | HC | LI | MI | PND ¹ | OC | R | RG | RLIC | IC | V | Additional Standards |
|--|----|----|----|----|----|------------------|----|----|----|------|----|----|--------------------------|
| Commercial Uses Continued | | | | | | | | | | | | | Sec. 8.9 |
| Florist | P | P | P | P | CU | P | P | CU | CU | P | P | P | |
| Food Preparation | P | P | P | P | CU | P | P | CU | CU | P | P | P | |
| Hotel/Motel | NP | P | P | P | NP | P | P | CU | CU | P | P | P | |
| Gambling Facilities | NP | NP | NP | NP | CU | NP | NP | NP | NP | NP | CU | P | Sec. 4.4G |
| Gas Station, Limited | P | P | P | P | CU | P | P | CU | CU | P | P | P | |
| Gas Station | NP | P | P | P | CU | P | P | CU | CU | P | P | P | |
| Gas Station, Large | NP | CU | P | P | CU | CU | CU | CU | CU | P | P | P | |
| Golf Course | NP | P | P | P | NP | P | P | CU | CU | P | P | P | |
| Grocery Store | P | P | P | P | CU | P | NP | CU | CU | P | P | P | |
| Horse Racing Facility | NP | NP | NP | P | NP | NP | NP | CU | CU | P | P | P | |
| Kennel | NP | P | P | P | CU | P | P | P | CU | P | P | P | 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 | P | |
| Mobile Home, Boat and Trailer Sales | NP | P | P | P | CU | P | NP | CU | CU | CU | P | P | |
| Movie Theater | NP | P | P | P | NP | P | NP | CU | CU | P | P | P | |
| Nightclub | NP | P | P | P | NP | P | NP | CU | CU | P | P | P | |
| Non Profit Commercial Uses | P | P | P | P | NP | P | P | CU | CU | P | P | P | |
| 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 | P | |
| Pawn Shop Services | NP | P | P | P | NP | P | NP | CU | CU | P | P | P | |
| 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 | P | Sec. 5.8C (RLIC only) |
| Restaurant, Fast Food, Drive-Through | NP | P | P | P | CU | CU | P | CU | CU | CU | P | P | 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 | P | |
| Retail Sales and Services, General | NP | P | P | P | NP | P | NP | CU | CU | P | P | P | |
| Retail Store, Large | NP | CU | P | CU | NP | CU | NP | CU | CU | CU | CU | P | |

| Land Use | NC | GC | HC | LI | MI | PND ¹ | OC | R | RG | RLIC | IC | V | Additional Standards |
|--|----|----|----|----|----|------------------|----|----|----|------|----|----------|----------------------|
| Commercial Uses Continued | | | | | | | | | | | | | |
| Shipping and Mailing Services | P | P | P | P | CU | P | P | CU | CU | P | P | CU NP | |
| Storage, Commercial | NP | P | P | P | CU | P | NP | CU | CU | P | P | CU NP | |
| Veterinary Services | P | P | P | P | CU | P | P | P | CU | P | P | CU NP | |
| Wireless Telecommunications Facilities | P | P | P | P | P | P | P | P | P | P | P | P | Art. 4B |
| Agricultural Uses* | | | | | | | | | | | | | |
| 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 Structure must have existed for 5 years | NP | P | P | P | P | P | P | P | CU | P | P | NP | |
| Accessory Uses | | | | | | | | | | | | | |
| Accessory Uses | P | P | P | P | P | P | P | P | P | P | P | P | |

- | | | | |
|-----|----------------------------------|------|--|
| NC | Neighborhood Commercial | OC | Office / Commercial Mixed-Use |
| GC | General Commercial | R | Rural |
| HC | Highway Commercial | RG | Residential Growth District |
| LI | Light Industrial | RLIC | Residential-Light Industrial-Commercial District |
| MI | Major Industrial | IC | Industrial-Commercial District |
| PND | Planned Neighborhood Development | V | Village District |

- 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.

**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.

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

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

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Summit Point Ventures LLC / Chad Wallen of GORDON

Department or Organization: N/A

Estimation of amount of time needed for appointment: 10 Minutes

Date Requested – 1st Choice: **February 1, 2018**

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

Date Requested – 2nd Choice: February 15, 2018

Subject (*Wording to be placed on agenda*): Summit Point Ventures Zoning Map Amendment: Request for a public hearing and referral to Planning Commission to review zoning amendment request for the 3.35 acre property identified in the Kabletown District, on Map 17 as Parcel 2.3.

Please provide the County Commission with a description of your request or presentation, including any background information:
Zoning map amendment request and brief description of the attached submission.

Is this a funding request? NO

If so, how much? N/A

Provide exact financial impact/request: N/A

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

Motion to accept the zoning map amendment request, refer to Planning Commission for review of Comprehensive Plan consistency and to schedule a public hearing before the County Commission.

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

If not attached, explain: N/A

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

Contact information: Chad Wallen of GORDON

Email address: cwallen@gordon.us.com

Phone Number: 304-725-8456

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

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

File Number: _____

Staff Initials: _____

Application Fee: \$ _____

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

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

Phone: (304) 728-3228

Fax: (304) 728-8126

Zoning Map Amendment (Rezoning)

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

Property owner information

Name: Summit Point Ventures LLC; c/o Jim Bradbury
 Mailing Address: 2804 Mission College Blvd., Suite 205; Santa Clara, CA 95054
 Phone Number: 304-546-0733 Email: jbradbury@kanawhascales.com

Applicant contact information

Name: Summit Point Ventures LLC; c/o Jim Bradbury
 Mailing Address: 2804 Mission College Blvd., Suite 205; Santa Clara, CA 95054
 Phone Number: 304-546-0733 Email: jbradbury@kanawhascales.com

Applicant representative

Name: GORDON; Chad Wallen
 Mailing Address: 148 S. Queen Street, Suite 201; Martinsburg, WV 25401
 Phone Number: 304-725-8456 Email: cwallen@gordon.us.com

Physical property details

Physical Address: 500 Motorsports Park Circle
 City: Summit Point State: WV Zip Code: 25446
 Tax District: Kabletown (6) Map No: 17 Parcel No: 2.3
 Parcel Size: 3.35+/- Acres Deed Book: 1092 Page No: 176

Current Zoning District (please check one)

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

Proposed Zoning District (please check one)

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

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

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

See Attached

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

See Attached

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

See Attached

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

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

No, I prefer to present the petition

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

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

Is Plat or Sketch Plan attached?

Yes No

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

Eric Frank
Manager, Market Summit *1/24/2018*

Signature of Property Owner *Venture* Date

Signature of Property Owner Date

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

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

Recommended Not Recommended

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

Approved Disapproved

Final Determination/Other Comments

Zoning Map Amendment Application Addendum

Summit Point Ventures Rezoning

January 24, 2018

Owner / Applicant:

Summit Point Ventures LLC
2804 Mission College Boulevard, Suite 205
Santa Clara, CA 95054

Property Tax Identification:

Kabletown District (6), Map Number 17, Parcel 2.3

Deed Information:

Deed Book 1092, Page Number 176

Property Characteristics:

Location: Southeast corner of the Summit Point Road (Rte. 13) and Motorsports Park
Circle intersection.

Current Zoning: Rural

Current / Historic Use: Commercial

Tract Size: 3.35+/- Acres

Table of Exhibits

1. Vicinity Map
2. Aerial Overlay
3. Existing Land Use Map
4. Future Land Use Guide (Modified)
5. Concept Plan / Existing Conditions
6. WV Development Office Marketing Material

Substantiation for Request

1. **The designation as General Commercial will reflect the property's existing development.** The previous use was vacated in 2014 and the property remains idle and is currently of no benefit to Jefferson County. Discussions with potential tenants often end due to a lack of by-right commercial options for the property. The owners are requesting relief from ongoing nonconforming use status by asking the County Commission to recognize the property as a commercial entity through granting the General Commercial zoning designation.

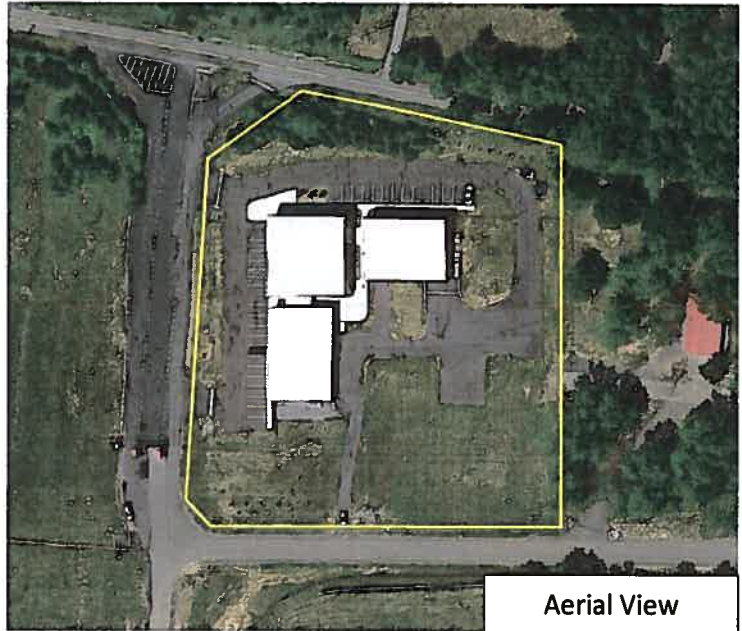


2. **The property was designed for a commercial use and gave consideration for potential impacts to neighboring properties.** Buffers and setbacks were specifically developed by Jefferson County to protect adjoining properties of different uses. The implementation of these buffers preserves adjacent property owner's rights and supports their general welfare. The existing design of the property includes the following commercial setbacks and buffers:

- Zoning Ordinance Section 4.6.B.2: 75' distance requirement from any lot with a dwelling.
- Zoning Ordinance Section 4.11.A.1: 50' or greater unscreened green space buffer.
- Zoning Ordinance Section 4.11.B.1: 15' screened buffer.

3. **Limited use for the property under the Rural Zoning District.** Due to the property's location and existing development there is limited alternatives other than a commercial business. Previous commercial operations have demonstrated the site is a viable commercial property.

4. **The subject property was previously part of the adjacent Motorsports Park which predates the Jefferson County Zoning Ordinance.** The property was developed and subdivided from Summit Point Motorsports Park which opened in 1970. The Comprehensive Plans Existing Land Use Map recognizes the Park as a commercial use. As part of the Motorsports Park the subject property's continued commercial use predates the implementation of zoning in



Jefferson County. The implementation of zoning in Jefferson County failed to recognize this property as a distinct use which does not meet its definition of rural.

5. **No burden would be placed on existing public infrastructure with this rezoning.** The property will not require the extension of utilities and will not create additional needs on the school system or other County facilities. The property is self-contained and does not depend on public facilities to continue under the General Commercial district. The continued use as a commercial property will help contribute to the tax base in Jefferson County.

6. **The property's commercial use is consistent with surrounding commercial development.** Surrounding uses include Summit Point Motorsports Park, Summit Point Training Campus, and REMAC Recycling Center. Commercial setback and buffers were provided for the lone residential property located opposite Summit Point Road.



Adjacent Summit Point Training Campus



Adjacent Summit Motorsports Park

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

The subject property is currently vacant and previously existed as a non-conforming use occupied by an aftermarket car engineering and design company. The building contains over 19,500 square feet of floor space which includes 10,512 sf of Office Space and 9,000 sf of Warehouse/Manufacturing Space. The conversion of this property to a residential, agricultural or most other permitted uses in the Rural District is not fiscally viable. The continued use as a commercial use is the only option for maintaining this property.

The proposed use is to allow the existing commercial structure to continue as a by-right commercial use under the General Commercial zoning district. The approval of this amendment will allow the property to be promoted as a commercial establishment and recognize its historic use. If denied, future efforts to sell or lease the property will be impaired by requiring a zoning certificate or review as a proposed nonconforming use for every potential use/tenant interested in the facility. If zoned properly as General Commercial, the facility will maintain its right to the site's previous and historic use.

The Comprehensive Plans Existing Land Use Map recognizes the Summit Point Motorsports Park as a commercial use. The property to be rezoned was originally part of the Motorsports Park and its continued commercial use predates the implementation of zoning in Jefferson County.



Rear View of the Complex

The existing development on the property does not meet the definition for a rural use as defined by both the Comprehensive Plan and Zoning Ordinance. Definitions include:

- Comprehensive Plan Appendix H: A sparsely developed area where the land is primarily used for farming and farm related activities, forestry, resource extraction, or large lot residential density.
- Comprehensive Plan Appendix G – Land Use Map Classifications: Rural / Agricultural - This land use category reflects land occupied by lots greater than five acres. Found within this classification are single family uses and working agricultural operations.
- Zoning Ordinance Section 5.7, Rural (R) District: The purpose of this district is to provide a location for low density single family residential development in conjunction with providing continued farming activities.

The area surrounding the subject property is not sparsely developed, with multiple business adjacent to the property and the Summit Point Village District located less than one-half mile to the east.

The State of West Virginia and local agencies have invested in this property to create jobs and revenue for Jefferson County. Continued support of this existing commercial infrastructure will help promote a diversified tax base and increase employment opportunities. The property maintains a tenant ready building which previously supported up to 50 employees as a commercial use. The sites adjacency to Summit Motorsports Park



provides a unique opportunity for potential businesses and the surrounding area. The General Commercial zoning designation will aide in attracting a business to the property and allow for that economic growth to occur.

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

- **Page 26 of the Plan states: “For zoning map amendments in areas outside of growth areas shown on the Future Land Use Guide, this Plan recommends that the County Commission can further determine that a requested zoning map amendment is consistent with the balance of the Plan by receiving evidence and making a finding that the zoning map amendment is for the economic well-being of Jefferson County; or by finding that there is an error or under scrutinized property on the Future Land Use Guide”. *(Page 26 of the Plan)***
 - It is clear that the Future Land Use Guide does not in itself determine if a rezoning is compatible with the Comprehensive Plan.
 - The utilization of the existing commercial building as a commercial use will support the tax base of Jefferson County and provide employment opportunities for its residents.
 - The subject property and adjacent properties to the east, south and west are recognized as commercial properties by The Plan’s Existing Land Use Map. The original allocation of a Rural zoning designation did not recognize the properties historic use and is under scrutinized on the Future Land Use Guide.
 - The Plan recognizes that development surrounding the property to be rezoned is not typical of rural/agricultural development. Both Summit Point Motorsports Park and the Summit Point Training Campus are completely or in part Vocational and/or Training Facilities for Adults. Page 236 of The Plan acknowledges this abnormality in the Future Land Use Guide by stating: “Within the Rural/Agricultural District is a permitted land use of “Vocational and/or Training Facility for Adults”. This text recognizes an existing facility, but the map depicts this use as Rural/Agricultural”.

- **“One of Jefferson County’s target industries is correlated with the presence of state and federal government facilities. Since the federal government has found success with their existing local facilities, the potential for additional federal employment opportunities to locate here is greatly enhanced.” (page 66 of the Plan).**
 - Clients served by the training facilities surrounding this property include U.S. Department of State Diplomatic Security Services, foreign governments and numerous other local and federal agencies. Granting the General Commercial zoning district will allow the subject property to market its existing facilities as an opportunity to support the areas elite training facilities.
- **The Plans Economic Development & Employment Recommendations Goals 6 / 7.5 (page 70): Create a business friendly environment in Jefferson County.**
 - Granting the General Commercial district would simplify the marketing of the property and recognized the property as a destination commercial facility within Jefferson County.
- **The Plans Economic Development & Employment Recommendations Goals 6 / 7.9.c. (page 70): Encourage the utilization of existing structures or the utilization of greyfield or brownfield sites for the development of new state and federal facilities.**
 - The sites proximity to the adjacent facilities utilized by multiple state and federal agencies provides an opportunity to build upon and/or support the missions of Summit Point Training Center and Motorsports Park. A vacant building with the constraints of a Rural zoning designation does not promote the possibility of expanding on this areas existing offerings.



- **The Plans Tourism Recommendations Goal 9.1 (page 84): Support and promote rural and recreational tourism to help achieve the County’s economic goals.**
 - Summit Point Motorsports Park is a major recreational facility and tourism destination within Jefferson County. The subject property’s adjacency and relationship to this facility lends itself to a business which supports this recreation and tourism destination in Summit Point.

- **The Plans Finance Recommendations Goal 24.1 (page 141): Develop policies that result in a well-balanced tax base that is not overly reliant on residential taxes, but is diversified by the presence of a robust commercial and industrial tax base.**
 - The property’s existing commercial infrastructure is uniquely situated to support and benefit from the adjacent motorsports park, which has a proven history to be an economic engine within Jefferson County.



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

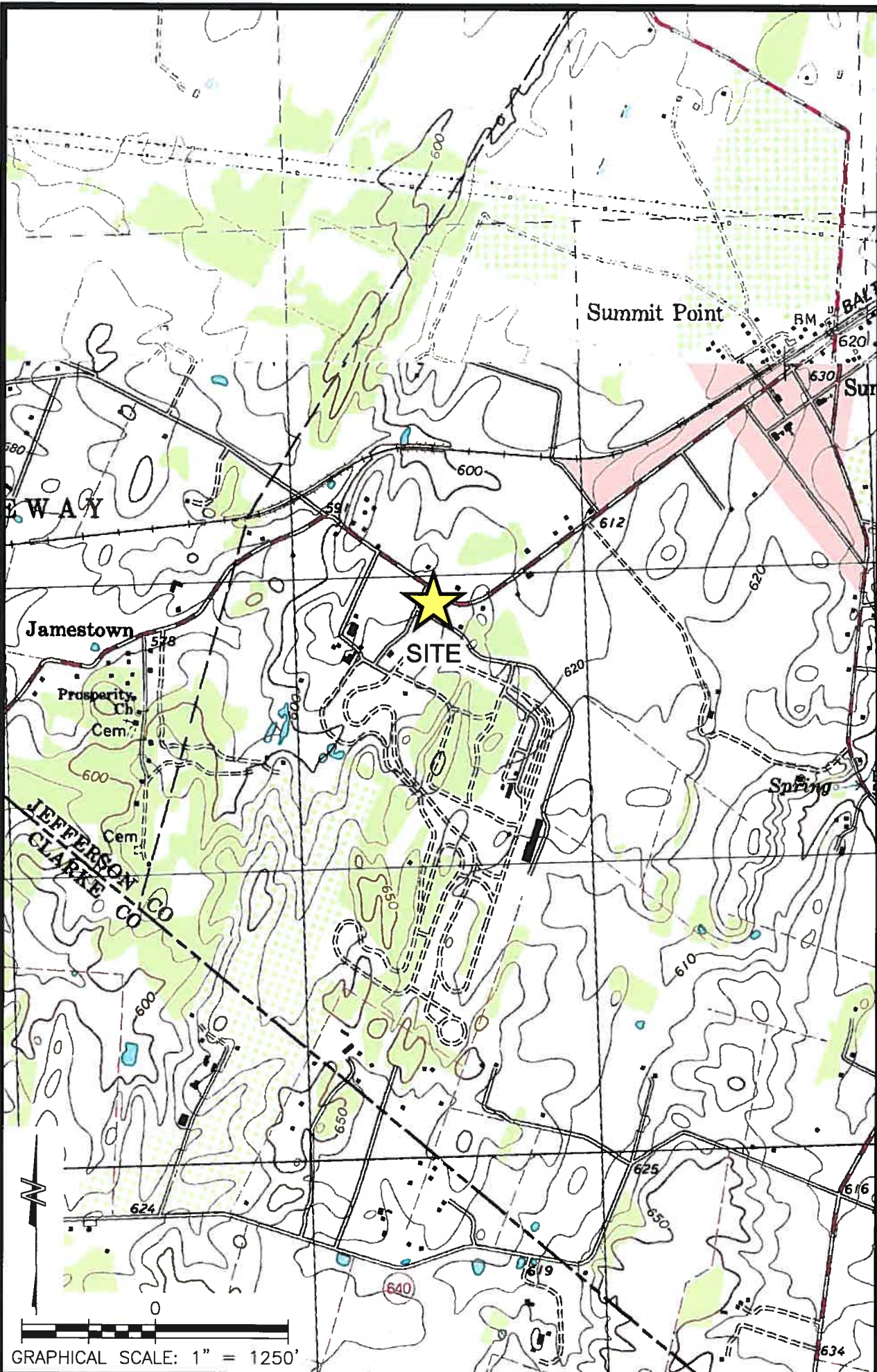
- **Transportation Characteristics - The property is served by direct access from a Major Collector (Summit Point Road / WV RTE. 13).** As with most corridors, traffic increases over time as more development occurs. The recognition of Summit Point Road as a Major Collector by the Plan recognizes this road as regional route. This Road has proven adequate for the property's previous commercial use and neighboring facilities. The adjacent Summit Point Motorsports Park regularly holds successful events ranging from hundreds to thousands of patrons, which access the facility by Summit Point Road. The number of trips which will be generated by the subject property will be marginal by comparison.
- **Transportation Characteristics - As required with any property, a change in use is will require an updated entrance permit from the West Virginia Department of Transportation (WVDOT).** A change in use for a property requires the review by the WVDOT to ensure safe and adequate access can be provided. Additional improvements would be required if the existing access were determined inadequate. Substantial change to existing traffic generation is not anticipated with a change in zoning.
- **Transportation Characteristics - Future improvements to Summit Point Road.** A 10 foot wide road improvement easement was provided along Summit Point Road as part of the site / subdivision plan. While improvements are not anticipated in the immediate future, this precaution was taken to ensure that potential improvements can be accommodated.
- **Neighborhood Characteristics – The surrounding area has evolved to provide a unique destination within the County.** Both the Summit Point Training Center campus and the expansion of training facilities within Summit Point Motorsports Park provide services for numerous federal, local and international agencies. The subject property has an opportunity to contribute to these services through its tenant ready facility.

ZONING MAP AMENDMENT EXHIBIT 1 - VICINITY MAP

01-24-2018

SUMMIT POINT VENTURES
JEFFERSON COUNTY, WV

COPYRIGHT 2018. NO REPRODUCTION OR USE OF THIS DRAWING IS ALLOWED IN PART OR IN WHOLE BY ANY PROCESS WITHOUT PRIOR WRITTEN AUTHORIZATION FROM WILLIAM H. GORDON ASSOCIATES, INC.



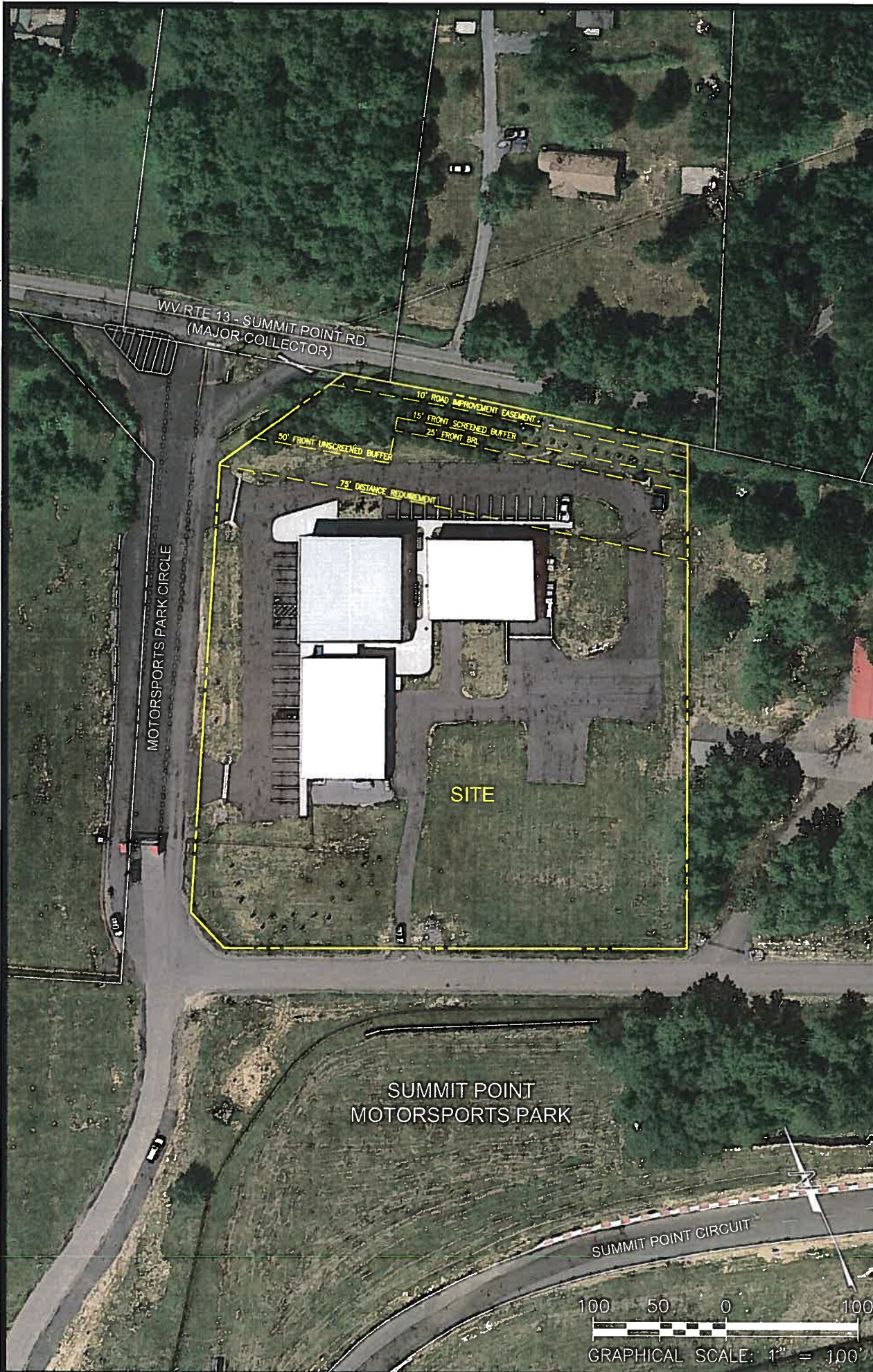
GRAPHICAL SCALE: 1" = 1250'

ZONING MAP AMENDMENT EXHIBIT 2 - AERIAL OVERLAY

01-24-2018

SUMMIT POINT VENTURES
JEFFERSON COUNTY, WV

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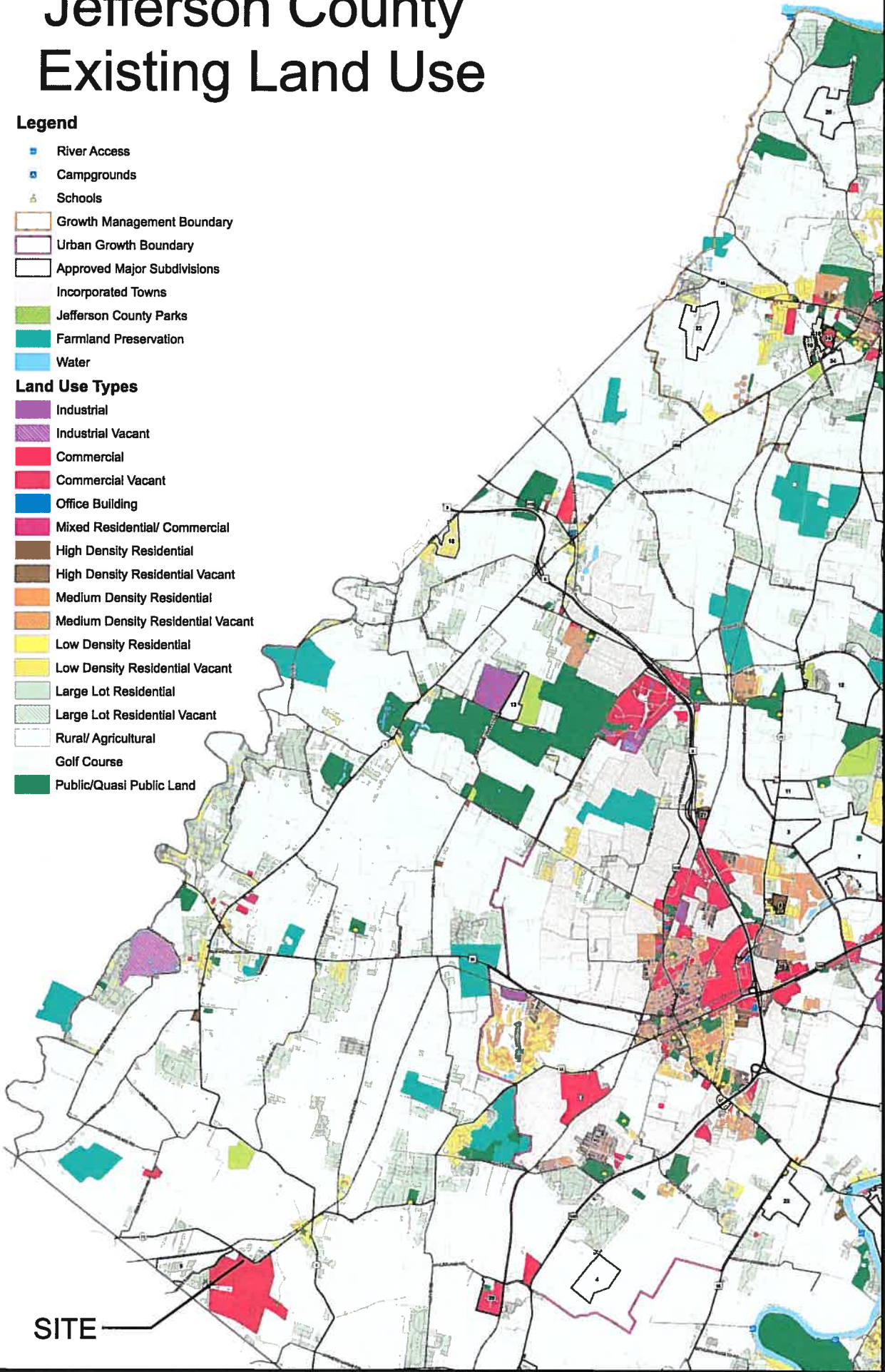
Jefferson County Existing Land Use

Legend

- River Access
- Campgrounds
- Schools
- Growth Management Boundary
- Urban Growth Boundary
- Approved Major Subdivisions
- Incorporated Towns
- Jefferson County Parks
- Farmland Preservation
- Water

Land Use Types

- Industrial
- Industrial Vacant
- Commercial
- Commercial Vacant
- Office Building
- Mixed Residential/ Commercial
- High Density Residential
- High Density Residential Vacant
- Medium Density Residential
- Medium Density Residential Vacant
- Low Density Residential
- Low Density Residential Vacant
- Large Lot Residential
- Large Lot Residential Vacant
- Rural/ Agricultural
- Golf Course
- Public/Quasi Public Land



ZONING MAP AMENDMENT EXHIBIT 3 - EXISTING LAND USE MAP

01-24-2018

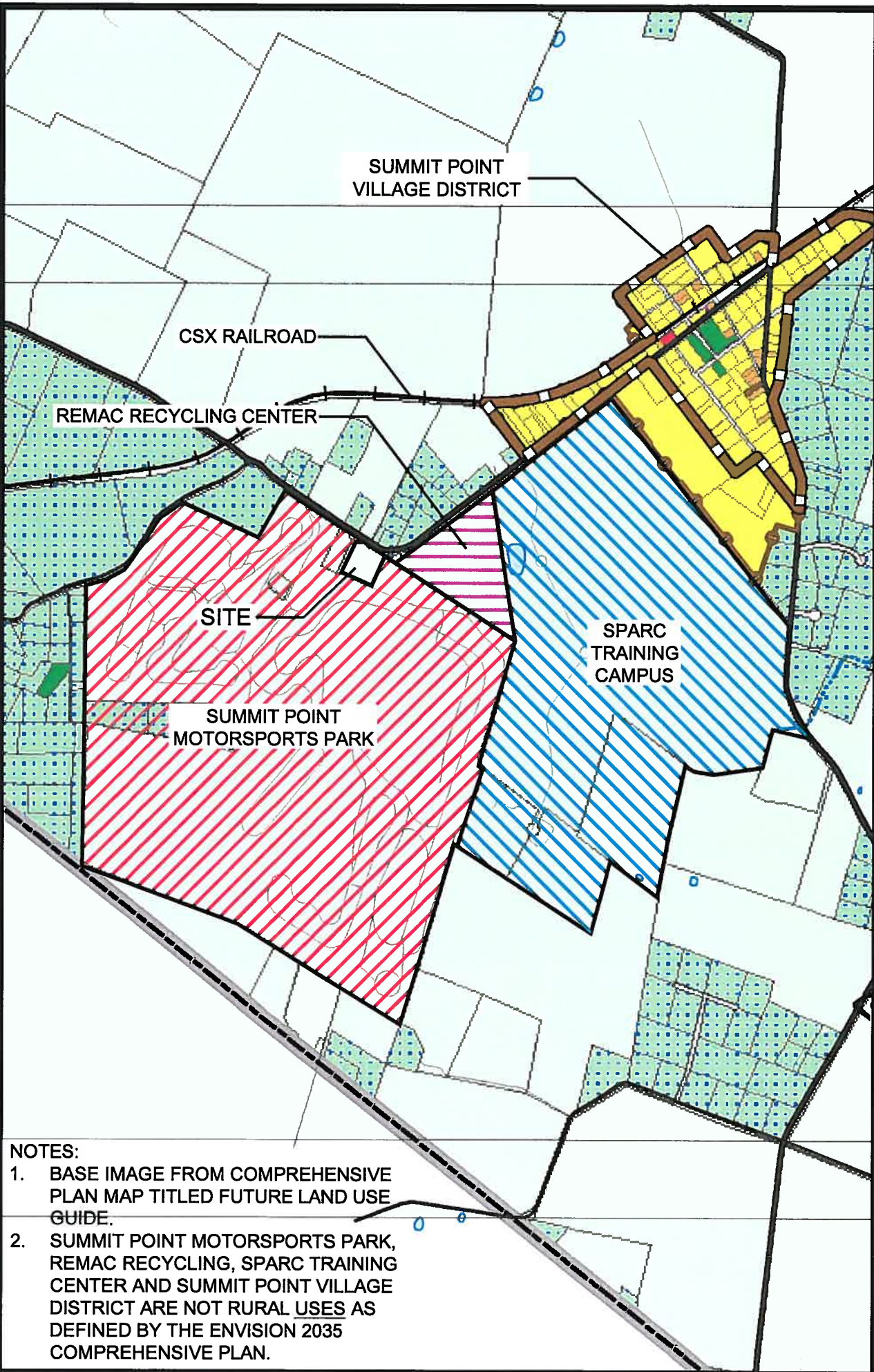
SUMMIT POINT VENTURES
JEFFERSON COUNTY, WV

ZONING MAP AMENDMENT

EXHIBIT 4 - FUTURE LAND USE GUIDE (MODIFIED)

01-24-2018

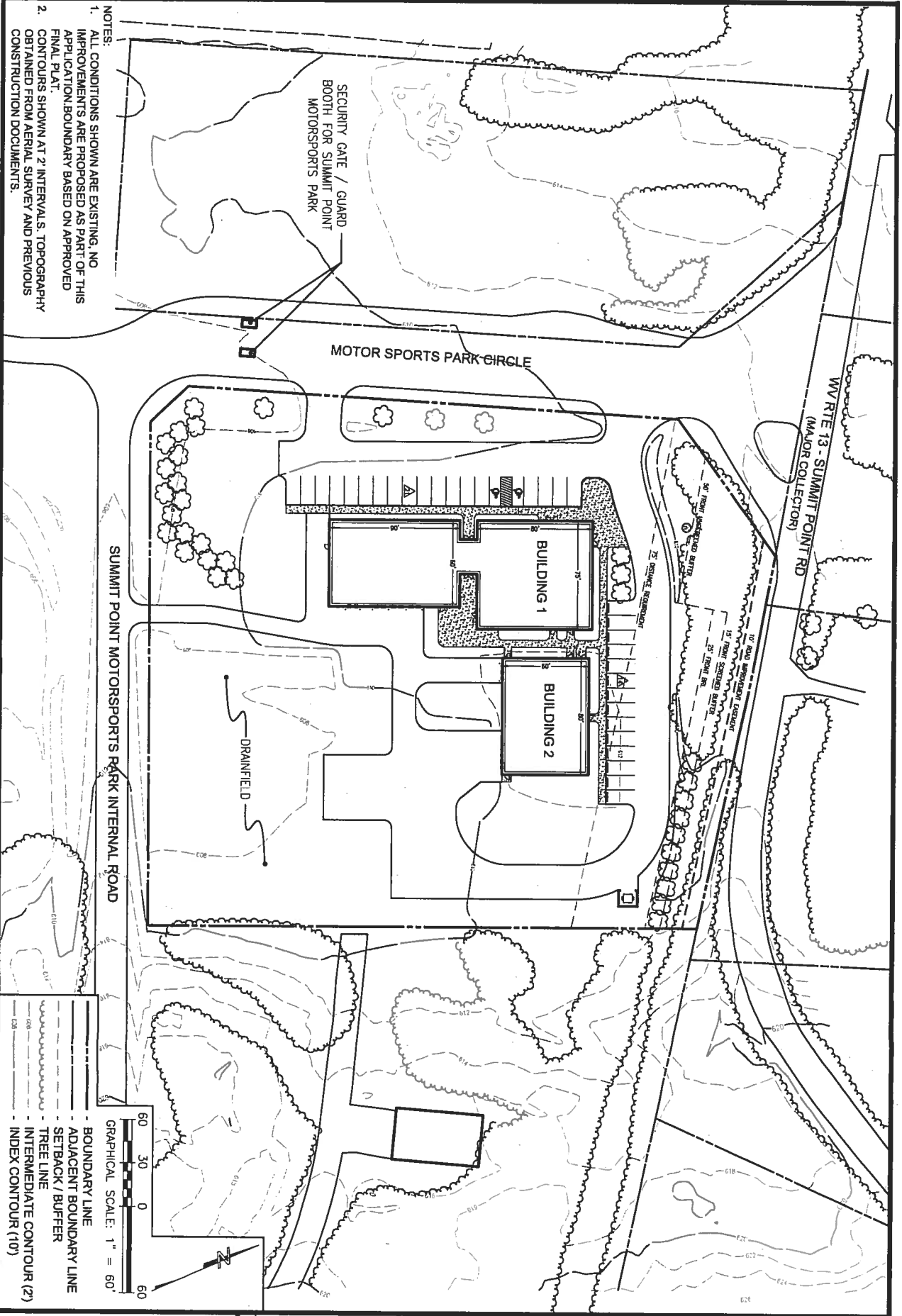
SUMMIT POINT VENTURES
JEFFERSON COUNTY, WV



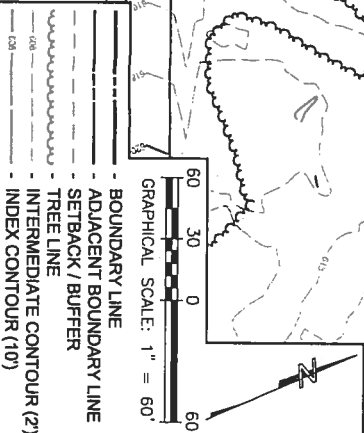
COPYRIGHT 2018. NO REPRODUCTION OR USE OF THIS DRAWING IS ALLOWED IN PART OR IN WHOLE BY ANY PROCESS WITHOUT PRIOR WRITTEN AUTHORIZATION FROM WILLIAM H. GORDON ASSOCIATES, INC.

NOTES:

1. BASE IMAGE FROM COMPREHENSIVE PLAN MAP TITLED FUTURE LAND USE GUIDE.
2. SUMMIT POINT MOTORSPORTS PARK, REMAC RECYCLING, SPARC TRAINING CENTER AND SUMMIT POINT VILLAGE DISTRICT ARE NOT RURAL USES AS DEFINED BY THE ENVISION 2035 COMPREHENSIVE PLAN.



- NOTES:
1. ALL CONDITIONS SHOWN ARE EXISTING. NO IMPROVEMENTS ARE PROPOSED AS PART OF THIS APPLICATION. BOUNDARY BASED ON APPROVED FINAL PLAN.
 2. CONTOURS SHOWN AT 2' INTERVALS. TOPOGRAPHY OBTAINED FROM AERIAL SURVEY AND PREVIOUS CONSTRUCTION DOCUMENTS.



SUMMIT POINT VENTURES
JEFFERSON COUNTY, WV

01-24-2018

ZONING MAP AMENDMENT
EXHIBIT 5 - CONCEPT PLAN / EXISTING CONDITIONS

EXHIBIT 6 - WV Development Office Marketing Material



WEST VIRGINIA DEVELOPMENT OFFICE
1900 Kanawha Boulevard East
Charleston, WV 25305-0311
Toll free: (800) 982-3386
Office: (304) 558-2234 - WVDO.org

AVAILABLE SPACE STASIS ENGINEERING COMPLEX



SUMMIT POINT, WEST VIRGINIA

LOCATION

Building Address - 500 Motorsports Park Circle
Summit Point, WV 25446

Located in City Limits - No

Zoning - None

County - Jefferson

Located in Business/Industrial Park - Yes

Can the Building be Multi-Tenant - Yes

Flood Hazard Zone - Location is not within any FEMA Zone

SIZE

Total Sq. Ft. - 19,512 (Office Building: 9,312;
Warehouse Building: 4,800; Engineering Building: 5,400)

Total Available Sq. Ft. - 19,512

Total Leased Sq. Ft. - 0

Acres - 3.35

Available Manufacturing/Warehouse Sq. Ft. - 9,000

Available Office Sq. Ft. - 10,512 (9,312 in Office Building and 1,200 in Engineering Building)

CEILING HEIGHT (Measurements taken under steel beams)

Engineering Building - 11'-3" at eaves and 15'-4" at center

Warehouse Building - 15'-1" at eaves and 19'-6" at center

SPECIFICATIONS

Can the Building be Expanded - No

Number of Additional Sq. Ft. Building can be Expanded - N/A

Is There Additional Land Available - No

Number of Additional Acres - N/A

Date of Construction - Unknown

Dates of Expansion - None

Date Vacated - 2014

Floor Thickness and Composition - Reinforced concrete

Wall Composition - Metal in warehouse and office buildings, metal and cinder block in engineering building

Wall Insulation - Fiberglass with vinyl backing in warehouse and engineering buildings

Roof Composition - Metal

Roof Insulation - Fiberglass with vinyl backing in warehouse and engineering buildings

Column Spacing - Clear span in warehouse and engineering buildings

Type of Sprinkler System - None

HVAC - Trane heat pumps serves engineering and office buildings, suspended gas fired heaters serves warehouse building

Lighting - Fluorescent fixtures in engineering and office buildings, fluorescent and high bay metal halide fixtures in warehouse building

Number and Capacity of Overhead Cranes - None

Number of Truck Docks - Two in warehouse building

Number and Size of Bay Doors - One 10' wide x 14' high in warehouse building, one 10' wide x 8' high and three 10' x 10' in engineering building

Number of Parking Spaces - 34 marked spaces

Previous use of the Building - Stasis engineering - high performance auto parts



ENGINEERING/OFFICE/WAREHOUSE BUILDINGS

TRANSPORTATION

Interstate/4 Lane Highway - 7.9 miles to I-81 Interchange Exit 321
Commercial Airport - 44.2 miles to Hagerstown Regional Airport
Railroad - None
Railroad Siding - None
Navigable Waterway - None
On-Site Barge Facility - None

UTILITIES

Electricity - Potomac Edison
Voltage - 208
Phase - 3

Gas - Thomas Gas (Propane)
Size of Service Line -
Gas Pressure -

Water - On site wells
Size of Service Line -
Static Pressure -
Residual Pressure -
Excess Capacity of Treatment Plant (GPD) -

Sewer - Septic system
Size of Service Line -
Excess Capacity of Treatment Plant (GPD) -

Telephone Supplier - Frontier or Comcast
Broadband Service - Yes

SALE/LEASE

Sale Price - \$2.5 million

Sale Terms -

Lease Price - \$10.00 psf for all 3 buildings or individually as follows,

Office Building: \$12.00 psf

Engineering Building: \$9.00 psf

Warehouse Building: \$4.00 psf

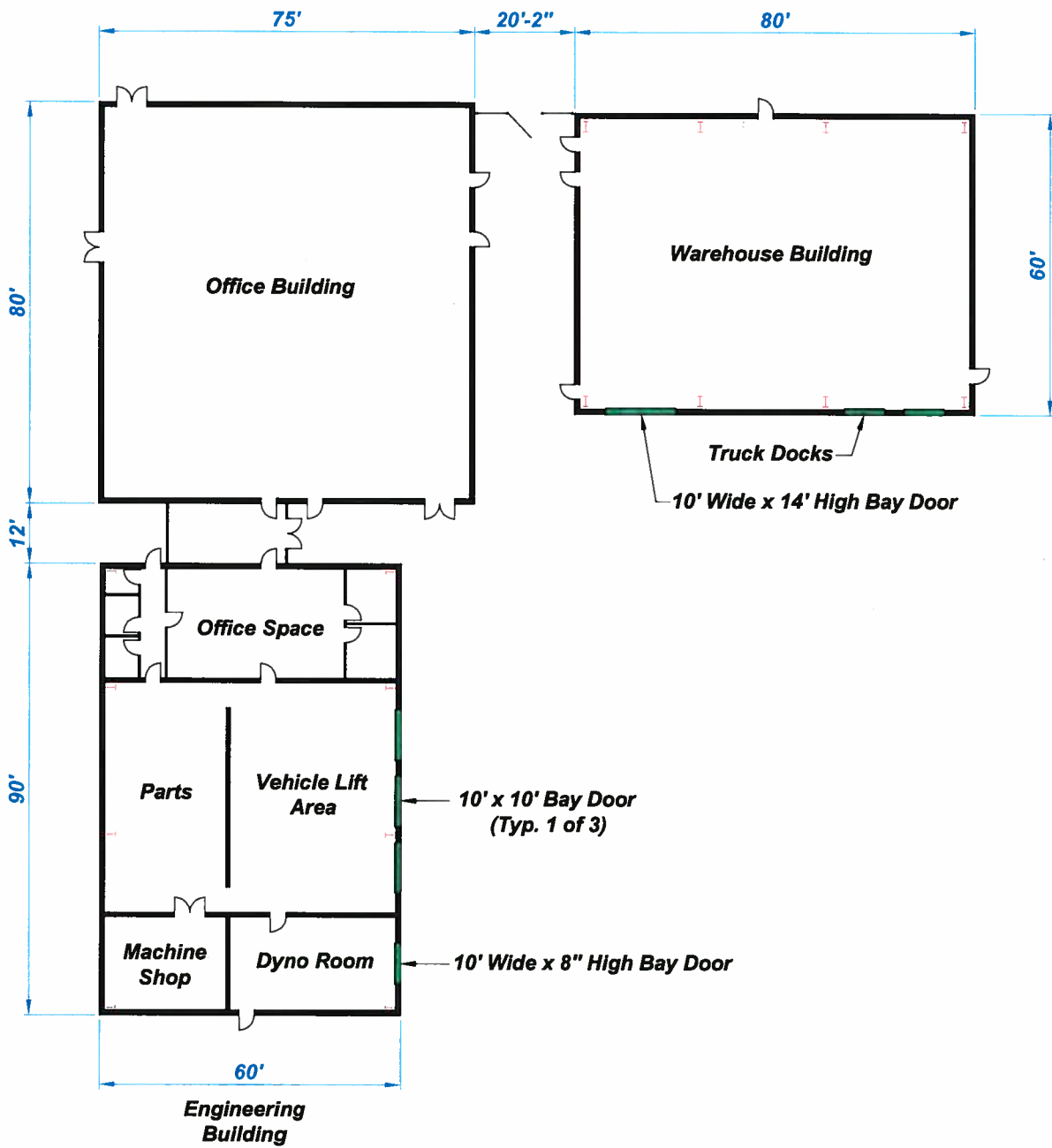
Lease Terms - NNN

Available Purchase or Lease Date - Immediately

FOR FURTHER INFORMATION CONTACT

John Lesinski
Colliers International
8045 Leesburg Pike, Suite 401
Vienna, VA 22182
Phone: (540) 754-1618
Mobile: (540) 671-5721
Email: john.lesinski@colliers.com
Website: www.colliers.com

Disclaimer: The information contained herein is from multiple sources and is provided as a convenient guide. It is deemed reliable, but is not guaranteed, and is subject to change without notice. It is your responsibility to independently confirm its accuracy and completeness.



FLOOR PLAN (NOT TO SCALE)



OFFICE BUILDING



OFFICE BUILDING SHOW ROOM



WAREHOUSE BUILDING INTERIOR



ENGINEERING BUILDING

**NOTICE OF SPECIAL SESSION OF THE COUNTY COMMISSION OF
JEFFERSON COUNTY TO LAY THE LEVY**

The County Commission of Jefferson County, will hold a Special Session on Tuesday, April 17, 2018, at 9:30 a.m. in the County Commission Meeting Room located at the Old Charles Town Library Meeting Room, 200 E. Washington Street, Charles Town, West Virginia 25414.

The purpose of the Special Session is to officially Lay the Levy.

A copy of the Jefferson County Commission Levy Estimate (Budget) Fiscal Year 2019 may be obtained at the offices of the County Commission of Jefferson County, 124 E. Washington Street, Charles Town, WV, or on the County website at: www.jeffersoncountywv.org

The public is invited to attend.

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

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, March 29, 2018, or as soon thereafter as the Commission may decide:

Historic Landmarks Committee - two (2) three year terms ending March 6, 2021.

The Historic Landmarks Committee is specifically seeking individuals with education and experience or demonstrated special interest in historic preservation or local history drawn from one of the following professions: history, architecture, archeology, landscape architect, real estate, or law.

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414 no later than 12:00 p.m. the Monday prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, March 29, 2018 or as soon thereafter as the Commission may decide:

Planning Commission - two (3) three-year terms ending March 31, 2021

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, by 12:00 pm on the Monday prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

March 14 and March 21

THANKS - JEFFERSON COUNTY COMMISSION

The County Commission of Jefferson County
Department of Maintenance
128 Industrial Blvd.
Kearneysville, WV 25430
304-728-3355 • 304-728-3376 (f)
William Polk, Director
bpolk@jeffersoncountywv.org

Jefferson County Maintenance Department
Monthly Report
February 2018

Completed Work Orders:

There were 19 business days in February 2018. The Maintenance Department completed the following work orders for February 2018. Work orders are completed on every task performed by maintenance employees.

Work orders completed for calls for service:.....123
Work orders completed for preventive tasks:.....268
Work orders completed for preventive auto maintenance:33
Work orders completed for auto mechanic equipment:8
Work Orders completed for walk-ins for auto mechanic:12
Total work orders completed for February 2018:444

Open Work Orders:

The Maintenance Department still has open work orders for February:

Preventive Tasks Work Orders:60
Call-in Work Orders:14
Total open work orders for February 2018:74

On-Call Personnel Call Outs and Overtime:

On-call maintenance staff was called out during off-hours a total of 2 times in February resulting in 10 hours of overtime. Maintenance staff worked a total of 29.5 hours of overtime in February.

Phone Calls:

Office staff received 543 incoming phone calls for the month of February.

Work by Outside Vendors for Service/Scheduled Maintenance/Inspections:

- KONE Elevators: Performed monthly elevator inspections on February 2, 2018
- KONE Elevators: Service Call at Judicial Center Elevator #2. Door closing Issues
- Fire Safety Equipment performed Fire Extinguisher/Suppression Inspection on February 7, 2018.

Various Tasks or Special Projects:

- Maintenance staff delivered 26 cases of paper and numerous office supplies to various county departments.
- The Maintenance Director met with the ESA concerning move to the substation beside Blue Ridge Elementary.
- The project at the Visitor's Center is still ongoing. The Maintenance Director met with Annette Gavin on February 9th to discuss the project.
- The Maintenance Director met with the contractors for the Courthouse Windows project.
- The Auto Mechanic attending training on February 8th.
- A new custodial employee started work on February 15th.
- Metal scraps were taken to Potomac Metals and the County received \$959.
- The Maintenance Director attended a night meeting of the Jefferson County Historic Landmarks Committee.
- The Maintenance Staff assisted with Printostat Service to move old plotter to Addressing Office so new plotter can be installed.
- February 28, 2018, Meeting was held at Judicial Center between Maintenance Director, Co Administrator and Magistrate Boober on discussions for 2nd floor renovations.

Impact Fee Status Report

February 2018

Office of Impact Fees

Summary

Date Range: Thursday 1 through Wednesday 28 February 2018

Report Date: 1 March 2018

Process Number Range: 1800026-1800062

Total Applications: 38

Total Non-Exempt: 37

Of which:

Commercial: 0

Residential: 37

Of which:

County: 13

Municipal: 24

Total Exempt: 1

Of which:

Commercial: 0

Residential: 1

Of which:

County: 1

Municipal: 0

Tables 1 through 7 summarize impact fee processing for February 2018. Table 8 represents account totals, pending the transfer of fees collected as shown in Table 1, including General Impact Fee Account (3111776) interest which is listed in Table 2.

Table 1. Form 100 Tallies

| | Exempt | Commercial | Residential | Total |
|------------------------|--------|------------|--------------|---------------------|
| 1 – 28 February 2018 | 0 | 0 | 37 | 37 |
| Fees collected | | \$0.00 | \$127,823.00 | \$127,823.00 |
| <i>Of which</i> | | | | |
| School Impact Fee | | | \$115,794.00 | \$115,794.00 |
| Law Enforcement Fee | | \$0.00 | \$1,948.00 | \$1,948.00 |
| Parks & Recreation Fee | | | \$9,092.00 | \$9,092.00 |
| EMS Fee | | \$0.00 | \$989.00 | \$989.00 |

Table 2. Financial Data – Office of Impact Fees General Account (3111776)

| Description | Amount |
|--|---------------------|
| Opening Statement Balance (1 February 2018) | \$101,452.57 |
| February Deposits (1 – 28 February 2018) | \$127,823.00 |
| School January Transactions (withdraws via transfer on 12 Feb. 2018) | (\$91,224.81) |
| Law Jan. Transactions (withdraws via transfer on 12 February 2018) | (\$2,434.55) |
| Parks & Rec Jan. Transactions (withdraws via transfer on 12 Feb. 2018) | (\$7,009.93) |
| EMS Jan. Transactions (withdraws via transfer on 12 February 2018) | (\$783.28) |
| Interest Earned (28 February 2018) | \$39.11 |
| Ending Statement Balance (28 February 2018) | \$127,862.11 |
| <i>Outstanding Credits (deposits through 1 March 2018)</i> | <i>\$0.00</i> |

Table 3. Financial Data – School Impact Fee Account (3107582)

| Description | Amount |
|---|-----------------------|
| Opening Balance (1 February 2018) | \$1,384,180.76 |
| December Transactions (deposits via transfer on 12 February 2018) | \$91,224.81 |
| Interest Earned (28 February 2018) | \$552.16 |
| Ending Balance (28 February 2018) | \$1,475,957.73 |

Table 4. Financial Data – Law Enforcement Impact Fee Account (3120120)

| Description | Amount |
|---|---------------------|
| Opening Balance (1 February 2018) | \$111,007.40 |
| December Transactions (deposits via transfer on 12 February 2018) | \$2,434.55 |
| Interest Earned (28 February 2018) | \$43.15 |
| Ending Balance (28 February 2018) | \$113,485.10 |

Table 5. Financial Data – Parks & Recreation Impact Fee Account (3122808)

| Description | Amount |
|---|---------------------|
| Opening Balance (1 February 2018) | \$176,894.30 |
| December Transactions (deposits via transfer on 12 February 2018) | \$7,009.93 |
| Interest Earned (28 February 2018) | \$69.48 |
| Ending Balance (28 February 2018) | \$183,973.71 |

Table 6. Financial Data –EMS Impact Fee Account (3122816)

| Description | Amount |
|---|-------------------|
| Opening Balance (1 February 2018) | \$6,102.16 |
| December Transactions (deposits via transfer on 12 February 2018) | \$783.28 |
| Interest Earned (28 February 2018) | \$2.53 |
| Ending Balance (28 February 2018) | \$6,887.97 |

Table 7. Total Impact Fees as of 1 March 2018/1

| Description | Amount |
|---------------------------------------|-----------------------|
| Office of Impact Fees General Account | \$127,862.11 |
| School Impact Fee Account | \$1,475,957.73 |
| Law Enforcement Fee Account | \$113,485.10 |
| Parks & Recreation Impact Fee Account | \$183,973.71 |
| EMS Impact Fee Account | \$6,887.97 |
| Total Impact Fees | \$1,908,166.62 |

/1 These values represent both impact fees collected and interest earned. The general account includes the outstanding credits listed in table 2 and outstanding debits, if any, listed in tables 3-6.

Table 8. Pending March 2018 Fee Transfers /1

| Account | 28 February 2018 Account Totals | Pending Impact Fee Transfers | Account Totals |
|---------------------------------------|---------------------------------------|---------------------------------|-----------------------|
| School Impact Fee Account | \$1,475,957.73 | \$115,829.20 | \$1,591,786.93 |
| Law Enforcement Fee Account | \$113,485.10 | \$1,948.78 | \$115,433.88 |
| Parks & Recreation Impact Fee Account | \$183,973.71 | \$9,094.74 | \$193,068.45 |
| EMS Impact Fee Account | \$6,887.97 | \$989.39 | \$7,877.36 |
| Total Impact Fees | \$1,780,304.51 | \$127,862.11 | \$1,908,166.62 |

/1 This table represents each of the impact fee category account totals as of 28 February 2018 listed in tables 3 – 6. Pending fee transfer amounts, excluding interest and any outstanding credits, collected in February 2018 are listed in table 1 of the General Account (3111776); these transactions will be processed in March 2018. Any outstanding credits, as listed in table 2, will be added to the next month's Impact Fee transfer amounts.

610

Form 100 Transaction Summary

Jefferson County Government – Office of Impact Fees

Impact Fee Applications Processed between dates Thursday 1 through Wednesday 28 February 2018

| Process Number | Date | Last Name | First Name | Tax District | Deed Book | Deed Page | Tax Map | Parcel | Impact Fees Collected | Date | Exemption Reason |
|--------------------------------|------------|--------------|-----------------|-----------------------|-----------|-----------|---------|---------------|-----------------------|------------|------------------|
| Exempt Applications | | | | | | | | | | | |
| 1800063 | 02/28/2018 | | Mockingbirdhil. | 02 Charles Town | 481 | 624 | 4A | 32 | \$0.00 | 02/28/2018 | Form 200 |
| Category Count: 1 | | | | Category Total | | | | \$0.00 | | | |
| Non-Exempt Applications | | | | | | | | | | | |
| 1800026 | 02/06/2018 | McCauley/Via | Courtney/Willia | 07 Middleway | 1200 | 620 | 17 | 3.2 | \$6,347.00 | 02/06/2018 | N/A |
| 1800027 | 02/06/2018 | | Tristate | 09 Shepherdstown | 1200 | 365 | 13 | 34.14 | \$6,347.00 | 02/06/2018 | N/A |
| 1800028 | 02/06/2018 | | Tristate | 09 Shepherdstown | 1195 | 704 | 13 | 34.14 | \$6,347.00 | 02/06/2018 | N/A |
| 1800029 | 02/08/2018 | | JC 2017 | 09 Shepherdstown | 1189 | 374 | 15 | 7 | \$6,347.00 | 02/08/2018 | N/A |
| 1800030 | 02/08/2018 | | JC 2017 | 09 Shepherdstown | 1189 | 378 | 15 | 5 | \$6,347.00 | 02/08/2018 | N/A |
| 1800031 | 02/09/2018 | | JC 2017 | 09 Shepherdstown | 1199 | 496 | 7D | 7 | \$6,347.00 | 02/09/2018 | N/A |
| 1800032 | 02/09/2018 | | JC 2017 | 09 Shepherdstown | 1197 | 237 | 4 | 6.19 | \$6,347.00 | 02/09/2018 | N/A |
| 1800033 | 02/13/2018 | Ronald | Marcus | 07 Middleway | 948 | 189 | 4A | 260 | \$635.00 | 02/13/2018 | Form 260 |
| 1800034 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800035 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800036 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800037 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800038 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800039 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800040 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800041 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800042 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800043 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800044 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800045 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800046 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800047 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800048 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |

| Process Number | Date | Last Name | First Name | Tax District | Deed Book | Deed Page | Tax Map | Parcel | Impact Fees Collected | Date | Exemption Reason |
|--------------------------------|------------|-----------|------------------|------------------|-----------|-----------|---------|-----------------------|-----------------------|------------|------------------|
| Non-Exempt Applications | | | | | | | | | | | |
| 1800049 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800050 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800051 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800052 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800053 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800054 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800055 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800056 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800057 | 02/14/2018 | | WVA 340 | 08 Ranson Corp | 792 | 98 | 8 | 24.13 | \$2,126.00 | 02/14/2018 | Form 260 |
| 1800058 | 02/20/2018 | | Dan Ryan | 02 Charles Town | 952 | 565 | 4G | 12 | \$6,347.00 | 02/20/2018 | N/A |
| 1800059 | 02/20/2018 | | DR Acquisitions. | 04 Harpers Ferry | 1129 | 541 | 9D | 9 | \$6,347.00 | 02/20/2018 | N/A |
| 1800060 | 02/23/2018 | | JC 2017 | 02 Charles Town | 1195 | 109 | 16 | 17.4 | \$6,347.00 | 02/23/2018 | N/A |
| 1800061 | 02/23/2018 | Hayslette | Justin | 07 Middleway | 1061 | 108 | 6 | 1.14 | \$6,347.00 | 02/23/2018 | N/A |
| 1800062 | 02/28/2018 | Henry | James | 04 Harpers Ferry | 1201 | 441 | 13B | 113 | \$6,347.00 | 02/28/2018 | N/A |
| Category Count: 37 | | | | | | | | Category Total | \$127,823.00 | | |
| TOTAL APPLICATIONS: 38 | | | | | | | | Grand Total | \$127,823.00 | | |

WEST VIRGINIA LOTTERY
Charles Town
County / Municipality Split
Fiscal Year 2018

Charles Town
1999 Net Terminal Revenue \$ 45,603,174
Benchmark Goal @ 2% \$ 912,063.48

| Date | 2% of Adj. Net Revenue | Jefferson County | Five Municipalities | Bolivar 7.93% | Charles Town 39.90% | Harpers Ferry 2.17% | Ranson 33.68% | Shepherdstown 16.32% |
|---------------------------|------------------------|------------------------|------------------------|---------------------|----------------------|---------------------|----------------------|----------------------|
| 1 day ending: 7/1/2017 | \$ 23,688.48 | \$ 23,688.48 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Week ending: 7/8/2017 | 125,588.96 | 125,588.96 | - | - | - | - | - | - |
| 7/15/2017 | 99,148.44 | 99,148.44 | - | - | - | - | - | - |
| 7/22/2017 | 98,965.20 | 98,965.20 | - | - | - | - | - | - |
| 7/29/2017 | 108,161.52 | 108,161.52 | - | - | - | - | - | - |
| 8/5/2017 | 104,979.36 | 104,979.36 | - | - | - | - | - | - |
| 8/12/2017 | 100,184.16 | 100,184.16 | - | - | - | - | - | - |
| 8/19/2017 | 101,813.88 | 101,813.88 | - | - | - | - | - | - |
| 8/26/2017 | 97,669.16 | 97,669.16 | - | - | - | 646.42 | 10,032.89 | 4,861.55 |
| 9/2/2017 | 111,442.08 | 81,653.20 | 29,788.88 | 2,362.26 | 11,885.76 | 1,200.77 | 18,636.82 | 9,030.67 |
| 9/9/2017 | 110,669.96 | 55,334.98 | 55,334.98 | 4,388.06 | 22,078.66 | 960.62 | 14,909.46 | 7,224.54 |
| 9/16/2017 | 88,536.00 | 44,268.00 | 44,268.00 | 3,510.45 | 17,662.93 | 999.72 | 15,516.42 | 7,518.64 |
| 9/23/2017 | 92,140.24 | 46,070.12 | 46,070.12 | 3,653.36 | 18,381.98 | 1,172.00 | 16,401.82 | 8,814.32 |
| 9/30/2017 | 108,018.60 | 54,009.30 | 54,009.30 | 4,282.94 | 21,549.71 | 1,056.77 | 18,190.33 | 7,947.68 |
| 10/7/2017 | 97,398.00 | 48,699.00 | 48,699.00 | 3,861.83 | 19,430.90 | 1,093.62 | 16,973.83 | 8,224.85 |
| 10/14/2017 | 100,794.72 | 50,397.36 | 50,397.36 | 3,996.51 | 20,108.55 | 966.64 | 16,973.83 | 7,269.85 |
| 10/21/2017 | 89,091.32 | 44,545.66 | 44,545.66 | 3,532.47 | 17,773.72 | 1,086.93 | 15,002.98 | 8,174.54 |
| 10/28/2017 | 100,178.24 | 50,089.12 | 50,089.12 | 3,972.07 | 19,985.56 | 1,129.30 | 16,870.02 | 8,493.14 |
| 11/4/2017 | 104,082.64 | 52,041.32 | 52,041.32 | 4,126.88 | 20,764.49 | 1,054.43 | 17,527.51 | 7,930.10 |
| 11/11/2017 | 97,182.64 | 48,591.32 | 48,591.32 | 3,853.29 | 19,387.94 | 903.22 | 16,365.56 | 6,792.90 |
| 11/18/2017 | 83,246.28 | 41,623.14 | 41,623.14 | 3,300.72 | 16,607.63 | 1,183.41 | 14,018.67 | 8,900.12 |
| 11/25/2017 | 109,070.12 | 54,535.06 | 54,535.06 | 4,324.63 | 21,759.49 | 984.31 | 18,367.41 | 7,402.71 |
| 12/2/2017 | 90,719.44 | 45,359.72 | 45,359.72 | 3,597.02 | 18,098.53 | 837.15 | 15,277.15 | 6,295.96 |
| 12/9/2017 | 77,156.36 | 38,578.18 | 38,578.18 | 3,059.25 | 15,392.69 | 826.89 | 12,993.13 | 6,218.79 |
| 12/16/2017 | 76,210.64 | 38,105.32 | 38,105.32 | 3,021.75 | 15,204.02 | 904.21 | 12,833.87 | 6,800.32 |
| 12/23/2017 | 83,337.28 | 41,668.64 | 41,668.64 | 3,304.32 | 16,625.79 | 1,335.64 | 14,034.00 | 10,044.96 |
| 12/30/2017 | 123,099.96 | 61,549.98 | 61,549.98 | 4,880.91 | 24,558.44 | 1,080.55 | 20,730.03 | 8,126.54 |
| 1/6/2018 | 99,590.00 | 49,795.00 | 49,795.00 | 3,948.74 | 19,868.21 | 810.53 | 16,770.96 | 6,095.80 |
| 1/13/2018 | 74,703.40 | 37,351.70 | 37,351.70 | 2,961.99 | 14,903.33 | 863.97 | 12,580.05 | 6,497.73 |
| 1/20/2018 | 79,629.00 | 39,814.50 | 39,814.50 | 3,157.29 | 15,885.99 | 903.10 | 13,409.52 | 6,791.94 |
| 1/27/2018 | 83,234.60 | 41,617.30 | 41,617.30 | 3,300.25 | 16,605.30 | 896.12 | 14,016.71 | 6,739.49 |
| 2/3/2018 | 82,591.80 | 41,295.90 | 41,295.90 | 3,274.77 | 16,477.06 | 838.60 | 13,908.46 | 6,306.90 |
| 2/10/2018 | 77,290.48 | 38,645.24 | 38,645.24 | 3,064.57 | 15,419.45 | 886.01 | 13,015.72 | 6,663.43 |
| 2/17/2018 | 81,659.64 | 40,829.82 | 40,829.82 | 3,237.80 | 16,291.10 | 1,187.63 | 13,751.48 | 8,931.89 |
| 2/24/2018 | 109,459.44 | 54,729.72 | 54,729.72 | 4,340.07 | 21,837.16 | | 18,432.97 | |
| Sub Total | \$ 3,290,732.04 | \$ 2,101,397.76 | \$ 1,189,334.28 | \$ 94,314.20 | \$ 474,544.39 | \$ 25,808.56 | \$ 400,567.77 | \$ 194,099.36 |

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 | 2/24/2018 | 54,729.72 |
| 3/8/2014 | 50,439.94 | 3/7/2015 | 43,750.42 | 3/5/2016 | 53,474.66 | 3/4/2017 | 47,881.24 | | |
| 3/15/2014 | 54,414.66 | 3/14/2015 | 55,096.66 | 3/12/2016 | 51,447.02 | 3/11/2017 | 46,274.58 | | |
| 3/22/2014 | 50,734.62 | 3/21/2015 | 53,081.08 | 3/19/2016 | 50,356.80 | 3/18/2017 | 43,959.78 | | |
| 3/29/2014 | 51,174.60 | 3/28/2015 | 50,548.88 | 3/26/2016 | 52,217.46 | 3/25/2017 | 49,130.62 | | |
| 4/5/2014 | 55,229.90 | 4/4/2015 | 51,713.78 | 4/2/2016 | 54,185.88 | 4/1/2017 | 48,124.72 | | |
| 4/12/2014 | 48,653.18 | 4/11/2015 | 51,024.54 | 4/9/2016 | 49,690.04 | 4/8/2017 | 46,262.60 | | |
| 4/19/2014 | 54,469.22 | 4/18/2015 | 49,338.10 | 4/16/2016 | 49,071.82 | 4/15/2017 | 46,768.98 | | |
| 4/26/2014 | 51,637.18 | 4/25/2015 | 49,656.62 | 4/23/2016 | 49,485.78 | 4/22/2017 | 45,614.00 | | |

| | | | | | | | |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 5/3/2014 | 54,757.72 | 5/2/2015 | 54,079.66 | 4/30/2016 | 50,872.46 | 4/29/2017 | 48,204.34 |
| 5/10/2014 | 51,011.76 | 5/9/2015 | 50,062.82 | 5/7/2016 | 52,135.22 | 5/8/2017 | 46,890.30 |
| 5/17/2014 | 51,148.34 | 5/16/2015 | 48,308.08 | 5/14/2016 | 51,441.84 | 5/13/2017 | 47,648.16 |
| 5/24/2014 | 53,082.60 | 5/23/2015 | 47,705.92 | 5/21/2016 | 48,392.48 | 5/20/2017 | 43,998.24 |
| 5/31/2014 | 62,642.98 | 5/30/2015 | 58,258.10 | 5/28/2016 | 49,380.84 | 5/27/2017 | 49,930.94 |
| 6/7/2014 | 49,517.18 | 6/6/2015 | 53,927.82 | 6/4/2016 | 58,228.50 | 6/3/2017 | 52,503.12 |
| 6/14/2014 | 50,266.50 | 6/13/2015 | 50,110.84 | 6/11/2016 | 45,053.42 | 6/10/2017 | 42,563.08 |
| 6/21/2014 | 48,768.14 | 6/20/2015 | 47,109.22 | 6/18/2016 | 46,179.18 | 6/17/2017 | 47,653.68 |
| 6/28/2014 | 49,250.32 | 6/27/2015 | 55,325.14 | 6/25/2016 | 47,230.00 | 6/24/2017 | 46,628.62 |
| 6/30/2014 | 12,010.70 | 6/30/2015 | 16,018.68 | 6/30/2016 | 27,584.00 | 6/30/2017 | 37,001.52 |

3,261,565.02

3,148,372.80

3,167,478.80

3,047,532.94

2,101,397.76

Table Game Revenue

| Date | Amount | Date | Amount | Date | Amount | Date | Amount |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|-------------------|
| July/August, 2010 | 154,185.68 | July, 2011 | 141,718.01 | July, 2012 | 138,663.64 | July, 2013 | 99,274.36 |
| September, 2010 | 94,247.84 | August, 2011 | 137,473.92 | August, 2012 | 133,245.83 | August, 2013 | 111,427.75 |
| October, 2010 | 105,903.60 | September, 2011 | 110,375.25 | September, 2012 | 127,532.40 | September, 2013 | 80,857.74 |
| November, 2010 | 108,717.67 | October, 2011 | 124,273.94 | October, 2012 | 126,482.02 | October, 2013 | 81,066.09 |
| December, 2010 | 118,721.11 | November, 2011 | 121,118.87 | November, 2012 | 134,443.93 | November, 2013 | 79,853.94 |
| January, 2011 | 106,189.21 | December, 2011 | 140,509.93 | December, 2012 | 146,677.92 | December, 2013 | 79,617.31 |
| February, 2011 | 105,776.45 | January, 2012 | 137,812.68 | January, 2013 | 132,650.35 | January, 2014 | 75,093.81 |
| March, 2011 | 120,927.10 | February, 2012 | 142,770.01 | February, 2013 | 121,636.62 | February, 2014 | 75,170.90 |
| April, 2011 | 130,654.61 | March, 2012 | 151,845.46 | March, 2013 | 149,033.62 | March, 2014 | 78,201.51 |
| May, 2011 | 130,492.02 | April, 2012 | 127,862.26 | April, 2013 | 105,545.23 | April, 2014 | 72,380.72 |
| June, 2011 | 121,576.41 | May, 2012 | 137,905.13 | May, 2013 | 109,747.38 | May, 2014 | 93,191.89 |
| | | June, 2012 | 129,235.38 | June, 2013 | 104,803.37 | June, 2014 | 72,350.70 |
| Total 2010-2011 | 1,297,391.70 | Total 2011-2012 | 1,602,900.84 | Total 2012-2013 | 1,530,462.31 | Total 2013-2014 | 998,486.72 |

| Date | Amount | Date | Amount | Date | Amount | Date | Amount |
|------------------------|-------------------|------------------------|-------------------|------------------------|-------------------|------------------------|-------------------|
| July, 2014 | 78,639.07 | July, 2015 | 75,674.79 | July, 2016 | 77,234.20 | July, 2017 | 59,809.62 |
| August, 2014 | 84,726.51 | August, 2015 | 70,064.73 | August, 2016 | 63,158.62 | August, 2017 | 54,309.02 |
| September, 2014 | 71,967.51 | September, 2015 | 64,845.44 | September, 2016 | 67,701.42 | September, 2017 | 49,630.18 |
| October, 2014 | 66,257.02 | October, 2015 | 68,440.97 | October, 2016 | 63,392.97 | 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 | | |
| Total 2014-2015 | 899,128.89 | Total 2015-2016 | 832,756.78 | Total 2016-2017 | 726,611.13 | Total 2017-2018 | 370,897.04 |

Table Game Revenue Distribution - Jefferson County School Board

| <u>Date</u> | <u>Amount</u> | <u>Date</u> | <u>Amount</u> | <u>Date</u> | <u>Amount</u> | <u>Date</u> | <u>Amount</u> |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|
| July, 2011 | 425,154.03 | July, 2012 | 415,990.92 | July, 2013 | 297,823.08 | July, 2014 | 235,917.21 |
| August, 2011 | 412,421.76 | August, 2012 | 399,737.49 | August, 2013 | 334,283.25 | August, 2014 | 254,179.53 |
| September, 2011 | 331,125.75 | September, 2012 | 382,597.20 | September, 2013 | 242,573.22 | September, 2014 | 215,902.53 |
| October, 2011 | 372,821.82 | October, 2012 | 379,446.06 | October, 2013 | 243,198.27 | October, 2014 | 198,771.06 |
| November, 2011 | 363,356.61 | November, 2012 | 403,331.79 | November, 2013 | 239,561.82 | November, 2014 | 213,139.98 |
| December, 2011 | 421,529.79 | December, 2012 | 440,033.75 | December, 2013 | 238,851.93 | December, 2014 | 230,391.72 |
| January, 2012 | 413,438.04 | January, 2013 | 397,951.05 | January, 2014 | 225,281.43 | January, 2015 | 220,039.98 |
| February, 2012 | 428,310.03 | February, 2013 | 381,857.07 | February, 2014 | 225,512.70 | February, 2015 | 198,788.34 |
| March, 2012 | 455,536.38 | March, 2013 | 447,100.86 | March, 2014 | 234,604.53 | March, 2015 | 221,243.10 |
| April, 2012 | 383,586.78 | April, 2013 | 316,635.69 | April, 2014 | 217,142.18 | April, 2015 | 229,031.04 |
| May, 2012 | 413,715.39 | May, 2013 | 329,242.14 | May, 2014 | 279,575.67 | May, 2015 | 235,272.69 |
| June, 2012 | 387,706.12 | June, 2013 | 314,410.11 | June, 2014 | 217,052.10 | June, 2015 | 244,709.49 |
| Total 2011-2012 | 4,808,702.50 | Total 2012-2013 | 4,608,334.13 | Total 2013-2014 | 2,995,460.18 | Total 2014-2015 | 2,697,386.67 |

| <u>Date</u> | <u>Amount</u> | <u>Date</u> | <u>Amount</u> | <u>Date</u> | <u>Amount</u> |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|
| July, 2015 | 227,024.37 | July, 2016 | 231,702.60 | July, 2017 | 179,428.86 |
| August, 2015 | 210,194.19 | August, 2016 | 189,475.86 | August, 2017 | 162,927.06 |
| September, 2015 | 194,536.32 | September, 2016 | 203,104.26 | September, 2017 | 148,890.54 |
| October, 2015 | 205,322.91 | October, 2016 | 190,178.91 | 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 | | |
| Total 2015-2016 | 2,498,270.34 | Total 2016-2017 | 2,179,833.39 | Total 2017-2018 | 1,112,691.12 |

WEST VIRGINIA LOTTERY
Charles Town
County / Municipality Split
Fiscal Year 2018

Charles Town
1999 Net Terminal Revenue \$ 45,603,174
Benchmark Goal @ 2% \$ 912,063.48

| Date | 2% of Adj. Net Revenue | Jefferson County | Five Municipalities | Bolivar 7.93% | Charles Town 39.90% | Harpers Ferry 2.17% | Ranson 33.68% | Shepherdstown 16.32% |
|---------------------------|------------------------|------------------------|------------------------|---------------------|----------------------|---------------------|----------------------|----------------------|
| 1 day ending: 7/1/2017 | \$ 23,688.48 | \$ 23,688.48 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Week ending: 7/8/2017 | 125,588.96 | 125,588.96 | - | - | - | - | - | - |
| 7/15/2017 | 99,148.44 | 99,148.44 | - | - | - | - | - | - |
| 7/22/2017 | 98,965.20 | 98,965.20 | - | - | - | - | - | - |
| 7/29/2017 | 108,161.52 | 108,161.52 | - | - | - | - | - | - |
| 8/5/2017 | 104,979.36 | 104,979.36 | - | - | - | - | - | - |
| 8/12/2017 | 100,184.16 | 100,184.16 | - | - | - | - | - | - |
| 8/19/2017 | 101,813.88 | 101,813.88 | - | - | - | - | - | - |
| 8/26/2017 | 97,669.16 | 97,669.16 | - | - | - | - | - | - |
| 9/2/2017 | 111,442.08 | 81,653.20 | 29,788.88 | 2,362.26 | 11,885.76 | 646.42 | 10,032.89 | 4,861.55 |
| 9/9/2017 | 110,669.96 | 55,334.98 | 55,334.98 | 4,388.06 | 22,078.66 | 1,200.77 | 18,636.82 | 9,030.67 |
| 9/16/2017 | 88,536.00 | 44,268.00 | 44,268.00 | 3,510.45 | 17,662.93 | 960.62 | 14,909.46 | 7,224.54 |
| 9/23/2017 | 92,140.24 | 46,070.12 | 46,070.12 | 3,653.36 | 18,381.98 | 999.72 | 15,516.42 | 7,518.64 |
| 9/30/2017 | 108,018.60 | 54,009.30 | 54,009.30 | 4,282.94 | 21,549.71 | 1,172.00 | 18,190.33 | 8,814.32 |
| 10/7/2017 | 97,398.00 | 48,699.00 | 48,699.00 | 3,861.83 | 19,430.90 | 1,056.77 | 16,401.82 | 7,947.68 |
| 10/14/2017 | 100,794.72 | 50,397.36 | 50,397.36 | 3,996.51 | 20,108.55 | 1,093.62 | 16,973.83 | 8,224.85 |
| 10/21/2017 | 89,091.32 | 44,545.66 | 44,545.66 | 3,532.47 | 17,773.72 | 966.64 | 15,002.98 | 7,269.85 |
| 10/28/2017 | 100,178.24 | 50,089.12 | 50,089.12 | 3,972.07 | 19,985.56 | 1,086.93 | 16,870.02 | 8,174.54 |
| 11/4/2017 | 104,082.64 | 52,041.32 | 52,041.32 | 4,126.88 | 20,764.49 | 1,129.30 | 17,527.51 | 8,493.14 |
| 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 |
| 2/24/2018 | 109,459.44 | 54,729.72 | 54,729.72 | 4,340.07 | 21,837.16 | 1,187.63 | 18,432.97 | 8,931.89 |
| 3/3/2018 | 97,361.16 | 48,680.58 | 48,680.58 | 3,860.37 | 19,423.55 | 1,056.37 | 16,395.62 | 7,944.67 |
| Sub Total | \$ 3,388,093.20 | \$ 2,150,078.34 | \$ 1,238,014.86 | \$ 98,174.57 | \$ 493,967.94 | \$ 26,864.93 | \$ 416,963.39 | \$ 202,044.03 |

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 | 2/24/2018 | 54,729.72 |
| 3/8/2014 | 50,439.94 | 3/7/2015 | 43,750.42 | 3/5/2016 | 53,474.66 | 3/4/2017 | 47,881.24 | 3/3/2018 | 48,680.58 |
| 3/15/2014 | 54,414.66 | 3/14/2015 | 55,096.66 | 3/12/2016 | 51,447.02 | 3/11/2017 | 46,274.58 | | |
| 3/22/2014 | 50,734.62 | 3/21/2015 | 53,081.08 | 3/19/2016 | 50,356.80 | 3/18/2017 | 43,959.78 | | |
| 3/29/2014 | 51,174.60 | 3/28/2015 | 50,548.88 | 3/26/2016 | 52,217.46 | 3/25/2017 | 49,130.62 | | |
| 4/5/2014 | 55,229.90 | 4/4/2015 | 51,713.78 | 4/2/2016 | 54,185.88 | 4/1/2017 | 48,124.72 | | |
| 4/12/2014 | 48,653.18 | 4/11/2015 | 51,024.54 | 4/9/2016 | 49,690.04 | 4/8/2017 | 46,262.60 | | |
| 4/19/2014 | 54,469.22 | 4/18/2015 | 49,338.10 | 4/16/2016 | 49,071.82 | 4/15/2017 | 46,768.98 | | |
| 4/26/2014 | 51,637.18 | 4/25/2015 | 49,656.62 | 4/23/2016 | 49,485.78 | 4/22/2017 | 45,614.00 | | |

| | | | | | | | |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 5/3/2014 | 54,757.72 | 5/2/2015 | 54,079.66 | 4/30/2016 | 50,872.46 | 4/29/2017 | 48,204.34 |
| 5/10/2014 | 51,011.76 | 5/9/2015 | 50,062.82 | 5/7/2016 | 52,135.22 | 5/8/2017 | 46,890.30 |
| 5/17/2014 | 51,148.34 | 5/16/2015 | 48,308.08 | 5/14/2016 | 51,441.84 | 5/13/2017 | 47,648.16 |
| 5/24/2014 | 53,082.60 | 5/23/2015 | 47,705.92 | 5/21/2016 | 48,392.48 | 5/20/2017 | 43,998.24 |
| 5/31/2014 | 62,642.98 | 5/30/2015 | 58,258.10 | 5/28/2016 | 49,380.84 | 5/27/2017 | 49,930.94 |
| 6/7/2014 | 49,517.18 | 6/6/2015 | 53,927.82 | 6/4/2016 | 58,228.50 | 6/3/2017 | 52,503.12 |
| 6/14/2014 | 50,266.50 | 6/13/2015 | 50,110.84 | 6/11/2016 | 45,053.42 | 6/10/2017 | 42,563.08 |
| 6/21/2014 | 48,768.14 | 6/20/2015 | 47,109.22 | 6/18/2016 | 46,179.18 | 6/17/2017 | 47,653.68 |
| 6/28/2014 | 49,250.32 | 6/27/2015 | 55,325.14 | 6/25/2016 | 47,230.00 | 6/24/2017 | 46,628.62 |
| 6/30/2014 | 12,010.70 | 6/30/2015 | 16,018.68 | 6/30/2016 | 27,584.00 | 6/30/2017 | 37,001.52 |

3,261,565.02

3,148,372.80

3,167,478.80

3,047,532.94

2,150,078.34

Table Game Revenue

| Date | Amount | Date | Amount | Date | Amount | Date | Amount |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|-------------------|
| July/August, 2010 | 154,185.68 | July, 2011 | 141,718.01 | July, 2012 | 138,663.64 | July, 2013 | 99,274.36 |
| September, 2010 | 94,247.84 | August, 2011 | 137,473.92 | August, 2012 | 133,245.83 | August, 2013 | 111,427.75 |
| October, 2010 | 105,903.60 | September, 2011 | 110,375.25 | September, 2012 | 127,532.40 | September, 2013 | 80,857.74 |
| November, 2010 | 108,717.67 | October, 2011 | 124,273.94 | October, 2012 | 126,482.02 | October, 2013 | 81,066.09 |
| December, 2010 | 118,721.11 | November, 2011 | 121,118.87 | November, 2012 | 134,443.93 | November, 2013 | 79,853.94 |
| January, 2011 | 106,189.21 | December, 2011 | 140,509.93 | December, 2012 | 146,677.92 | December, 2013 | 79,617.31 |
| February, 2011 | 105,776.45 | January, 2012 | 137,812.68 | January, 2013 | 132,650.35 | January, 2014 | 75,093.81 |
| March, 2011 | 120,927.10 | February, 2012 | 142,770.01 | February, 2013 | 121,636.62 | February, 2014 | 75,170.90 |
| April, 2011 | 130,654.61 | March, 2012 | 151,845.46 | March, 2013 | 149,033.62 | March, 2014 | 78,201.51 |
| May, 2011 | 130,492.02 | April, 2012 | 127,862.26 | April, 2013 | 105,545.23 | April, 2014 | 72,380.72 |
| June, 2011 | 121,576.41 | May, 2012 | 137,905.13 | May, 2013 | 109,747.38 | May, 2014 | 93,191.89 |
| | | June, 2012 | 129,235.38 | June, 2013 | 104,803.37 | June, 2014 | 72,350.70 |
| Total 2010-2011 | 1,297,391.70 | Total 2011-2012 | 1,602,900.84 | Total 2012-2013 | 1,530,462.31 | Total 2013-2014 | 998,486.72 |

| Date | Amount | Date | Amount | Date | Amount | Date | Amount |
|------------------------|-------------------|------------------------|-------------------|------------------------|-------------------|------------------------|-------------------|
| July, 2014 | 78,639.07 | July, 2015 | 75,674.79 | July, 2016 | 77,234.20 | July, 2017 | 59,809.62 |
| August, 2014 | 84,726.51 | August, 2015 | 70,064.73 | August, 2016 | 63,158.62 | August, 2017 | 54,309.02 |
| September, 2014 | 71,967.51 | September, 2015 | 64,845.44 | September, 2016 | 67,701.42 | September, 2017 | 49,630.18 |
| October, 2014 | 66,257.02 | October, 2015 | 68,440.97 | October, 2016 | 63,392.97 | 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 | | |
| Total 2014-2015 | 899,128.89 | Total 2015-2016 | 832,756.78 | Total 2016-2017 | 726,611.13 | Total 2017-2018 | 370,897.04 |

Table Game Revenue Distribution - Jefferson County School Board

| <u>Date</u> | <u>Amount</u> | <u>Date</u> | <u>Amount</u> | <u>Date</u> | <u>Amount</u> | <u>Date</u> | <u>Amount</u> |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|
| July, 2011 | 425,154.03 | July, 2012 | 415,990.92 | July, 2013 | 297,823.08 | July, 2014 | 235,917.21 |
| August, 2011 | 412,421.76 | August, 2012 | 399,737.49 | August, 2013 | 334,283.25 | August, 2014 | 254,179.53 |
| September, 2011 | 331,125.75 | September, 2012 | 382,597.20 | September, 2013 | 242,573.22 | September, 2014 | 215,902.53 |
| October, 2011 | 372,821.82 | October, 2012 | 379,446.06 | October, 2013 | 243,198.27 | October, 2014 | 198,771.06 |
| November, 2011 | 363,356.61 | November, 2012 | 403,331.79 | November, 2013 | 239,561.82 | November, 2014 | 213,139.98 |
| December, 2011 | 421,529.79 | December, 2012 | 440,033.75 | December, 2013 | 238,851.93 | December, 2014 | 230,391.72 |
| January, 2012 | 413,438.04 | January, 2013 | 397,951.05 | January, 2014 | 225,281.43 | January, 2015 | 220,039.98 |
| February, 2012 | 428,310.03 | February, 2013 | 381,857.07 | February, 2014 | 225,512.70 | February, 2015 | 198,788.34 |
| March, 2012 | 455,536.38 | March, 2013 | 447,100.86 | March, 2014 | 234,604.53 | March, 2015 | 221,243.10 |
| April, 2012 | 383,586.78 | April, 2013 | 316,635.69 | April, 2014 | 217,142.18 | April, 2015 | 229,031.04 |
| May, 2012 | 413,715.39 | May, 2013 | 329,242.14 | May, 2014 | 279,575.67 | May, 2015 | 235,272.69 |
| June, 2012 | 387,706.12 | June, 2013 | 314,410.11 | June, 2014 | 217,052.10 | June, 2015 | 244,709.49 |
| Total 2011-2012 | 4,808,702.50 | Total 2012-2013 | 4,608,334.13 | Total 2013-2014 | 2,995,460.18 | Total 2014-2015 | 2,697,386.67 |

| <u>Date</u> | <u>Amount</u> | <u>Date</u> | <u>Amount</u> | <u>Date</u> | <u>Amount</u> |
|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|
| July, 2015 | 227,024.37 | July, 2016 | 231,702.60 | July, 2017 | 179,428.86 |
| August, 2015 | 210,194.19 | August, 2016 | 189,475.86 | August, 2017 | 162,927.06 |
| September, 2015 | 194,536.32 | September, 2016 | 203,104.26 | September, 2017 | 148,890.54 |
| October, 2015 | 205,322.91 | October, 2016 | 190,178.91 | 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 | | |
| Total 2015-2016 | 2,498,270.34 | Total 2016-2017 | 2,179,833.39 | Total 2017-2018 | 1,112,691.12 |