

AGENDA
JEFFERSON COUNTY COMMISSION
SECOND QUARTERLY SESSION - APRIL-JUNE 2018
THURSDAY, APRIL 19, 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

- April 5, 2018 Regular Meeting

APPROVAL OF ACCOUNTS PAYABLE

- April 12, 2018
- April 19, 2018

APPROVAL OF MANUAL CHECKS

- April 13, 2018
- April 20, 2018

APPROVAL OF PAYROLL

- April 5, 2018

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

PRESENTATIONS

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

2. 10:00 a.m. Pete Dougherty, Sheriff
 - Approval of JJDP Grant Application - Discussion/Action
 - Approval of Part-Time Bailiff/Trip Guard - Discussion/Action

3. 10:15 a.m. Dr. David Didden, Jefferson County Health Department
 - Brief the Commission on the Drug Crisis - Inform the Commission on Drug Addiction/Harm Reduction
 - Discuss sanitarian issues - Discussion/Action

4. 10:30 a.m. Michelle Gordon, Finance Director
 - Acceptance of Sales Quotation with Tyler Technologies - Munis ERP Solution (Self-Hosted, Tax Optional) for Financial System Project - Discussion/Action - Possible Executive Session

5. 10:45 a.m. **BREAK**

6. 11:00 a.m. Lynn Fields, Probate Office
 - Quarterly Review - April Term - Discussion/Action
 - Consideration of Motion to Continue - Petition for Will for Probate In Solemn Form, estate of Geraldine Bolyard, deceased - Discussion/Action

7. 11:15 a.m. Alexandra Beaulieu, Zoning Administrator
 - Provide an overview of the recommended amendment and to request scheduling the required Public hearing to be held by the County Commission - Text amendment, in accordance with WV Code 8A, proposes revisions and additions to multiple sections of the Zoning Ordinance including Section 2.2 Terms Defined; Section 6.3 Conditional Use Permit, Section 6.5 Special Exception Uses; and Article 10 Provisions for Signs - Discussion/Action

8. 11:30 a.m. Roger Goodwin, Engineering, Planning & Zoning
 - Partial release of Irrevocable Letter of Credit #339 with The Bank of Charles town, Charles Town, WV construction bond - Security for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. - Summit Point Motorsports Park Staging Area (Fil #S17-10) - Discussion/Action
 - Partial release of Irrevocable Letter of Credit #339 with The Bank of Charles town, Charles Town, WV construction bond - Security for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. - SPARC Range Extension (File #S17-11) - Discussion/Action

9. 11:45 a.m. Nathan Cochran, Assistant Prosecuting Attorney
 - Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, related issues - Discussion/Action - Possible Executive Session
 - Discussion of Jefferson County Civil Action #17-C-282 - Discussion/Action - Possible Executive Session
 - Discussion of Fire Suppression Contract for 911 Center - Discussion/Action - Possible Executive Session
 - Discussion of US District Court civil Action #3:16-CV-74 - Discussion/Action - Possible Executive Session
10. 12:30 p.m. **Break for Lunch**

NEW BUSINESS

11. Resolution to proclaim April as Fair Housing Month - Discussion/Action
12. Endorsement letter for the purpose of applying for a permit for the retail sale and consumption of wine and/or beer for the WV Guard Softball Team - Discussion/Action

FINANCIAL DIRECTOR REPORTS

- Review and Approval of Revisions to the Hotel Occupancy Tax Ordinance - Discussion/Action
- Acceptance of Sales Quotation with Tyler Technologies - Munis ERP Solution (Self Hosted, Tax Optional) for Financial System Project - Discussion/Action - Possible Executive Session

COUNTY ADMINISTRATOR REPORTS

- Discuss date and time for Meet and Greet - Discussion/Action
- Approval of Employment - Maintenance Mechanic - Discussion/Action

COUNTY COMMISSION REPORTS

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

13. 1:30 p.m. Public Hearing
Amendments to the Jefferson County Emergency Ambulance Service Fee Ordinance with regards to the Commercial Fee rate structure.
14. **ADJOURN**

CORRESPONDENCE/INFORMATION

Notice of Meeting Schedule Change.

WV Lottery Weekly Settlement for Charles Town - week ending March 31, 2018.

WV Lottery Weekly Settlement for Charles Town - week ending April 7, 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.

Minutes

Jefferson County Commission

Thursday, April 5, 2018

A meeting of the Jefferson County Commission was held on Thursday, April 5, 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, April 5, 2018 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Noland led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the March 29, 2018 Regular Meeting Minutes with noted correction. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
079855	712	AT&T/GA		\$ -	\$ 108.17	\$ 108.17
079856	ALLOC	BOLIVAR/HARPERS FERRY		\$ -	\$ 20,625.00	\$ 20,625.00
079857	P/R DED	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
079858	412	JADA BENNETT		\$ -	\$ 358.81	\$ 358.81
079859	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
079860	P/R DED	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
079861	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
079861	ALLOC	OLD CHARLES TOWN LIBRARY		\$ -	\$ 20,625.00	\$ 20,625.00
079862	P/R DED	CHARLES TOWN GNRL HOSPITA		\$ -	\$ 252.56	\$ 252.56
079863	ALLOC	EASTERN PANHANDLE TRANSI		\$ -	\$ 5,000.00	\$ 5,000.00

079864	413	ESS ELECTION SYSTEMS &		\$ -	\$ 1,300.00	\$ 1,300.00
079865	P/R DED	ALEXANDRA BEAULIEU		\$ -	\$ 694.18	\$ 694.18
079866	425	FIDELITY POWER SYSTEMS		\$ -	\$ 595.80	\$ 595.80
079867	401	FRANKLIN & PROKOPIK CORP		\$ -	\$ 1,021.50	\$ 1,021.50
079868	405	STEPHEN V GROH		\$ -	\$ 207.04	\$ 207.04
079869	717	GUTTMAN OIL CO		\$ -	\$ 3,985.86	\$ 3,985.86
079869	717	GUTTMAN OIL CO		\$ -	\$ 3,460.21	\$ 3,460.21
079869	717	GUTTMAN OIL CO		\$ -	\$ 3,428.01	\$ 3,428.01
079869	717	GUTTMAN OIL CO		\$ -	\$ 3,664.64	\$ 3,664.64
079870	P/R DED	TIM HELMAN		\$ -	\$ 2,671.83	\$ 2,671.83
079871	ALLOC	JEFF CO DEVELOPMENT AUTH		\$ -	\$ 26,500.00	\$ 26,500.00
079872	ALLOC	JEFFERSON CO EMERGENCY		\$ -	\$ 468,558.50	\$ 468,558.50
079873	712	SPIRIT OF JEFFERSON		\$ -	\$ 36.00	\$ 36.00
079874	ALLOC	JEFFERSON DAY REPORT CNT		\$ -	\$ 37,502.50	\$ 37,502.50
079875	P/R DED	JEFFERSON SECURITY BANK		\$ -	\$ 5,225.00	\$ 5,225.00
079876	P/R DED	PATSY KIDWELL		\$ -	\$ 318.30	\$ 318.30
079877	424	KONE INC.		\$ -	\$ 532.46	\$ 532.46
079878	P/R DED	JASON MICKEY		\$ -	\$ 464.71	\$ 464.71
079879	P/R DED	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 543.86	\$ 543.86
079880	404	MILLER'S SUPPLIES AT WOR		\$ -	\$ 876.00	\$ 876.00
079881	700	MORGAN COUNTY SHERIFF		\$ -	\$ 300.00	\$ 300.00
079882	P/R DED	NATIONWIDE RETIREMENT		\$ -	\$ 849.00	\$ 849.00
079883	ALLOC	JEFF CO PARKS &		\$ -	\$ 60,945.00	\$ 60,945.00
079884	425	PATRIOT FIRE AND SECURIT		\$ -	\$ 406.00	\$ 406.00
079885	P/R DED	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,126.00	\$ 6,126.00
079886	ALLOC	SHEPHERDSTOWN PUB LIBRAR		\$ -	\$ 20,625.00	\$ 20,625.00
079887	404	SHERIFF OF JEFFERSON CO		\$ -	\$ 14.00	\$ 14.00
079888	405	SPECIALTY BUS SUPPLIES		\$ -	\$ 71.98	\$ 71.98
079889	ALLOC	SOUTH JEFFERSON PUBLIC		\$ -	\$ 20,625.00	\$ 20,625.00
079890	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,905.50	\$ 10,905.50
079890	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 46,629.88	\$ 46,629.88
079890	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 36,418.46	\$ 36,418.46
079891	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 9,800.25	\$ 9,800.25
079891	P/R DED	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 6,941.86	\$ 6,941.86
079892	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 113.25	\$ 113.25
079893	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,230.00	\$ 2,230.00
079893	P/R DED	SHERIFF OF JEFFERSON CO		\$ -	\$ 215.00	\$ 215.00
079894	405	SUSIE SCHRAM		\$ -	\$ 231.75	\$ 231.75
079895	425	CAPITAL TRISTATE		\$ -	\$ 170.49	\$ 170.49
079895	425	CAPITAL TRISTATE		\$ -	\$ 25.12	\$ 25.12
079895	425	CAPITAL TRISTATE		\$ -	\$ 9.63	\$ 9.63

079895	425	CAPITAL TRISTATE		\$ -	\$ 333.36	\$ 333.36
079895	425	CAPITAL TRISTATE		\$ -	\$ 201.60	\$ 201.60
079895	425	CAPITAL TRISTATE		\$ -	\$ 3.74	\$ 3.74
079895	425	CAPITAL TRISTATE		\$ -	\$ 9.67	\$ 9.67
079896	GRANT	TNVC TACTICAL NIGHT	48583	\$ 44,190.00	\$ -	\$ 44,190.00
079897	403	VITAL SIGNS		\$ -	\$ 475.00	\$ 475.00
079898	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 5,099.25	\$ 5,099.25
079898	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 2,781.41	\$ 2,781.41
079898	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 11,112.35	\$ 11,112.35
079898	P/R DED	WV PUB EMP RETIRE SYS		\$ -	\$ 27,163.46	\$ 27,163.46
079899	ALLOC	WVU WEST VIRGINIA UNIV		\$ -	\$ 3,700.00	\$ 3,700.00
079900	404	W.B. MASON CO. INC		\$ -	\$ 126.00	\$ 126.00
079901	401	XEROX CORPORATION		\$ -	\$ 186.32	\$ 186.32
079901	402	XEROX CORPORATION		\$ -	\$ 106.53	\$ 106.53
079901	402	XEROX CORPORATION		\$ -	\$ 282.62	\$ 282.62
079901	402	XEROX CORPORATION		\$ -	\$ 352.42	\$ 352.42
079901	402	XEROX CORPORATION		\$ -	\$ 407.06	\$ 407.06
079901	403	XEROX CORPORATION		\$ -	\$ 227.22	\$ 227.22
079901	404	XEROX CORPORATION		\$ -	\$ 71.10	\$ 71.10
079901	405	XEROX CORPORATION		\$ -	\$ 380.80	\$ 380.80
079901	406	XEROX CORPORATION		\$ -	\$ 71.10	\$ 71.10
079901	425	XEROX CORPORATION		\$ -	\$ 106.53	\$ 106.53
079901	440	XEROX CORPORATION		\$ -	\$ 203.87	\$ 203.87
079901	440	XEROX CORPORATION		\$ -	\$ 126.42	\$ 126.42
079901	700	XEROX CORPORATION		\$ -	\$ 337.22	\$ 337.22
079901	712	XEROX CORPORATION		\$ -	\$ 367.62	\$ 367.62
079901	716	XEROX CORPORATION		\$ -	\$ 120.57	\$ 120.57
TOTAL						\$ 932,883.28
TOTAL				\$ 44,190.00	\$ 888,693.28	\$ 932,883.28

Motion by Ms. Noland to approve the Accounts Payable for April 5, 2018 in the amount of \$932,883.28. Motion seconded and unanimously approved.

MANUAL CHECKS

HOME DETETION			
008			
Date	Check #	VENDOR	Amount

04/06/18	599	UNITED BANKCARD	\$ 55.44
04/06/18	600	ATTENTI	\$ 1,525.00
ASSESSOR VALUATION			
O56			
Date	Check #	VENDOR	Amount
04/06/18	676	UNITED BANKCARD	\$ 1,931.90
IMPACT FEES			
249			
Date	Check #	VENDOR	Amount
04/06/18	1132	SHERIFF JEFFERSON CO -SCHOOL	\$ 105,950.77
04/06/18	1133	SHERIFF JEFFERSON CO - LAW	\$ 1,383.99
04/06/18	1134	SHERIFF JEFFERSON CO - PARKS	\$ 8,141.48
04/06/18	1135	SHERIFF JEFFERSON CO - FIRE/EMS	\$ 893.50
TOTAL			\$ 119,882.08

Motion by Ms. Tabb to approve the Manual Checks for April 6, 2018 in the amount of \$119, 882.08. Motion seconded and unanimously approved.

PUBLIC COMMENT

David Tabb, resident – stated he met a nice group of people with whom he could associate and stated he would like to share with the Commission what was discussed but then sat silent for a minute and a half.

PRESENTATIONS

1. Angie Banks, Assessor
 - a. Requested approval of the following Exoneration:

NAME	TYPE	DISTRICT	TICKET #	AMOUNT
Ernest Himes	PP	Ranson Corp	313943	\$31.34

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 313943 as presented. Motion seconded and unanimously approved.**
2. Interviews and Appointments to the Jefferson County Development Authority Board of Directors – four three-year terms ending April 5, 2021.
 - **Motion by Mr. Compton to reappoint Eric Lewis, Ben Martz, Mike Chapman, and Jim Ruland to the Jefferson County Development Authority Board of Directors each for a three year term ending April 5, 2021. Motion seconded and unanimously approved.**
 3. Elizabeth Wheeler, Jefferson County Farmland Protection Board – requested approval of the purchase of two agricultural conservation easements.
 - **Motion by Ms. Tabb to approve the purchases by the Jefferson County Farmland Protection Board for the Jefferson County Farmland Protection Program and the Natural Resources Conservation Service of one conservation easement on the property in Jefferson County owned by Edward L. Boyd and Sons, Inc. (Property EEE), and one conservation easement on the property in Jefferson County owned by Kevin S. Carter, Linda L. Dean, Freda L. Mullaney, and William A. Knighten, Jr. (Property ZZ). Motion seconded and unanimously approved.**
 4. Roger Goodwin, Chief County Engineer – requested the acceptance of Excavator’s Proposal for the Bardane Industrial Park Waste Water Treatment Plant Lagoon Decommissioning & Sinkhole Remediation Project.
 - **Motion by Ms. Tabb to accept the proposal from Gantt’s Excavating & Contractors, Inc. in the amount of \$3,382.00 to provide temporary sediment and erosion control measures. Motion seconded and unanimously approved.**
 5. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
 6. Lynn Fields, Probate – requested review of the Petition for Removal of Executor in the Estate of Iris L. Chrisman, Deceased.

- Let the record reflect Ms. Tabb recused herself from this matter and left the room for the vote as she had a conflict.
- **Motion by Mr. Onoszko to authorize the appointment of a Fiduciary Commissioner to review the Petition for Removal of Executor in the Estate of Iris L. Chrisman, deceased, pending the availability of a local fiduciary commissioner. Motion seconded and unanimously approved.**

7. Nathan Cochran, Assistant Prosecuting Attorney

- Discussion of PSD Dissolution, Appeal/Intervention of the PSC decision, acquisition of PSD assets, related issues and order approving Purchase Agreement between the JCPSD and Charles Town – Mr. Cochran stated there were no updates regarding the PSD at that time.
- Discussion of Fire Suppression Contract for 911 Center – Mr. Cochran stated he was still working on this item and was not yet ready to present it to the Commission.
- Discussion of Jefferson County Civil Action #17-C-282 - Discussion/Action - Possible Executive Session
- Discussion of proposed contract for Judicial elevator upgrade
- Discussion of WV Supreme Court Docket #17-0095
- **Motion by Mr. Compton to enter into Executive Session to receive legal advice regarding Jefferson County Civil Action #17-C-282; proposed contract for Judicial elevator upgrade; and discussion of WV Supreme Court Docket #17-0095. Motion seconded and unanimously approved.**

8. Michelle Gordon, Finance Director – Ambulance Fee Billing Rate Structure

Ms. Gordon reviewed the commercial billing rate structure and the Commission made a few additional amendments, including a minimum small business commercial rate of \$85 and a minimum \$150 rate for schools that have not reported their square footage. The Commission scheduled a public hearing on the amendments to the commercial rate structure of the Emergency Ambulance Service Fee Ordinance for April 19, 2018 at 1:30 pm.

9. The Commission recessed for lunch at 11:30 pm.
The Commission reconvened at 1:30 pm.

UNFINISHED BUSINESS

10. Discussion of Courthouse Storm Windows

- **Motion by Mr. Compton to place the Courthouse storm windows on the exterior of the building. Motion dies for lack of a second.**

NEW BUSINESS

11. Region 9 Broadband Planning Grant

- **Motion by Ms. Noland to authorize Region 9 staff to move forward with the Broadband Planning Grant for Jefferson County. Motion seconded and unanimously approved.**

FINANCE DIRECTOR REPORTS

- Review and Approval of Revision to the Hotel Occupancy Tax Ordinance – Ms. Gordon requested to postpone discussion on this action until the April 19, 2018 regularly scheduled meeting.
- Review of FY18 Budget-to-Actual as of 02-28-2018.

COUNTY ADMINISTRATOR REPORTS

- PSD Audit – Ms. Grove stated she was trying to determine availability for Perry and Associates to appear before the Commission to answer questions regarding the PSD forensic audit. The Commission informed Ms. Grove they'd be amenable to having a special session if representatives weren't available during the upcoming regular meeting dates.
- Set date and time for Meet Your Commissioners Event – The Commission agreed to hold a "Meet Your Commissioners" event on Thursday, May 3, 2018 at 6pm at Citizen's Fire Company pending the availability of the fire hall.

12. JCESA CPR/AED Training for the Jefferson County Commission

13. The Commission meeting was adjourned at 2:45 pm on a motion by Mr. Compton. Motion was seconded and unanimously approved.

JOSHUA COMPTON, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

DESCRIPTION	Fund 001 CO.	Fund 003 Dog	Total
Gross Wages	\$ 392,232.65		\$ 392,232.65
6.2% Tax Payable OASDI	23,314.94		\$ 23,314.94
1.45% Tax Payable HI	5,452.75		\$ 5,452.75
Fed Withholding	36,418.46		\$ 36,418.46
WV State Withholding	16,950.74		\$ 16,950.74
PERS Retirement Deduct 4.5%	11,112.35		\$ 11,112.35
PERS Retirement Deduct 6%	2,781.41		\$ 2,781.41
Hosp. Pre-Tax	13,675.50		\$ 13,675.50
Cancer/ICU Pre-Taxed	908.12		\$ 908.12
Cancer/ICU Not Pre-Taxed	1,045.47		\$ 1,045.47
Optional Life Not Pre-Taxed	2,083.40		\$ 2,083.40
Christmas Club	5,225.00		\$ 5,225.00
Wage Attach #1	1,427.35		\$ 1,427.35
Wage Attach #3	0.00		\$ -
DSRS Retirement Deduct 8.5%	6,941.86		\$ 6,941.86
457 - Nationwide	849.00		\$ 849.00
457I - Empower	2,230.00		\$ 2,230.00
457R - Roth	215.00		\$ 215.00
MD State Tax	597.68		\$ 597.68
D/VF	1,601.79		\$ 1,601.79
VA. State Tax	91.35		\$ 91.35
COLONIAL(PLUS)	102.55		\$ 102.55
Total Deductions	\$ 133,024.72	\$ -	\$ 133,024.72
Net Wages Total	\$ 259,207.93	\$ -	\$ 259,207.93
Payroll Date	5-Apr-2018		

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Angie Banks, Assessor

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

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **April 19, 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*):

✚ Exonerations

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

Is this a funding request? **Y/N** [Click here to enter text.](#)

If so, how much? **\$**[Click here to enter text.](#)

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

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

If not attached, explain: [Click here to enter text.](#)

Is equipment needed? **Projector** **Y/N** [Click here to enter text.](#) **Internet/Wi Fi** **Y/N** [Click here to enter text.](#)

Telephone for conference call **Y/N** [Click here to enter text.](#)

Contact information:

Email address: [Click here to enter text.](#) Phone Number: [Click here to enter text.](#)

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text.](#)

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Pete Dougherty

Department or Organization: Sheriff's Office

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: next meeting

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): JJDP Grant Application
Bailiff/Trip Guard New Hire

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

Approve and authorize the president's signature on the JJDP Grant application for the continuation of a Prevention Resource Officer in Jefferson High School.

I am requesting favorable consideration in the hiring of Maria DeLeon as a part-time Bailiff/trip guard.

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 submission of the JJDP Grant application and authorize the president to affix his signature to the documents.

I move to approve the hire of Maria DeLeon as a part-time Bailiff/trip guard.

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@jcsdwv.com

Phone Number: 304-728-3205

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Dr. David Didden

Department or Organization: Jefferson County Health Department

Estimation of amount of time needed for appointment: 40 minutes

Date Requested – 1st Choice: 4/19/2018

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Brief the Commission on the Drug Crisis

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

- To inform the Commission on Drug Addiction/Harm Reduction

- *Discuss Sanitarian issues*

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: Marty Freeman

Email address: Marty.freeman@wv.gov

Phone Number: 304 728 8416

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Michelle Gordon, Finance Director
Michelle Gordon (Finance Director), Russ Burgess (IT Director), and the IT Software Committee

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **April 19, 2018**

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

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

- Review and Approval of Revisions to the Hotel Occupancy Tax Ordinance
- Acceptance of the Sales Quotation with Tyler Technologies – Munis ERP Solution (Self Hosted, Tax Optional) for the Financial System Project – **Possible Executive Session**

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

- **Hotel Occupancy Ordinance**-*No changes were made to the rate of tax or percentages for the application of proceeds.* General language revisions were needed to ensure that our language agreed with the language included in the provisions of Article 18, Chapter 7 of the Codes of West Virginia and current approved distribution percentages for proceeds.
- **Financial System Project** – On October 9, 2017, the County advertised an RFP for a Centralized/ Integrated Governmental Financial Management Software. The RFP required that responses be submitted in writing 30 days later or by November 14, 2017. The IT Software Committee fielded calls and emails from 5 potential vendors. On November 14, 2017, the County received 2 formal responses to the RFP. The top company provided an onsite demonstration of their software package on March 28, 2018 to departments and staff impacted by the new software. Approximately 30-35 employees attended. Overall feedback was positive.

The Committee unanimously agreed that the software package offered by Tyler offers the most up to date technology, satisfies current operating service needs and provides added services at lowest price for the County. Prior to formulating a final decision on replacement of the Tax Billing Module, the Sheriff would like additional information from Tyler representatives.

The Committee recommends that the County move forward with the sales quotation that lists Tax Billing and Cashiering as an optional purchase to be determined at a future date. **Sales quotes are marked Confidential by the Vendor and are considered to be proprietary information and may require review during an Executive Session.** On April 19, 2018, copies of the sales quote *with* (Sales Quote B) and *without* (Sales Quote A) the Tax Billing and Cashiering modules will be distributed for viewing and then collected after viewing to maintain confidentiality of proprietary information for the potential/selected vendor.

Is this a funding request? Y/N **Funding is already included in the Capital Outlay Fund, FY18 Budget**

If so, how much? \$ **N/A**

Provide exact financial impact/request -

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

- Motion to approve revisions to the Hotel Occupancy Tax Ordinance effective April 19, 2018
- Move to accept the Sales Quote A from Tyler Technologies in the amount of \$207,050, to provide a centralized and integrated governmental financial management system.

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

AGENDA REQUEST FORM

www.jeffersoncountywv.org

NAME: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

ESTIMATION OF TIME NEEDED FOR APPT.: 20 minutes

DATE REQUESTED: 1ST CHOICE April 19th, 2018

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

SUBJECT: Quarterly Review April Term
Petition for Will For Probate In Solemn Form , estate of Geraldine Bolyard, deceased

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

Quarterly review to approve estates opened since last term in January, and close estates that have met all requirements of the probate office.

Hear petition for will for probate in solemn form on the estate of Geraldine W. Bolyard, deceased.

ARE DOCUMENTS ATTACHED: yes

IS A PROJECTOR NEEDED?: NO

lfields@jeffersoncountywv.org (304) 728-3210

BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA
IN THE MATTER OF: GERALDINE W. BOLYARD, DECEASED

PETITION FOR WILL FOR PROBATE IN SOLEMN FORM UNDER WV CODE §41-5-5

NOW COMES the Petitioner, Timmy Staubs, by counsel, E. Adelaide Crawford and tenders their
Petition for Will for Probate in Solemn Form and says as follows:

1. Petitioner is, and at all times mentioned was, a resident of Jefferson County, West Virginia;
2. On or around March 21-23, 2018, Geraldine W. Bolyard died in Martinsburg, Berkeley County, West Virginia. At the time of the decedent's death, she was a resident of Jefferson County.
3. An estate for the decedent has not yet been opened nor any other wills offered for probate.
4. On March 11, 2014, the decedent duly executed and caused to be attested the decedent's last will and testament in writing, according to the requirements of WV Code §41-1-1 et seq. A copy of the will is attached as Exhibit "A" and incorporated by reference.
5. The decedent, at the time of making and executing her last will and testament, was of sound mind and memory and was not acting under duress or restraint.
6. The decedent, at the time of her death, has not revoked, annulled, canceled, or amended in any manner or form the whole or any part of the decedent's last will and testament.
7. The only persons having an interest in the estate of the decedent, either as heirs at law or next of kin, at the time of the decedent's death, were:
 - (1) Timmy Staubs, friend and sole beneficiary under the will, resides at 66 Cavalier Estate Drive, Harpers Ferry, WV 25425;
 - (2) Barry Richard Bolyard, son, resides at 44 Big Tree Trail, Harpers Ferry, WV 25425 and/or 156 Thumper Drive, Ranson, WV 25438; and
 - (3) Gene William Bolyard, son, resides at 5106 Laura Drive, Stephens City, VA 22655.
8. At the time of the commencement of this action, the foregoing persons were the only persons interest in the estate of the decedent. All are above the age of eighteen.

9. Petitioner was named and constituted under and by the last will and testament of the decedent as the executor of the decedent's estate.
10. Since the death of the decedent, petitioner, to the end that the last will and testament of the decedent might be presented for probate, has made and caused to be made diligent search and inquiry for it, but has not and cannot ascertain its whereabouts. Petitioner is informed and believes and thereon alleges that the last will and testament of the decedent has been lost or destroyed by accident or design.

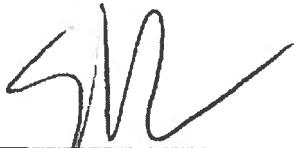
WHEREFORE, the Petitioner requests that this court:

- a. Hold a special session within 20 days of filing this petition to hear this matter;
- b. Render its judgment establishing the described instrument of the decedent, dated March 11, 2014, ad attached as Exhibit "A", as the last will and testament of Geraldine W. Bolyard, the decedent, pursuant to the provisions of WV Code §41-1-1 et seq.; and
- c. Grant petitioner such other and further relief as may be just and proper.

Timmy Staubs
By Counsel

CRAWFORD LAW GROUP PLLC

BY: _____


E. Adelaide Crawford
WV State Bar #12973
120 N. George Street
Charles Town, WV 25414

BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA
IN THE MATTER OF: GERALDINE W. BOLYARD, DECEASED

AFFIDAVIT IN SUPPORT OF
PETITION FOR WILL FOR PROBATE IN SOLEMN FORM UNDER WV CODE §41-5-5

State of West Virginia:

County of Jefferson, to-wit:

BEFORE ME, the undersigned notary, on this day personally appeared Timmy Staubs, a person whose identity was verified by a valid driver's license. After I administered an oath to him, upon his oath he said:

My name is Timmy Staubs and I am capable of making this affidavit. I have been informed of the facts stated in this affidavit and believe them to be true and correct.

1. I am, and at all times mentioned, a resident of Jefferson County, West Virginia.
2. On or around March 21-23, 2018, Geraldine W. Bolyard died in Martinsburg, Berkeley County, West Virginia. At the time of the decedent's death, she was a resident of Jefferson County.
3. An estate for the decedent has not yet been opened nor any other wills offered for probate.
4. On March 11, 2014, the decedent duly executed and caused to be attested the decedent's last will and testament in writing, according to the requirements of WV Code §41-1-1 et seq. A copy of the will is attached as Exhibit "A" to the Petition.
5. The decedent, at the time of making and executing her last will and testament, was of sound mind and memory and was not acting under duress or restraint.
6. The decedent, at the time of her death, has not revoked, annulled, canceled, or amended in any manner or form the whole or any part of the decedent's last will and testament.
7. The only persons having an interest in the estate of the decedent, either as heirs at law or next of kin, at the time of the decedent's death, were:

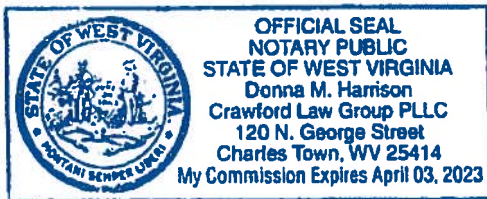
- (1) Timmy Staubs, friend and sole beneficiary under the will, resides at 66 Cavalier Estate Drive, Harpers Ferry, WV 25425;
- (2) Barry Richard Bolyard, son, resides at 44 Big Tree Trail, Harpers Ferry, WV 25425 and/or 156 Thumper Drive, Ranson, WV 25438; and
- (3) Gene William Bolyard, son, resides at 5106 Laura Drive, Stephens City, VA 22655.


- 8. At the time of the commencement of this action, the foregoing persons were the only persons interest in the estate of the decedent. All are above the age of eighteen.
- 9. Petitioner was named and constituted under and by the last will and testament of the decedent as the executor of the decedent's estate.
- 10. Since the death of the decedent, petitioner, to the end that the last will and testament of the decedent might be presented for probate, has made and caused to be made diligent search and inquiry for it, but has not and cannot ascertain its whereabouts. Petitioner is informed and believes and thereon alleges that the last will and testament of the decedent has been lost or destroyed by accident or design.



Timmy Staubs

Taken, subscribed and sworn before me this 30th day of March, 2018.





Notary Public
My Commission Expires: 4-3-2023

LAST WILL AND TESTAMENT

LAST WILL AND TESTAMENT

OF

GERALDINE BOLYARD

KNOW ALL MEN BY THESE PRESENTS that I, Geraldine Bolyard of Jefferson County, West Virginia, being of sound and disposing mind and memory do hereby revoke any and all former Wills and Codicils to Wills by me made, and do make, publish and declare this to be my Last Will and Testament as follows, to-wit:

SECTION I. I direct my Executor hereinafter named, to pay all of my debts, funeral expenses, costs of administration, death taxes, state or federal, attributable to my estate, reasonable cost of a suitable marker for my grave and the inscription thereof and all other obligations of my estate as soon as shall be practical after my decease. It is my desire that my body be offered to West Virginia University for medical science and if West Virginia University does not want my body for medical science, then I direct that my body be cremated.

SECTION II. All of the rest, residue and remainder of my estate, of whatsoever kind and character and wheresoever situated, I give, devise and bequeath unto Timmy Staubs, to be his absolutely, in fee simple.

SECTION III. I hereby confer upon my Executor, and

EXHIBIT "A"

LAST WILL AND TESTAMENT

incorporate by a reference all of the powers set forth in West Virginia Code 44-5A-3 pursuant to the enabling provisions of West Virginia Code 44-5A-2, and direct that the powers as set forth therein shall have the same effect as if set forth verbatim in this Will. More specifically, but not by way of limitation, I authorize my Executor to sell or otherwise dispose of any property, real or personal, which I may own at my death, at such time and prices and upon such terms and conditions as to cash or credit as my fiduciary may determine consistent with the terms of this Will; and to make and deliver any distribution of my estate, or any portion thereof, in cash or in kind, or partly in each; to determine the fair market value of the property other than the money and to make divisions upon the basis of values so determined; and to do all other acts and things necessary in the administration of my estate.

SECTION IV. I hereby nominate and appoint Timmy Staubs as Executor of this my Last Will and Testament. Further, I direct that he shall not be required to give surety on his bond.

IN WITNESS WHEREOF, I have hereunto signed my name and set my seal to this my Last Will and Testament, written on four sheets of paper, including this page, and acknowledge the same to be my Last Will and Testament in the presence of the undersigned witnesses, on March 11, 2014.

LAST WILL AND TESTAMENT

Geraldine Bolyard (SEAL)
Geraldine Bolyard

SIGNED, SEALED, PUBLISHED, ACKNOWLEDGED and DECLARED by Geraldine Bolyard as and for her Last Will and Testament, in the presence of us, two competent witnesses who in her presence and at her request, and in the presence of each other, have hereunto subscribed our names as witnesses thereon on March 11, 2014 Geraldine Bolyard then being of sound mind and over the age of eighteen years.

James B. Crawford, III

of Charles Town, West Virginia

Victoria B. Burns
Victoria B. Burns

of Charles Town, West Virginia

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

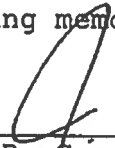
Before me, the undersigned authority, this day personally came James B. Crawford, III and Victoria B. Burns, who being first duly sworn, upon their oaths say:

1. That they are the attesting witnesses of the Will of Geraldine Bolyard, hereto attached, which Will is dated March 11, 2014; and that at the request of her, these affiants make and subscribe this affidavit to be used as evidence upon the proof of said Will when the same is offered for probate.


LAST WILL AND TESTAMENT

2. That Geraldine Bolyard, in the presence of these affiants, signed, sealed and acknowledged and annexed the writing as and for, and to be her Last Will and Testament; and that at the same time these affiants each subscribed their names as witnesses to the said Will at the request of her, in the presence of her, and in the presence of each other, all being present at the same time.

That Geraldine Bolyard, at the time of the signing by her of this Will, was, as these affiants verily believe, a resident of Jefferson County, West Virginia, above the age of eighteen years, and of sound mind and disposing memory.



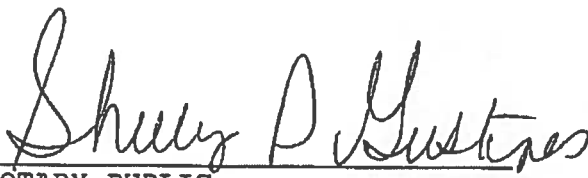
James B. Crawford, III



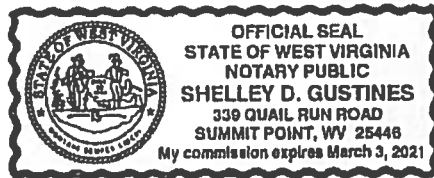
Victoria B. Burns

Taken, subscribed and sworn to on March 11, 2014 by James B. Crawford, III and Victoria B. Burns.

Commission expiration date
and seal:



NOTARY PUBLIC



BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA
IN THE MATTER OF: GERALDINE W. BOLYARD, DECEASED

PROOF OF SERVICE

I, Mark Renner, personally served the attached Notice of Hearing, Petition for Will for Probate in
Solemn Form with Exhibit and Affidavit in Support on:

Barry Richard Bolyard at 156 Trumpet Drive
Ranson WV

on 4 day of April, 2018.

DECLARATION OF SERVER:

I declare, under penalty of perjury, that the foregoing is true and correct.

Date of Declaration: 4-4-18

Mark Renner MDR
Signature of Declarant/Server

34 mountaineer at charles town
Address of Declarant/Server WV 25414

BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA
IN THE MATTER OF: GERALDINE W. BOLYARD, DECEASED

PROOF OF SERVICE

I, Mark Renner, personally served the attached Notice of Hearing, Petition for Will for Probate in
Solemn Form with Exhibit and Affidavit in Support on:

Gene William Bolyard at 5106 Laura Drive, Stephens City, VA 22655

on 4 day of April, 2018.

DECLARATION OF SERVER:

I declare, under penalty of perjury, that the foregoing is true and correct.

Date of Declaration: 4-4-2018

McRenner

Signature of Declarant/Server

34 Mountaineer Ct

Address of Declarant/Server

Charles Town
W

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Alexandra Beaulieu, Zoning Administrator

Department or Organization: Office of Planning and Zoning

Estimation of amount of time needed for appointment: 15 Minutes

Date Requested – 1st Choice: April 19, 2018

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

Date Requested – 2nd Choice:

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

On April 10, the Jefferson County Planning Commission voted to recommend to the County Commission the attached proposed text amendment to the Jefferson County Zoning and Land Development Ordinance (File# ZTA17-01). The purpose of this request is to provide an overview of the recommended amendment and to request scheduling the required Public Hearing to be held by the County Commission. The text amendment, in accordance with WV Code 8A, proposes revisions and additions to multiple sections of the Zoning Ordinance including Section 2.2 Terms Defined; Section 6.3 Conditional Use Permit; Section 6.5 Special Exception Uses; and Article 10 Provisions for Signs.

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

On March 13, 2018, the Planning Commission held a Public Hearing on the proposed text amendment. During the hearing, two members of the public provided comment, one in support and one in opposition. The Planning Commission kept the period for public comment open for two weeks and held a work session on April 10. The primary concerns addressed by the public were the proposed brightness levels. Brightness levels are determined on the time of day, with the brightness levels being higher during the daytime so as to be seen in sunlight, and lower after sunset.

The Planning Commission recommended reducing the brightness levels for both the daytime and nighttime hours. The copy before you today is the Planning Commission's final version which they recommended for consistency with the Comprehensive Plan on April 10, 2018.

Is this a funding request? Y/N **If so, how much?** \$ **Provide exact financial impact/request:**

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

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

- Proposed draft amendment to the Zoning Ordinance (ZTA17-01) forwarded from the Planning Commission with a finding that the amendment is consistent with the Envision Jefferson 2035 Comprehensive Plan on April 10, 2018.

If not attached, explain:

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

Contact information:

Email address: planningdepartment@jeffersoncountywv.org Phone Number: 304-728-3228

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



JEFFERSON COUNTY, WEST VIRGINIA

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

P.O. Box 716

Charles Town, WV25414

www.jeffersoncountywv.org

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

Phone: (304) 728-3228

Fax: (304) 728-8126

MEMO

TO: County Commission

FROM: Alexandra Beaulieu, Zoning Administrator

DATE: 04-19-18

RE: ZTA17-01, Electronic Signs

The draft text amendment ZTA17-01 proposes reorganizing existing sign regulations and adding provisions to allow for electronic signs in Jefferson County.

- The ~~blue text~~ indicates existing text which is proposed to be deleted.
- The green text indicates existing text which is proposed to be relocated.
- The red text indicates new text.
- The black text is current text, no changes proposed.

The Planning Commission requested that as part of the memo to the County Commission, attention be drawn to the fact that the brightness level is proposed to be higher during the day so as to allow for visibility during daytime hours. The brightness level is proposed to be reduced significantly after sunset so as to not be a nuisance during nighttime hours and because visibility is greater when there is no sunlight.

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

in this Ordinance. This land use does not include Hunting, Shooting, Archery and Fishing Clubs and general hunting.

Shopping Center^{7, 27, 32}

A group of retail and/or other commercial establishments that is planned, constructed, and managed as a total entity on a single lot with common parking facilities that uses or leases separate areas of space to retail or service oriented businesses.

Shrub, Evergreen

A low growing, usually several stemmed, woody plant which has foliage that remains green and functional through more than one growing season.

Sign

Any object, device display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.

Sign, Animated

A sign with action or motion, flashing lights, or color change requiring electrical energy, electronic, or manufactured sources of supply, but not including wind actuated elements such as flags, banners, or pennants.

Sign, Billboard

A structure on which is portrayed information which directs attention to a business commodity, service or entertainment not necessarily related to the other uses permitted on the premises upon which the structure is located. (See Sign, Outdoor Advertising)

Sign, Attached Business

A sign attached to a building/structure which directs attention to a business or profession or to a commodity, service, or entertainment sold or offered upon the premises where the sign is located.

Sign, Electronic

A sign utilizing lights that change to form a static sign message or graphic wherein the sequence of messages and rate of change is electronically programmed.

Sign, Freestanding Business

A sign supported by a permanent structure, other than a building, that is affixed to the earth and placed on the same parcel of land on which the business commodity, or service, or entertainment advertised by the sign is located.

Sign, Inflatable

Any display capable of being expanded by air or other gas and used on a temporary or permanent basis to advertise a product or event.

Sign, Off-Premises Outdoor Advertising

A sign structure which directs attention to a business, commodity, service, or entertainment not necessarily conducted, sold, or offered upon the premises where such sign is located. ~~This term shall include billboards.~~

Sign, Pylon

A sign which advertises more than one land use on the premises where the sign is located.

Sign, Vehicle²³

A sign or advertising device which is painted, mounted, affixed or otherwise attached to a vehicle or trailer, which is used for the purpose

of providing advertisements of products and services or directing people to a business or service or other activity on or off the premises or public right-of-way where such vehicle sign is located. This does not include identification signs on vehicles which are moved regularly and used in the normal, day-to-day operation of the business.

Soil Value	A relative numeric value assigned to soil groups based on the group's potential for agricultural production.
Species, Rare or Endangered	Any species listed with the West Virginia Department of Natural Resources Heritage Program Species List or by the U.S. Department of the Interior, Department of Fish and Wildlife Management.
Specified Anatomical Area ¹⁵	As used herein specified anatomical areas means and includes any of the following: <ul style="list-style-type: none">A. Less than completely and opaquely covered human genitals, public region, buttocks, anus, or female breasts below a point immediately above the top of the areola; orB. Human male genitals in a discernibly turgid state, even if completely or opaquely covered.
Specified Sexual Activities ¹⁵	As herein, specific sexual activities means and includes any of the following: <ul style="list-style-type: none">A. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; Masturbation, actual or simulated; orC. Excretory functions, when such activities are a part of or in connection with any of the activities set forth in the following definitions: Adult Use; Adult Arcade; Adult Bookstore; Adult Cabaret; Adult Mini Motion Picture; Adult Sauna; Adult Theater; Massage Parlor; Sexual Encounter Establishment; and, Sexual Paraphernalia Store.
Staff ^{17, 21, 23, 31}	Personnel employed in the Department of Engineering, Planning, and Zoning.
Standard Details ^{7, 23}	Minimum acceptable details approved by the County Engineer for use in preliminary plats, site plans, and related improvement plans. Said approval does not relieve the subdivider, the design consultant, or the builder of the responsibility for structural adequacy and sound construction.
Storage, Commercial ²⁷	An enclosed storage facility of a commercial nature containing independent, fully enclosed bays which are leased to persons exclusively for storage of their household goods or personal property.
Street ²³	(See Road)

Section 6.2 Variances³²

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

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

Section 6.3 Conditional Use Permit³²

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

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

commercial on the Future Land Use Guide or does not front on a Principal Arterial, Minor Arterial, or Major Collector road (as identified in the Comprehensive Plan), the applicant shall submit trip generation data, including Average Daily and Peak Hour trips, for the BZA to review in conjunction with the Highway Problem Areas Map when determining roadway adequacy for the proposed use.

7. For Historic Sites, the Historic Landmarks Commission, with the property owner's consent, may visit the property to review the proposed land development plan and use for sites designated as Category I or II. The Historic Landmarks Commission may make reasonable recommendation to the Board of Zoning Appeals on the suitability of a proposed multi-family dwelling or non-residential use for the building seeking a Conditional Use Permit. The Historic Landmarks Commission's recommendations may include the following findings:³⁵
 - a. Compatibility of the proposed use with the historic structure;
 - b. Any modifications to the building's façade is consistent and compatible with the building's architecture, style, and massing; and
 - c. Proposed parking and other activities are suitably located so as to preserve the historic character.

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

8. Any signs associated with the proposed Conditional Use shall be reviewed by the Board in accordance with Section 10.6.
- B. The owner or authorized representative of the owner of the property for which the Conditional Use Permit is being requested shall complete and sign forms provided for this purpose by the Board, and shall pay the associated fees. The Conditional Use Permit request shall be filed with the Board at the Office of Planning and Zoning.
- C. Staff will notify the adjacent and confronting property owners of the date, time, and location of the Public Hearing by registered mail. Notification for a Conditional Use Permit must be conducted according to the requirements of Section 6.1B.
- D. A public hearing must be conducted according to the requirements of Section 6.1C and such hearing may be continued according to the requirements of Section 6.1D.
- E. If there are no negative public comments received by the Board, the Board shall issue the Conditional Use Permit but may require reasonable conditions.

Section 6.4 Seasonal Uses^{5, 7, 32}

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

Section 6.5 Special Exception Permit Uses^{26, 32}

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

~~3.4. The public hearing is subject to the notification requirements of Section 6.1B.~~

B. The following signs ~~uses~~ may be approved as a Special Exception:

1. Off-Premises Signs per Section 10.5A ~~outdoor advertising signs including billboards.~~

2. Billboard Signs per Section 10.5B

3. Electronic Signs per Section 10.5C

The Board of Zoning Appeals shall determine if such a sign conforms to existing State law and does not have a negative effect on the neighborhood or intent of this Ordinance.^{17, 21}

ARTICLE 7: RESERVED ³²

ARTICLE 10: PROVISIONS FOR SIGNS

Section 10.1 Purpose of Sign Provisions

The purpose of this section is to regulate all exterior signs and interior signs placed for exterior observance so as to protect property values and the character of the County. Any sign placed on land or on a building for the purposes of identification or for advertising a use conducted therein or thereon shall be deemed to be accessory and incidental to such land, building or use.

~~It is intended that the placement of a particular sign will be appropriate to the land, building, or use to which they are appurtenant and be adequate, but not excessive, for the intended purpose of identification or advertisement. It is also intended that in areas proposed for new development, that signs placed will be harmonious in color, form and proportions to its surroundings.~~

Section 10.2 General Provisions

It is intended that the placement of a particular sign will be appropriate to the land, building, or use to which they are appurtenant and be adequate, but not excessive, for the intended purpose of identification or advertisement. It is also intended that in areas proposed for new development, that signs placed will be harmonious in color, form and proportions to its surroundings.

- A. No sign shall be erected, hung, or placed in any district except as provided in this Ordinance.
- ~~A.B.~~ B. No sign erected before the enactment of this Ordinance shall be structurally altered or moved except in accordance with this Ordinance.
- ~~B.C.~~ C. ~~No zoning permit shall be required for the repainting or repairing of a sign.~~
- ~~C.D.~~ D. No signs, other than subdivision signs approved by the Planning Commission, shall be located in the right-of-way of any road or on any slope or drainage easement for such road or within any stormwater, drainage, or utility easement.^{2, 17, 21, 23}
- ~~D.E.~~ E. No sign shall be permitted which ~~is an imitation of~~ or which resembles an official traffic control device, railroad sign or signal, or which hides from view or interferes with the effectiveness of an official traffic control device or any railroad sign, signal, or traffic sight lines. ~~Illuminated signs shall be so constructed as to avoid glare or reflection of any portion of an adjacent highway or residential building.~~
- ~~E.F.~~ F. No sign which implies the need or requirement of stopping or this existence of danger shall be displayed.
- ~~F.G.~~ G. No sign shall be placed on rocks, trees, or on poles maintained by public utilities.
- ~~G.H.~~ H. No sign shall be permitted which becomes unsafe or endangers the safety of the building, premises, or persons and unless maintained in a good general condition.
- ~~H.I.~~ I. No sign shall be permitted which contains statements, words or pictures of an obscene, indecent, or immoral character.
- J. Illuminated signs shall be so constructed as to avoid glare or reflection of any portion of an adjacent highway or residential building.
- ~~K.~~ A. Animated signs, as defined by Section 2.2, are ~~prohibited~~ allowed.
- L. Inflatable signs, as defined by Section 2.2, are prohibited. Residential, seasonal lawn decorations are exempt from this provision.
- ~~L.M.~~ M. Vehicle signs, as defined by Section 2.2, are prohibited per Section 4.4J.

Section 10.3 Signs Permitted ~~Signs Without~~ A Zoning Certificate ~~Permit~~

- ~~A. No zoning permit shall be required for the repainting or repairing of a sign.~~
- ~~A.B. Signs posted upon property relating to private parking or warning the public against trespassing or against dangers of animals.~~
- ~~B.C. Municipal, County, State and Federal signs, including necessary traffic signs.~~
- ~~C.D. Historical markers, monuments, or signs erected by a public authority.~~
- ~~D.E. Plates on residential structures or premises giving the name or address of the occupant, mailboxes, paper tubes, and similar uses signs customarily associated with residential uses.~~
- ~~E.F. A sign indicating advertising the name and/or premises or accessory use of a home for an approved home occupation or cottage industry professional purpose, not exceeding the maximum size for such a sign as permitted in Article 4A of this Ordinance.~~
- ~~G. A sign not exceeding 25 square feet and no more than six feet in height on a farm, advertising farm activities and/or products primarily grown on the premises.~~
- ~~H. Municipal, County, State and Federal signs, including necessary traffic signs.~~
- ~~F.I. Historical markers, monuments, or signs erected by a public authority.~~
- ~~G.J. Directional or informational signs of a public or quasi-public nature, such as those containing the meeting date of a community or civic club, or the advertising of a public event.~~

K. Temporary Signage

The temporary sign must be located on the property for which the advertisement is related. One temporary sign is permitted per street frontage. Temporary signs shall not be located within a public right-of-way. All temporary signs shall be removed 30 days after the event.

1. A sign not exceeding 20 square feet and no more than six feet in height that advertises:
 - ~~a) A temporary Real estate information sign designating the zoning classification of the parcel, not exceeding 20 square feet and being located on the subject property for sale or lease.~~
 - b) Services rendered by a contractor and/or professional person.
 - c) A short-term or limited-time sale.
2. A sign not exceeding 100 square feet that announces an upcoming subdivision or commercial site. Sign shall not interfere with traffic visibility.
3. A sign that advertises a Seasonal Use approved by the Board of Zoning Appeals.
4. Election signs are permitted if erected no more than 90 days before the election and removed within 15 days of announced results. Signs shall not interfere with traffic visibility.

- ~~H.L. Building contractors', subdivision and/or professional person' temporary signs on buildings or land under construction but not to exceed 100 square feet.~~
- ~~I. Election signs, provided that unsuccessful candidate shall remove signs within 15 days after a primary or special election. All signs shall be removed within 15 days after the general election. Signs shall not interfere with traffic visibility.~~
- ~~J.M. All temporary signs shall be removed 30 days after the event, unless otherwise specified in Article 10.~~

Section 10.4 Signs Requiring a Zoning ~~Certificate~~ Permit

Business and outdoor advertising signs in all zoning districts shall require a Zoning Certificate before placement on any property or building.² Sign types are defined in Section 2.2.

- A. ~~Business and outdoor advertising signs in all zoning districts shall require a Zoning Certificate before placement on any property or building.²~~

B. Attached Business Signs

1. Any exterior sign or signs pertaining to the use conducted on the premises, and which is either integral with or attached to the principal building, shall have a sum ~~The~~ total area of the sign shall be no more than two square feet for each foot in length of the frontage of the building.
2. Attached business signs shall not ~~No sign shall~~ be attached to the side of the building that faces an adjoining residence.^{32, 35}
3. In addition to the provisions herein, electronic signs shall conform to the criteria outlined in Section 10.7.

C. Freestanding Business Signs

Freestanding business signs related to the subject land use are permitted, provided: Individual business or industrial establishments may erect a freestanding business sign, provided

1. ~~The~~ The lot frontage is at least 40 feet.
2. ~~The~~ One freestanding sign per street frontage is permitted. The total area for any sign or signs on one supporting structure shall not exceed ~~100~~300 square feet and the ~~total~~ maximum height of the sign structure shall not exceed 35 feet.
3. Freestanding business signs shall be located in such a manner that no part of the supporting structure is less than 25 feet from the street right-of-way, and that no part of the sign is closer than five feet to the right-of-way. ~~The total area for any sign or signs on one supporting structure shall not exceed 300 square feet and the total height of the sign structure shall not exceed 35 feet. Businesses or industries having a frontage on more than one street may have an additional freestanding sign for each street frontage, provided that the total area for all freestanding signs does not exceed 600 square feet.~~
4. Freestanding business signs ~~Where the lot adjoins a residence and a freestanding sign is on the side of the business lot adjoining the residential lot, the sign shall not face an adjacent the adjoining~~ residence.
5. Properties which consist of ~~Structures which have~~ more than one ~~land~~ use shall be required to use a pylon sign. One ~~pylon sign~~ is permitted on each street frontage.^{8, 32, 35}
6. In addition to the provisions herein, electronic signs shall conform to the criteria outlined in Section 10.7.

~~B.D. All outdoor advertising signs shall be spaced in such a manner that in an Industrial District there shall be a minimum of 300 feet between signs, and in the Rural District, where permitted, such signs shall be located in such a manner that there shall be 1,000 feet between signs. This shall be subject to Section 10.4E.~~

~~C.E. All signs accessory to a land use subject to the approval of a Conditional Use Permit shall be proposed within the Conditional Use Permit application and assessed by the Board of Zoning Appeals at the required Public Hearing. Such signs shall be maintained at least 1,000~~

~~feet between signs. Consideration of the placement of such signs with less than 1,000 foot intervals shall be determined by the Commercial or Residential Uses adjacent to the subject site. Commercial uses adjacent to the subject site may allow spacing intervals of 300 feet. Any deviation from the standards in Section 10.4 shall require consideration and approval by the Board of Zoning Appeals as part of the Conditional Use Permit application in accordance with Section 6.3.~~^{2, 17, 21, 23, 25}

~~D.F. No outdoor advertising sign shall be placed closer than 300 feet to an intersection on a dual or proposed dual highway or within 100 feet of any other intersection; provided, however, that such signs may be affixed to or located adjacent to a building at such intersections in such a manner as not to materially cause any greater obstruction of vision than caused by the building itself. No business sign shall be so located to obstruct the vision of traffic using entrance ways, driveways, or any public road intersection.~~

~~E.G. All outdoor advertising, excluding billboards subject to Section 10.4H, shall comply with front yard setback provisions in the districts in which they are permitted.~~

F.H. Billboards

- ~~1. No billboard shall be closer to any public highway right of way than 300 feet.~~
- ~~2. Placement of a billboard must be in a location that is within 800 feet of an existing business.~~
- ~~3. There shall be a minimum of 1000 feet between billboards.~~
- ~~4. A billboard shall be no closer than 500 feet from a church, school, or cemetery.~~

Section 10.5 Signs Requiring a Special Exception PermitZoning Certificate²

~~All Zoning Certificate applications for signs may be approved by the Zoning Administrator if in conformance with the regulations.~~^{17, 21, 23}

~~The following signs shall require processing a Special Exception Permit before the Board of Zoning Appeals pursuant to Section 6.5. Any deviation from the provisions of this section shall require consideration and approval by the Board as part of the Special Exception application.~~

A. Off-Premises Signs

~~Signs approved by the Board shall adhere to the following:~~

- ~~1. Off-Premises Signs shall not exceed 60 square feet and shall be no more than 25 feet in height.~~
- ~~2. When located in the commercial/industrial zoning districts, All outdoor advertising signs shall be spaced in such a manner that in an Industrial District there shall be a minimum of 300 feet between signs.~~
- ~~3. When located, and in the Rural/residential zoning Districts, where permitted, such signs shall be located in such a manner that there shall be 1,000 feet between signs. This shall be subject to Section 10.4E.~~
- ~~4. Off-Premises Signs shall comply with front yard setback provisions in the districts in which they are permitted.~~
- ~~4.5. Off-Premises Signs shall not be located~~ No outdoor advertising sign shall be placed closer than 300 feet to an intersection on a dual or proposed dual highway or within 100 feet of any other intersection; provided, however, that such signs may be affixed to or located adjacent to a building at such intersections in such a manner as not to materially cause any greater obstruction of vision than caused by the building itself. No business sign shall be

so located to obstruct the vision of traffic using entrance ways, driveways, or any public road intersection.

6. In addition to the provisions herein, electronic signs shall also conform to the criteria outlined in Section 10.7.

B. Billboard Signs

Signs approved by the Board shall adhere to the following:

1. No billboard sign face shall exceed a total of 300 square feet in surface area including trim, nor shall it contain more than one message per sign face.
2. No billboard shall exceed 35 feet in height.
- 2-3. No billboard shall be closer to any public highway right-of-way than 300 feet.
- 3-4. Placement of a billboard must be in a location that is within 800 feet of an existing business.
- 4-5. There shall be a minimum of 1,000 feet between billboards.
- 5-6. A billboard shall be no closer than 500 feet from a church, school, or cemetery.
7. In addition to the provisions herein, electronic signs shall conform to the criteria outlined in Section 10.7.

C. Electronic Signs

Electronic Signs located in the Rural, Residential Growth, and Village zoning districts shall require a Special Exception Permit unless included as part of a Conditional Use Permit application per Section 10.6. Electronic Signs shall conform to the criteria outlined in Section 10.7.

Section 10.6 Conditional Use Permit (CUP) Signs

All signs accessory to a land use subject to the approval of a Conditional Use Permit shall be proposed within the Conditional Use Permit application and assessed by the Board of Zoning Appeals at the required Public Hearing. Such signs shall be maintained at least 1,000 feet between signs. Consideration of the placement of such signs with less than 1,000 foot intervals shall be determined by the Commercial or Residential Uses adjacent to the subject site. Commercial uses adjacent to the subject site may allow spacing intervals of 300 feet. Any deviation from the standards in Section 10.4 shall require consideration and approval by the Board of Zoning Appeals as part of the Conditional Use Permit application in accordance with Section 6.3.^{2, 17, 21, 23, 32, 35}

Signs associated with a Conditional Use Permit application shall be assessed by the Board of Zoning Appeals as part of the CUP process per Section 6.3. Any deviation from the provisions of this section shall require consideration and approval by the Board as part of the CUP application. Signs approved by the Board shall adhere to the following:

- A. There shall be a minimum of 300 feet between signs when located in the commercial/industrial zoning districts.
- B. There shall be a minimum of 1,000 feet between signs when located in the rural/residential zoning districts; however, a minimum of 300 feet between signs may be permitted provided the adjacent land use is a commercial/industrial land use.
- C. Signs shall comply with the front yard setback provisions in the districts in which they are permitted.

D. In addition to the provisions herein, electronic signs accessory to a CUP application shall conform to the criteria outlined in Section 10.7.

Section 10.7 Electronic Signs

Electronic Signs are permitted in any commercial and/or industrial district. Electronic Signs located in the Rural, Residential Growth, and Village zoning districts shall process as a Special Exception before the Board of Zoning Appeals per Section 6.5. Any electronic sign accessory to a Conditional Use Permit application shall comply with Section 10.6 and the criteria outlined in this section. When permitted, Electronic Signs shall conform to the following criteria:

- A. The message or image shall be static, displayed for a minimum of 15 seconds and shall not be animated by scrolling, flashing, or other similar non-static displays.
- B. The message or image change shall occur simultaneously for the entire electronic sign face without any special effects. The time to complete the change from one message to the next is a maximum of one second.
- C. Electronic signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if a malfunction occurs.
- D. An electronic sign may not be animated, play video or audio messages, or blink in any manner.
- E. Electronic signs shall not exceed a maximum illumination of 3,000 nits during daylight hours and a maximum of 100 nits for the time period between ½ hour before sunset and ½ hour after sunrise as measured from the sign's face at maximum brightness.
 - 1. The applicant shall provide written certification from the sign manufacturer that the light intensity has been factory preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password protected software or other appropriate methods.
 - 2. The change from 7,000 nits to 600 nit shall be controlled by an automatic dimmer control system.
- F. There shall be only one electronic sign on each parcel of land. Off-premises electronic signs shall be subject to Section 10.5A.
 - 1. Community announcements, emergency alerts, weather, and time related messages are generally permitted and shall not be considered an off-premises sign.
- G. Electronic Signs shall not be located within 300 feet of a traffic light.
- H. Electronic signs shall not be located within 200 feet of the property line of a parcel with a residential structure. This setback does not apply to mixed-use buildings or residential structures located on the same parcel as a commercial development.
- I. Electronic signs proposed to locate adjacent to a lot in the Rural, Residential Growth, or Village zoning districts, or adjacent to residential structures in any zoning district, shall be oriented perpendicular to residential frontages. Electronic signs shall not be parallel to any residential structures in any zoning district.
- J. Electronic signs adjacent to lots in the Rural, Residential Growth, and Village zoning districts shall automatically shut-off by 10:00 p.m. and shall not turn on until 6:00 a.m.

Electronic signs shall be FCC certified as required by Federal Law. A valid copy of the FCC Manufacturers Testing Certificate shall be submitted to the Office of Planning and Zoning as part of the Zoning Certificate application.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



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

Estimation of amount of time needed for appointment: 5 minutes
Date Requested – 1st Choice: April 19, 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*): Two Partial Bond Release requests

1. Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – Summit Point Motorsports Park Staging Area (File #S17-10)
2. Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – SPARC Range Extension (File #S17-11)

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

1. Partial release of Irrevocable Letter of Credit #339 with The Bank of Charles Town, Charles Town, WV construction bond security for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – Summit Point Motorsports Park Staging Area (File #S17-10)
2. Partial release of Irrevocable Letter of Credit #340 with The Bank of Charles Town, Charles Town, WV construction bond security for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – SPARC Range Extension (File #S17-11)

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

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

1. I authorize a partial release of Irrevocable Letter of Credit #339 with The Bank of Charles Town in the amount of \$48,925.00 for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – Summit Point Motorsports Park Staging Area (File #S17-10).
2. I authorize a partial release of Irrevocable Letter of Credit #340 with The Bank of Charles Town for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – SPARC Range Extension (File #S17-11).

Attach supporting documents for request, or request may be denied:
Construction Bond Release Letter
Bond Release Request Report
Site Map
Is equipment needed? Projector Y/NO Internet/Wi Fi Y/NO Telephone for conference call Y/NO
Contact information:
Email address: engineering@jeffersoncountywv.org Phone Number: 304-728-3257

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS



JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT
Josh Compton

April 19, 2018

VICE PRESIDENT
Caleb Wayne Hudson

Mr. Joshua Householder, Sr. Vice President
Bank of Charles Town
P. O. Box 906
Charles Town, West Virginia 25443

COMMISSIONER
Patricia A. Noland

COMMISSIONER
Jane M. Tabb

COMMISSIONER
Peter W. Onoszko

RE: Irrevocable Letter of Credit #339 dated September 25, 2017, Construction Bond Surety for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – Summit Point Motorsports Park Staging Area (File #S17-10).

Dear Mr. Householder:

The Jefferson County Commission authorizes a partial release of \$48,925.00 from the construction bond amount for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – Summit Point Motorsports Park Staging Area (File #S17-10), for a new construction bond amount of \$5,000.00. This project is located on the south side of Route 13-Summit Point Road. Work remaining includes but is not limited to final stabilization and the bond contingency amount.

In summary, you are hereby authorized to reduce the amount of the above referenced Irrevocable Letter of Credit, originally issued in amount of \$53,925.00 to \$5,000.00. Please contact the Jefferson County Department of Engineering, Planning & Zoning - Office of Engineering at (304) 728-3257 if you have any questions.

Sincerely,

Josh Compton, President
Jefferson County Commission

JC:rfb

cc: Mr. John Wells, Direct of Facility Maintenance
Summit Point Raceway Associates, Inc.
P. O. Box 190
Summit Point, WV 25446
Department of Engineering, Planning & Zoning
Office of Engineering

County Administrator
Stephanie Grove

Deputy County Administrator
Sandy Shusher McDonald

BOND REDUCTION or RELEASE REQUEST - REPORT

Date Received: 03 / 22 / 2018

J.C.P.C. File No. S17 - 10

Consultant/Engineer/Firm Name: GORDON

Mailing Address: 301 N MIDWAY ST.

City: CHARLES TOWN State: WV Zip: 25414

Contact Person: RJAN PERKS Phone: 304-725-8956

Project/Subdivision Name: SUMMIT POINT MOTORSPORTS STAGING AREA

Section/Phase: _____ Lots: _____

Review Comments:

The bond release reduction is Approved as Submitted. _____ The bond release/reduction request is Denied.

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

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

_____ Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL WORK IS COMPLETE, WITH THE EXCEPTION

OF STABILIZATION OF A 10'-WIDE STRIP OF GRASSY AREA

REDUCTION OF BOND TO \$5,000 APPROVED BY CHIEF COUNTY ENGINEER

Approved for:
 BOND REDUCTION
 By [Signature] 03/30/2018
 County Engineer Date

Original Bond Amt. \$ 38,925 + 15% Cont. \$ 15,000 = Total Original Bond Amt. \$ 53,925

Total Current Bond Amount \$ 53,925.00

Cost of Work Remaining \$ 0.00 + Contingency Amount \$ 5,000.00

= Approved for Revised Bond Amount \$ 5,000.00

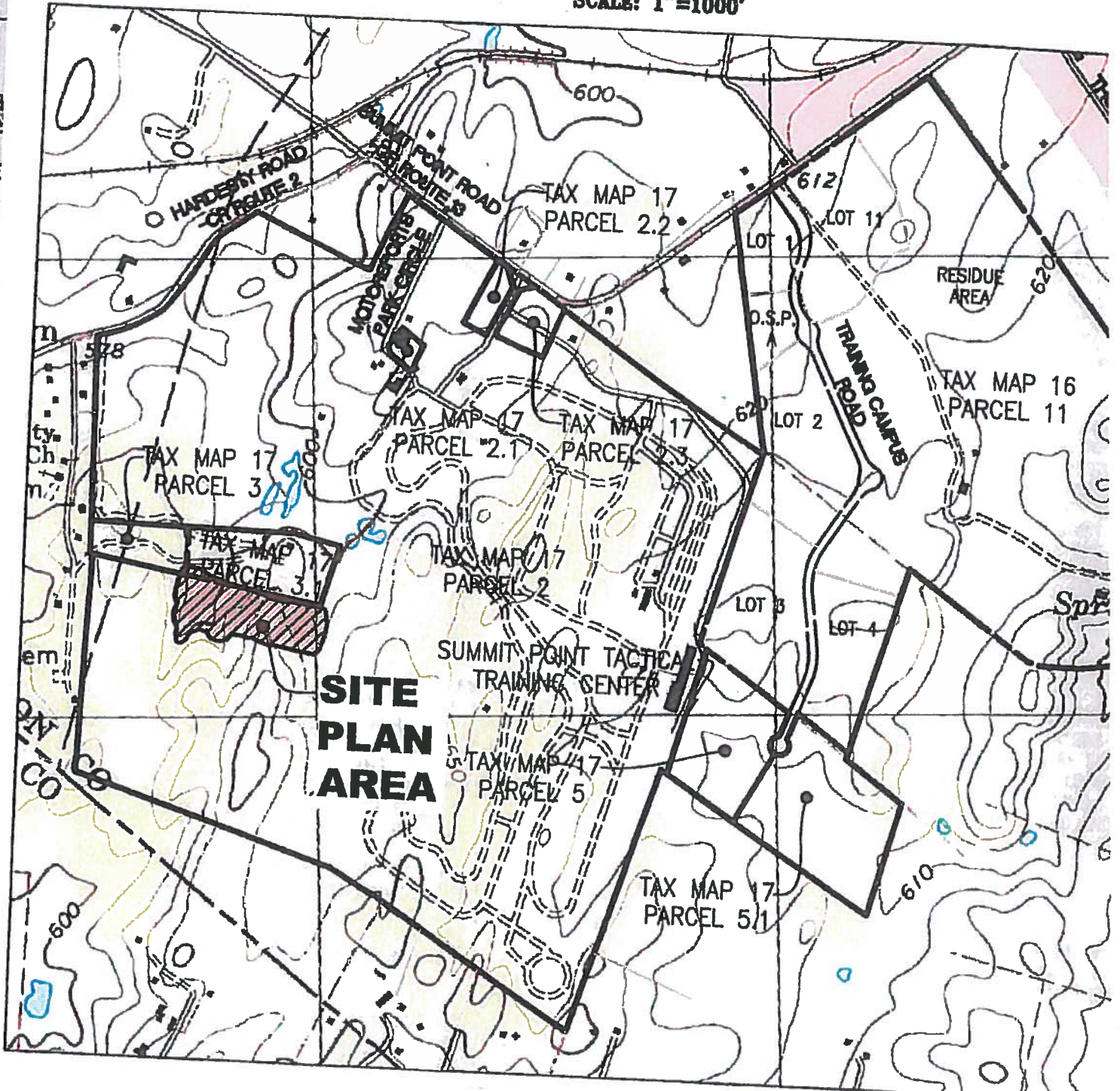
Reviewed By: JOSEPH W. KENT Title: L.D.I.

Signature: [Signature] Date: 03 / 30 / 2018

517-10

VICINITY MAP

SCALE: 1"=1000'





JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT

Josh Compton

April 19, 2018

VICE PRESIDENT

Caleb Wayne Hudson

Mr. Joshua Householder, Sr. Vice President

Bank of Charles Town

COMMISSIONER

Patricia A. Noland

P. O. Box 906

Charles Town, West Virginia 25443

COMMISSIONER

Jane M. Tabb

RE: Irrevocable Letter of Credit #340 dated January 9, 2018, Construction Bond Surety for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – SPARC Range Extension (File #S17-11).

COMMISSIONER

Peter W. Onoszko

Dear Mr. Householder:

The Jefferson County Commission authorizes a partial release of \$264,839.00 from the construction bond amount for Summit Point Automotive Research Center, LLC & Summit Point Raceway Associates, Inc. – SPARC Range Extension (File #S17-11), for a new construction bond amount of \$236,867.00. This project is located on the south side of Route 13-Summit Point Road. Work remaining includes but is not limited to the following:

1. Grading and earthwork
2. Stormwater management
3. Final stabilization
4. Bond contingency amount

In summary, you are hereby authorized to reduce the amount of the above referenced Irrevocable Letter of Credit, originally issued in amount of \$501,706.00 to \$236,867.00. Please contact the Jefferson County Department of Engineering, Planning & Zoning - Office of Engineering at (304) 728-3257 if you have any questions.

Sincerely,

Josh Compton, President
Jefferson County Commission

JC:rfb

cc: Mr. Douglas Allison, President
Summit Point Raceway Associates, Inc.
P. O. Box 190
Summit Point, WV 25446
Department of Engineering, Planning & Zoning
Office of Engineering

County Administrator
Stephanie Grove

Deputy County Administrator
Sandy Slusher McDonald

Email: engineering@jeffersoncountywv.org

BOND REDUCTION or RELEASE REQUEST - REPORT

Date Received: 04 / 06 / 2018

J.C.P.C. File No. S17 - 11

Consultant/Engineer/Firm Name: GORDON

Mailing Address: 148 S. QUEEN ST. SUITE 201

City: MARTINSBURG State: WV Zip: 25401

Contact Person: RYAN PERKS Phone: 304-725-8456

Project/Subdivision Name: SPARC RANGE EXTENSION SITE PLAN

Section/Phase: _____ Lots: _____

Review Comments:

The bond release reduction is Approved as ^{REVISED} Submitted. _____ The bond release/reduction request is Denied.

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

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

_____ Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL WORK HAS BEEN COMPLETED AS SHOWN IN THE

BOND REDUCTION SPREADSHEET

Approved for:
By [Signature] 04/10/2018
County Engineer Date

Original Bond Amt. \$ 436,266 + 15% Cont. \$ 65,440 = Total Original Bond Amt. \$ 501,706

Total Current Bond Amount \$ 501,706.00

Cost of Work Remaining \$ 205,971.00 + Contingency Amount \$ 30,896.00

= Approved for Revised Bond Amount \$ 236,867.00

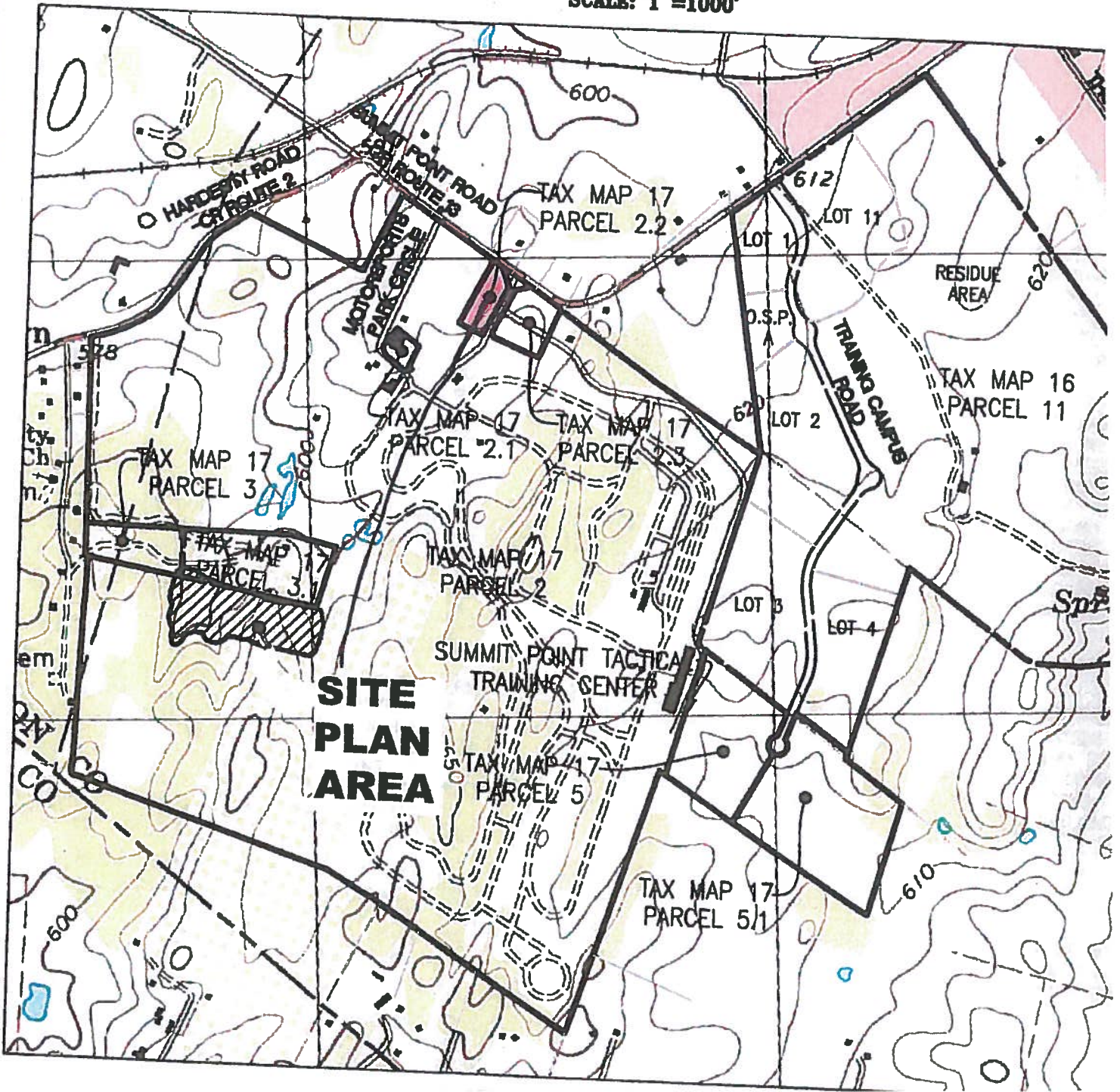
Reviewed By: Joseph W. Kent Title: L.O.I.

Signature: [Signature] Date: 04 / 09 / 2018

517-11

VICINITY MAP

SCALE: 1"=1000'



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: **April 19, 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 Fire Suppression Contract for 911 Center. Discussion/Action. Possible Executive Session.**
4. **Discussion of US District Court Civil Action #3:16-CV-74. 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



AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **April 19, 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*): **Resolution to proclaim April as Fair Housing Month - 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

Charles Town, West Virginia

RESOLUTION

Whereas, the County Commission of Jefferson County desires to give meaning to the guarantees of equal rights contained in the Constitution and laws of this State and the United States, and to encourage and bring about mutual self-respect and understanding among all citizens and groups in the County; and,

Whereas, under the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968, it is illegal to deny housing to any person because of race, color, religion, sex, or national origin; and,

Whereas, under the West Virginia State Fair Housing Law, W.Va. Code § 5-11A-1 *et seq.*, it is illegal to deny housing to any person because of race, sex, religion, color, age, physical or mental handicap or national origin;

Therefore, be it resolved that the Jefferson County Commission, West Virginia, makes a firm commitment to do all within its power to eliminate prejudice, intolerance, disorder and discrimination in housing.

Therefore, be it also resolved that a Fair Housing Law poster, which has the "Equal Housing Opportunity" logo, will be displayed at the County Courthouse.

Therefore, be it also resolved that the following procedures will be used to accomplish the purpose of the aforementioned resolution:

- 1) The County Commissioners shall inform all County employees of the County's commitment to fair housing.
- 2) The County Commissioners will post this resolution in County buildings and publicize it on social media and the web.
- 3) The County Commissioners shall direct all employees to forward immediately to the County Administrator any reports they receive of housing discrimination.
- 4) The County Administrator shall forward such complaints to the West Virginia Human Rights Commission, 1321 Plaza East, Room 108A, Charleston, West Virginia, 25301-1400, within ten (10) days of receipt of said complaint.

Dated: _____

Josh Compton, President

Jefferson County Commission

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Glenn Housden

Department or Organization: **WV Guard Softball Team**

Estimation of amount of time needed for appointment: N/A

Date Requested – 1st Choice: **April 19, 2018**

*If a specific date is needed, please provide reason for specific date: **Our fundraising event is scheduled for 21 April 2018.***

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Letter of Endorsement needed for ABC License**

Please provide the County Commission with a description of your request or presentation, including any background information: Fundraiser for the Air National Guard National Softball Tournament. All financial support raised will benefit the Guard Softball team in funding their tournament registration fees, lodging, and all other travel expenses.

Is this a funding request? Yes

If so, how much? \$5,000

Provide exact financial impact/request:

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Provide letter of endorsement for Glenn Housden to receive ABC License for fundraising event located at the Shepherdstown VFB Barron Hall.

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: gmhousden@gmail.com

Phone Number: 304-676-6424

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Michelle Gordon, Finance Director
Michelle Gordon (Finance Director), Russ Burgess (IT Director), and the IT Software Committee

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **April 19, 2018**
If a specific date is needed, please provide reason for specific date:

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

- Review and Approval of Revisions to the Hotel Occupancy Tax Ordinance
- Acceptance of the Sales Quotation with Tyler Technologies – Munis ERP Solution (Self Hosted, Tax Optional) for the Financial System Project – **Possible Executive Session**

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

- **Hotel Occupancy Ordinance**-*No changes were made to the rate of tax or percentages for the application of proceeds.* General language revisions were needed to ensure that our language agreed with the language included in the provisions of Article 18, Chapter 7 of the Codes of West Virginia and current approved distribution percentages for proceeds.
- **Financial System Project** – On October 9, 2017, the County advertised an RFP for a Centralized/ Integrated Governmental Financial Management Software. The RFP required that responses be submitted in writing 30 days later or by November 14, 2017. The IT Software Committee fielded calls and emails from 5 potential vendors. On November 14, 2017, the County received 2 formal responses to the RFP. The top company provided an onsite demonstration of their software package on March 28, 2018 to departments and staff impacted by the new software. Approximately 30-35 employees attended. Overall feedback was positive.

The Committee unanimously agreed that the software package offered by Tyler offers the most up to date technology, satisfies current operating service needs and provides added services at lowest price for the County. Prior to formulating a final decision on replacement of the Tax Billing Module, the Sheriff would like additional information from Tyler representatives.

The Committee recommends that the County move forward with the sales quotation that lists Tax Billing and Cashiering as an optional purchase to be determined at a future date. **Sales quotes are marked Confidential by the Vendor and are considered to be proprietary information and may require review during an Executive Session.** On April 19, 2018, copies of the sales quote *with* (Sales Quote B) and *without* (Sales Quote A) the Tax Billing and Cashiering modules will be distributed for viewing and then collected after viewing to maintain confidentiality of proprietary information for the potential/selected vendor.

Is this a funding request? Y/N **Funding is already included in the Capital Outlay Fund, FY18 Budget**
If so, how much? \$ N/A
Provide exact financial impact/request -

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

- Motion to approve revisions to the Hotel Occupancy Tax Ordinance effective April 19, 2018
- Move to accept the Sales Quote A from Tyler Technologies in the amount of \$207,050, to provide a centralized and integrated governmental financial management system.

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

Jefferson County, West Virginia
Hotel Occupancy Tax Ordinance
Enacted July 1, 1987 and Revised April 19, 2018

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Jefferson County Hotel Occupancy Tax Ordinance

Enacted July 1, 1987 and Revised April 19, 2018

An Ordinance establishing a room occupancy tax on hotels located within the unincorporated areas of Jefferson County, West Virginia; establishing procedures for the collection, distribution and administration of such tax and establishing penalties for failure to comply with the requirements or provisions of this ordinance.

Be it enacted and ordained by the Jefferson County Commission of Jefferson County, Charles Town, West Virginia, as follows:

ARTICLE I- GENERAL PROVISIONS

Section 1.1- Authority

This ordinance is adopted by the Jefferson County Commission in accordance with the provisions of Article 18, Chapter 7 of the Code of West Virginia, as amended.

Section 1.2 - Purpose

The purpose of this ordinance is to levy an occupancy tax on hotel rooms located in the unincorporated areas of Jefferson County for the following purposes:

- (a) At least fifty (50%) percent of the net received during the fiscal year by the County, pursuant to requirement of the Code of the State of West Virginia shall be appropriated to a Convention and Visitor's Bureau approved by the Commission and established as required by state law.
- (b) The remaining portion of the net revenues receivable during the fiscal year by the County may be expended for one or more of the following purposes:
 - (1) The planning, construction, reconstruction, establishment, acquisition, improvement, renovation, extension, enlargement, equipment, maintenance, repair and operation of publicly owned convention facilities including, but not limited to, arenas, auditoriums, civic centers and convention centers;
 - (2) The payment of principal or interest or both on revenue bonds issued to finance such convention facilities;
 - (3) The promotion of conventions;
 - (4) The construction or maintenance of public parks, tourist information centers and recreation facilities (including land acquisition); or
 - (5) The promotion of the arts; or
 - (6) Historic sites.

Commented [MG1]: We currently remit a portion to the Historic Landmark's Commission.

ARTICLE II- DEFINITIONS

Section 2.1 Definitions

For the purposes of this ordinance the following words, phrases, and terms are defined:

- (a) "Consideration paid" or "consideration" means the amount received in money, credits, property or other consideration for or in exchange for the right to occupy a hotel room as herein defined.

- (b) "Consumer" means a person who pays the consideration for the use or occupancy of a hotel room. The term "consumer" shall not be construed to mean the government of the United States of America, its agencies or instrumentalities, or the government of the State of West Virginia or political subdivision thereof.
- (c) "Convention center"- means a convention facility owned by state, county, municipality or other public entity or instrumentality and shall include all facilities, including armories, commercial, office, community service and parking facilities, and publicly owned facilities constructed or used for the accommodation and entertainment of tourist and visitors, constructed in conjunction with the convention center and forming reasonable appurtenances thereto.
- (d) "Convention and Visitor's Bureau" shall mean a non-stock, nonprofit corporation with a full-time staff working exclusively to promote tourism and to attract conventions, conferences and visitors to the county in which the bureau is located.
- (e) "County" means the County of Jefferson.
- (f) "Evade" means to willfully and fraudulently commit any act with the intent of depriving the County of payment of any tax which there is a known legal duty to pay.
- (g) "Fraud" means any false representation or concealment as to any material fact made by any person with the knowledge that it is not true and correct, with the intention that such representation or concealment be relied upon by the County.
- (h) "Fiscal year" means the year beginning July first and ending June thirtieth of the next calendar year.
- (i) "Historic site" means any site listed on the US National Register of Historic places, or listed by a local historical landmarks commission, established under state law, when such sites are owned by a city, a county or a nonprofit historical association and are open from time to time, to accommodate visitors.
- (j) "Hotel" means any facility, building or buildings, publicly or privately owned (including a facility located in a state or county park), in which the public may, for a consideration, obtain sleeping accommodations. The term shall include, but is not limited to, boarding houses, hotels, motels, inns, courts, lodges, cabins, and tourist homes. The term "hotel" shall not be construed to mean any hospital, sanitarium, extended care facility, nursing home or university or college housing unit or any facility providing fewer than three (3) hotel roomsrooms in private homes, not exceeding a total of ten (10) days in a calendar year, nor any tent, trailer or camper per campsites: Provided, that where a university or college housing unit provides sleeping accommodations for the general nonstudent public for a consideration, the term "hotel" shall, if otherwise applicable, apply to such accommodations for the purpose of this tax.
- (kj) "Hotel operator" means the person who is proprietor of a hotel, whether in the capacity of owner, lessee, mortgagee in possession, licensee, trustee in

Commented [MG2]: We currently remit a portion to the Historic Landmarks Commission. This is the State definition of Historic Site.

Commented [MG3]: Expanded language based on State code

possession, trustee in bankruptcy, receiver, executor or in any other capacity. Where the hotel operator performs his functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed a hotel operator for the purposes of this ordinance and shall have the same duties and liabilities as his or her principal. Compliance with the provisions of this ordinance by either the principal or the managing agent shall, however, be considered to be compliance by both.

- (lk) "Hotel room" means any room or suite of rooms or other facility affording sleeping accommodations to the general public and situated within a hotel. The term "hotel room" shall not be construed to mean
- (1) A banquet room, meeting room or any other room not primarily used for, or in conjunction with, sleeping accommodations; Or
 - (2) Sleeping accommodations rented on a month-to-month basis or other rental arrangement for thirty (30) days or longer at the inception at a boarding house, condominium, cabin, tourist home, apartment or home; or
 - (3) Sleeping accommodations rented by a hotel operator to those persons directly employed by the hotel operator for the purposes of performing duties in support of the operation of the hotel or related operations.
- (ml) "Net proceeds" means the gross amount of tax collections less the amount of state tax lawfully refunded.
- (nff) "Person" means any individual, firm, partnership, joint venture, association, syndicate, social club, fraternal organization, joint stock company, receiver, corporation, guardian, trust, business trust, trustee, committee, estate, executor, administrator or any other group or combination acting as a unit.
- (oq) "Promotion of the arts" means activity to promote public appreciation and interest in one or more of the arts. It includes the promotion of music of all types, the dramatic arts, dancing, painting, and the creative arts through shows, exhibits, festivals, concerts, musicals and plays.
- (pe) "Recreational facilities" means and Includes any public park, parkway, playground, public recreation center, athletic field, sports arena, stadium, skating rink or arena, golf course, tennis courts and other park and recreation facilities, whether of a like or different nature, that are owned by the County.
- (qf) "Tax"- "taxes", or "this tax" means the hotel occupancy tax authorized by the ordinance.
- (rf) "Taxing authority" means the County of Jefferson.
- (sf) "Taxpayer" means any person liable for the tax authorized by this ordinance.
- (ts) "Willfully" means the intentional violation of a known legal duty to perform any act, required to be performed by any provision of this ordinance, in respect of which the violation occurs: Provided, that the mere failure to perform any act shall not be a willful violation under this ordinance. A willful violation of this ordinance requires that the defendant have had knowledge of or notice of a duty to perform such act, and that the defendant, with knowledge of or notice of such

Commented [MG4]: Expanded language based on State code.

duty, intentionally failed to perform such act.

ARTICLE III – INCORPORATION OF TAX

Section 3.1- Levy of Tax

There is hereby levied a County hotel tax, as hereinafter described, upon all hotels located within the unincorporated limits of Jefferson County, including any hotels owned by the state or by any political subdivision of this state. The tax shall be imposed on the consumer and shall be collected by the hotel operator as part of the consideration paid for the occupancy of a hotel room.

Section 3.2 – Rate of Tax

The rate of tax imposed shall be six percent (6%) of the consideration paid for the use or occupancy of a hotel room. Such consideration shall not include the amount of tax imposed on the transaction under Article 15, Chapter 11, of the Code of West Virginia or charges for meals, valet service, room service, telephone service or other charges or consideration not paid for use or occupancy of a hotel room.

ARTICLE IV – DUTIES AND PROCEDURES FOR HOTEL OPERATORS

Section 4.1- Consumer to Pay Tax; Hotel Operator NOT to Represent that it will Absorb Tax; Accounting by Hotel

- (a) The consumer shall pay to the hotel operator the amount of tax imposed by the County of Jefferson, which tax shall be added to and shall constitute a part of the consideration paid for the use and occupancy of the hotel room, and which tax shall be collectible as such by the hotel operator who shall account for, and remit to the County, all taxes paid by consumers. The hotel operator shall separately state the tax authorized by this ordinance on all bills, invoices, accounts, books of account and records relating to consideration paid for occupancy or use of a hotel room. The hotel operator may commingle tax collected hereunder with the proceeds of the rental of hotel accommodations. The County's claim shall be enforceable against, and shall be superior to, all other claims against the moneys so commingled excepting only claims of the state for moneys held by the hotel pursuant to the provisions of Article 15, Chapter 11 of the Code of West Virginia. All taxes collected pursuant to the provisions of this ordinance shall be deemed to be held in trust by the hotel until the same shall have been remitted to the ~~by the hotel until the same shall have been remitted to the~~ taxing authority as hereinafter provided.
- (b) A hotel operator shall not represent to the public in any manner, directly or indirectly, that it will absorb all or any part of the tax or that the tax is not be considered an element in the price to be collected from the consumer.

Commented [MG5]: This phrase is repeated in error

Section 4.2- Occupancy Billed to Government Agencies or Employees

- (a) Hotel room occupancy billed directly to the federal government shall be exempt from this tax; Provided, that rooms paid for by a federal government employee for which reimbursement is made shall be subject to this tax.
- (b) Hotel room occupancy billed directly to this state or its political subdivisions shall

be exempt from this tax; Provided, that room paid for by an employee of this state for which reimbursement is made shall be subject to this tax.

Section 4.3- Collection of Tax When Sale on Credit

A hotel operator doing business wholly or partially on a credit basis shall require the consumer to pay the full amount of tax due upon a credit sale at the time such sale is made or within thirty (30) days thereafter.

Section 4.4 – Receivership Bankruptcy; Priority of Tax

In the distribution, voluntary or compulsory, in receivership, bankruptcy or otherwise, of the property or estate of any person, all taxes due and unpaid authorized under this ordinance shall be paid from first money available for distribution in priority to all claims and liens except taxes and debts due to the United States which under federal law are given priority over the debts and liens created by municipal ordinance or order of the County Commission for this tax and taxes and debts due to the State of West Virginia. Any person charged with the administration or distribution of any such property or estate who shall violate the provisions of this section shall be personally liable for any taxes accrued and unpaid which are chargeable against the person whose property or estate is in administration or distribution.

Section 4.5- Failure to Collect or Remit Tax; Liability of Hotel Operator

If any hotel operator fails to collect the tax authorized by the ordinance and levied pursuant to this ordinance or shall fail to properly remit such tax to the taxing authority, he shall be personally liable for such amount as he failed to collect or remit; Provided, that such hotel operator shall not be held liable for failure to collect such tax if the hotel operator can by good and substantial evidence prove the refusal of the purchaser to pay this tax despite the diligent effort in good faith of the hotel operator to collect the tax.

Section 4.6- Total Amount Collected to be Remitted

No profit shall accrue to any person as a result of the collection of the tax authorized under this ordinance. Notwithstanding that the total amount of such taxes collected by a hotel operator may be in excess of the amount for which a consumer would be liable by the application of the levy ~~of three (3) percent~~ imposed under Section 3.2 – Rate of Tax for the occupancy of a hotel room or rooms, the total amount of all taxes collected by any hotel operator shall be remitted to the taxing authority as hereinafter provided.

Commented [MG6]: This percentage was missed in the 2016 amendment and should be the same as our approved rate of 6.0%. To ensure it's not missed in the future, language was changed to reference Section 3.2 for the actual levy rate.

Section 4.7- Tax Return and Payment

- (a) The tax authorized by this ordinance shall be due and payable in monthly installments on or before the fifteenth (15th) day of the calendar month next succeeding the month in which the tax accrued; Provided, that for credit in which the tax authorized by this ordinance is not collected by the hotel operator at the time of such sales, such tax shall not, for purposes of this ordinance, be regarded as having accrued until the date on which it is either received by the hotel operator or upon the expiration of the thirty (30) day payment period set forth in Section 4.3 of this ordinance, whichever shall first occur. The hotel operator shall, on or before the fifteenth (15th) day of each month, prepare and deliver to the Treasurer of Jefferson County a return for the preceding month, in the form prescribed by the County Commission. Such form shall include all

information necessary for the computation, collection and subsequent distribution of the tax as the County may require. A remittance for the amount of the tax due shall accompany each return. Each return shall be signed by the hotel operator or his duly authorized agent.

- (b) For this first month that the tax is delinquent, there shall be assessed a penalty in the amount of five percent (5%) of the tax due for the delinquent period. For each additional month that the tax remains delinquent, there shall be further assessed an additional one percent (1%) penalty per month until the tax is paid. No payment for a subsequent period shall be collected until all prior delinquent taxes have been paid in full with all penalties assessed thereto.

Section 4.8 -- Special Rule for Taxes Due in Amounts Less Than TEN DOLLARS (\$10.00) Per Month

In the event that the tax due for any reporting period is less than ten dollars (\$10.00), the reporting requirements as stated under Section 4.7 of this ordinance are hereby waived and no reporting shall be required until such time that the tax liability exceeds ten dollars (\$10.00).

Section 4.9 – Keeping and Preserving of Records

Each hotel operator shall keep complete and accurate records of taxable sales and of charges, together with a record of the tax collected thereon, and shall keep all invoices and other pertinent documents in such form as the taxing authority may require. Such records and other documents shall be preserved for a period of not less than three (3) years, unless the taxing authority shall consent in writing to their destruction within that period or shall require that they be kept for a longer period. Such records shall be made available to the taxing authority upon demand in writing within a reasonable period of time.

Section 4.10- Liability of Officers

If the taxpayer is an association or corporation, the officer thereof actually participating in the management or operation of the association or corporation shall be personally liable, jointly and severally, for any default on the part of the association or corporation; and payment of tax, fines, additions to tax or penalties which may be imposed by state law, ~~city municipal~~ ordinance, order of the County Commission or other authority may be enforced against such officers as against the association or corporation which they represent.

Commented [MG7]: To match language in State Code

ARTICLE V- ADMINISTRATION

Section 5.1 – General Procedure and Administration

The administrative procedure for the assessment, collection and refund of the tax authorized by this ordinance shall be established by the County to aid in the efficient administration of the tax and distribution of its proceeds.

Section 5.2 – Proceeds of Tax: Application of Proceeds

- (a) Application of proceeds – The net of the tax collected and remitted to the taxing authority pursuant to this ordinance shall be deposited into the general revenue

fund of the County and alter appropriation thereof shall be expended only as provided in subsection (b) and (c) of this section.

- (b) At least fifty percent (50%) of the net received during the fiscal year by the County, pursuant to requirement of the Code of the State of West Virginia shall be appropriated to a Convention and Visitor's Bureau approved by the Commission and established as required by state law.
- (c) Permissible expenditures- After making the appropriation required by subsection (b) of this section, the remaining portion of the net revenues receivable during the fiscal year by the County, pursuant to this ordinance, may be expended for one or more of the purposes set forth in this subsection, but for no other purpose. The purposes for which expenditures may be made pursuant to this subsection are as follows:
 - (1) The planning, construction, reconstruction, establishment, acquisition, improvement, renovation, extension, enlargement, equipment, maintenance, repair and operation of publicly owned convention facilities including, but not limited to, arenas, auditoriums, civic centers and convention centers;
 - (2) The payment of principal or interest or both on revenue bonds issued to finance such convention facilities;
 - (3) The promotion of conventions;
 - (4) The construction or maintenance of public parks, tourist information centers and recreation facilities (including land acquisition); ~~or~~
 - (5) The promotion of the arts; ~~or~~
 - (6) Historic sites.

Commented [MG8]: We currently remit a portion to the Historic Landmark's Commission.

ARTICLE VI-EXCLUSIONS

Section 6.1 - Exclusions

The following exclusions shall apply in the administration of this tax.

- (a) The term "consumer" shall not be construed to mean the government of the United States of America, its agencies or instrumentalities, or the government of the State of West Virginia or a political subdivision thereof;
- (b) Hotel room occupancy billed directly to the federal government shall be exempt from this tax.
- (c) Hotel room occupancy billed directly to the State of West Virginia or its political subdivision shall be exempt from this tax.

ARTICLE VII - PENALTIES

Section 7.1 Criminal Penalties

- (a) It shall be unlawful for any person to willfully refuse to collect or to pay the tax or to willfully refuse to make the return required to be made by this ordinance; or to willfully make any false or fraudulent return or false statement in any return with the intent to defraud any taxing authority, or to willfully evade the payment of the tax, or any part thereof; or for any persons to willfully aid or abet another in any attempt to evade the payment of the tax, or any part thereof; or for any officer, partner or principal of any corporation or association to willfully make or willfully permit to be made for such corporation or association any false return, or any false statement in any return authorized by this ordinance, with the intent to evade the payment of this tax.
- (b) Any person willfully violating any of the provisions of this ordinance shall for the first offense be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than five hundred (\$500.00) or imprisoned for a period of not more than thirty (30) days, or both fined and imprisoned. For each offense after the first offense, such person shall be guilty of a felony, and, upon conviction thereof, shall be fined not less than one thousand (\$1,000.00) nor more than ten thousand dollars (\$10,000.00), or imprisoned in the penitentiary not less than one (1) nor more than three (3) years, or in the discretion of the Court be confined in the County Jail not more than one (1) year, or both fined and imprisoned.
- (c) Every prosecution for any offense arising under this ordinance shall be commenced within three (3) years after the offense was committed, notwithstanding any provision of this ordinance to the contrary.
- (d) Proceedings against any person under this section shall be initiated in the county of this state wherein such person resides if any element of the offense occurs in such county of residence, or if no element of the offense occurs in such county of residence, then in the county where the offense was committed.

ARTICLE VIII - SEVERABILITY

Section 8.1- Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatsoever such decision shall not affect the remaining portions of this ordinance which shall remain in force and effect, and for this purpose the revisions of this ordinance are hereby declared to be severable.

ARTICLE IX - ENACTMENT

Section 9.1- Effective Date

The original ordinance took effect July 1, 1987.

Section 9.2- Enactment Date

The Original Ordinance was enacted and ordained by motion the 4th day of June, 1987 as recorded in Order Book Y, Page 91. (See Section 9.3 – Amendments.)

Section 9.3 – Amendments

This Ordinance may, from time to time, be amended by a majority of the members of the County Commission as they deem it necessary and appropriate.

- 1) The Ordinance was revised and ordered entered of record on the 17th day of March, 1988, as recorded in Order Book Y, Page 244.
- 2) Amendment to the Jefferson County Hotel Occupancy Tax Ordinance Article III – INCORPORATION OF TAX Section 3.2 – Rate of Tax made to change the rate of tax imposed from three percent (3%) to six percent (6%).

The Ordinance was amended and ordered entered of record on the 21st day of June, 2007, as recorded in Order Book EE, page 151. This amendment took effect July 1st, 2007.

- 3) The Ordinance was revised and ordered entered of record on the 30th day of June, 2016. This amendment took effect July 1st, 2016.

Commented [MG9]: Most recent change was in June 2016.

ARTICLE X - AUTHORITY

WV Code Chapter §7-18-1, et seq; and related statutes.

Now therefore, this ordinance is amended, enacted and ordained by majority vote at a duly called meeting of the County Commission of Jefferson County, West Virginia on this

_____ day of _____, 2018.

JEFFERSON COUNTY COMMISSION

BY:

Josh Compton, President



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: **April 19, 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 date and time for Meet and Greet – 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: **Bill Polk**

Department or Organization: **Maintenance Department**

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

Date Requested – 1st Choice: **4/19/18**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Approval of Employment – Maintenance Mechanic**

Please provide the County Commission with a description of your request or presentation, including any background information: **The Maintenance Department has a job vacancy for a Maintenance Mechanic. The position was advertised. Applications were received and interviews were conducted. I have selected an individual to fill this position and I am requesting approval of my recommendation.**

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

Motion to approve the employment of a Maintenance Mechanic as recommended.

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: **bpolk@jeffersoncountywv.org**

Phone Number: _ 304-728-3355

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

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**NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY EMERGENCY AMBULANCE SERVICE FEE ORDINANCE**

The County Commission of Jefferson County will hold a Public Hearing on amendments to the Jefferson County Emergency Ambulance Service Fee Ordinance with regards to the Commercial Fee rate structure. The hearing will be held on Thursday, April 19, 2018, at 1:30 p.m. in the Old Charles Town Library Meeting Room on the ground floor of the Library, 200 East Washington Street, Charles Town, WV 25414.

Anyone wishing to provide written or oral comment may do so at this meeting. A copy of the proposed ordinance 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

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

**JEFFERSON COUNTY, WEST VIRGINIA
EMERGENCY AMBULANCE SERVICE FEE ORDINANCE**

Amendment Effective July 1, 2018

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SECTION 1 – LEGISLATIVE AUTHORITY

This Ordinance concerns the imposition and collection of a special emergency ambulance service fee and is adopted under the authority of Chapter 7, Article 15, Section 17, of the Code of West Virginia, as amended.

SECTION 2 – PURPOSE

This Ordinance is enacted by the Jefferson County Commission for the purpose of providing career Fire Fighter/Paramedics and Fire Fighter/EMTs to maintain an adequate emergency ambulance system within the geographic boundaries of Jefferson County, West Virginia. An adequate emergency ambulance system is necessary to promote the health and welfare of the citizens of Jefferson County. Emergency ambulance service is a public purpose and a responsibility of government for which public money may be spent.

SECTION 3 – DEFINITIONS

ACCESSORY STRUCTURE. Any separate structure associated with a residential unit such as a garage, storage shed, workshop or otherwise located on the same parcel shall be included as part of the residential unit and not subject to a separate fee so long as it is not actually used as a residential or non-residential unit. If a dispute arises with regard to whether or not a structure qualifies as accessory structure not subject to a separate fee, the burden is upon the owner to demonstrate that the structure is not a commercial or residential unit.

RESIDENTIAL PROPERTY. Means any place of residence, whether occupied or unoccupied, as classified by the records of the Jefferson County Assessor, including, but not limited to, single-family homes, duplexes, vacation and secondary homes, mobile homes, apartments, and rental units.

AGRICULTURAL BUILDING. Means structures which directly contribute to the operation of a farm and shall include any processing plant, milking parlor, farm equipment storage building, barn, silo, grain storage building, swinery, and temporary quarters furnished to farm employees without rent to assist in performance of employment duties as part of the terms of their employment. Agricultural buildings shall be exempt from any fee assessed under this Ordinance. However, the agricultural exemption does not apply to any ordinary residential unit located on a farm, such units shall be subject to the standard residential unit fee. In addition, any structure which conducts a retail commercial enterprise open to the general public, including but not limited to a distillery, butcher shop, winery, bed and breakfast, buildings used in the course business for animal racing, or retail nursery, shall be subject to the standard non-residential, warehouse or casino fee even if located on a farm. The warehousing, processing, drying, storage, distribution and marketing of agricultural products for the wholesale marketplace when those activities are conducted in conjunction with, but are secondary to, husbandry or production conducted on the farm shall be exempt from the fee. If a dispute arises with regard to whether or not a structure qualifies as an exempt agricultural building, the burden is upon the owner to demonstrate that the structure contributes to the operation of a farm and is not a commercial or residential unit.

NON-RESIDENTIAL PROPERTY. Means commercial business, industrial activity or non-residential activity conducted for a profit or non-profit, and any federal, state or local government (except those defined as an "Agricultural", "Casino", and "Warehouse" property herein) including, but not limited to, any store, filling station, hotel, motel, flea market, amusement park, camp ground, institutional living arrangement with centralized services such as nursing homes, assisted living or similar arrangement, a bed and breakfast, an entertainment venue, a club, bar or restaurants, church, school, courthouse, or federal, state, or municipal government building. In the case of commercial activity that occurs outdoors such as a flea market, camp ground or amusement park, such business shall be assessed a fee as a commercial unit unless a permanent structure associated with the use is already subject to a commercial fee at the same location. In the case of a commercial complex with more than one structure, such as a shopping center or business complex, each separate structure shall be included in total square foot calculations.

EMERGENCY AMBULANCE SYSTEM. Any emergency ambulance service provided pursuant to this ordinance.

HOMESTEAD EXEMPTION shall mean an owner-occupied residential unit used exclusively for residential purposes and occupied by the owner or one of the owners who is a citizen of this state and who is sixty-five years of age or older or is permanently and totally disabled as that term may be defined by the Legislature, and which granted by, and recognized in the records of, the Assessor of Jefferson County as exempt from a portion of the ad valorem property taxation of Jefferson County as prescribed by general law. The burden shall be upon the owner claiming the exemption to present proof of same at the time the fee is paid. If sufficient proof is not provided, the owner shall pay the normal fee.

CASINO PROPERTY shall mean any parcel or building that is part of the HOLLYWOOD CASINO AT CHARLES TOWN RACES, including but not limited to the gambling areas, restaurants located within the casino, stables and racing areas; and excluding any hotel or motel which is subject to the regular non-residential property rate. The burden shall be upon the owner claiming the rate reduction to present proof of same at the time the fee is paid. If sufficient proof is not provided, the owner shall pay the normal fee.

WAREHOUSE PROPERTY shall mean any non-residential property that has been classified as a warehouse or industrial property by the Jefferson County Assessor's Office. The burden shall be upon the owner claiming the rate reduction to present proof of same at the time the fee is paid. If sufficient proof is not provided, the owner shall pay the normal fee.

SQUARE-FOOTAGE shall be determined by the Jefferson County Assessor's Office. All structures located on each property shall be included in the total square-footage calculation, including but not limited to warehouses, retail space, storage areas, and accessory structures. If a dispute arises with regard to whether or not a structure qualifies for inclusion in the total square-footage calculation, the burden is upon the owner to demonstrate that the structure is not a casino, non-residential, warehouse, accessory structure or residential unit.

CASINO RATE shall apply any parcel or building as defined in CASINO PROPERTY. The rate per 100 square foot shall be calculated at 75% (seventy-five percent) of the non-residential regular rate per 100 square foot.

WAREHOUSE RATE shall apply any parcel or building as defined in WAREHOUSE PROPERTY. The rate per 100 square foot shall be calculated at 40% (forty percent) of the non-residential regular rate per 100 square foot.

VACANT RATE shall apply to any non-residential, casino, or warehouse property that has been vacant or unused for a period of 18 or more months. The rate per 100 square foot shall be calculated at 25% (twenty-five percent) of the non-residential regular rate per 100 square foot. The burden shall be upon the owner claiming the rate reduction to present proof of same at the time the fee is paid. If sufficient proof is not provided, the owner shall pay the normal fee.

OWNER. Means the person, firm or corporation listed in the Jefferson County land records and/or records of the Assessor of Jefferson County as the owner of the unit or property as of July 1st of a given year.

RESIDENTIAL UNIT. Means any habitable structure intended for residential use, whether occupied or unoccupied, including, but not limited to, single-family homes, duplexes, vacation and secondary homes, mobile homes, apartments, condominiums and rental units. In the case of a structure which contains multiple independent addressable dwelling units, such as duplexes and apartments, each addressable unit shall be deemed to be a separate residential unit.

SPECIAL EMERGENCY AMBULANCE SERVICE FEE. Means the fee imposed by the Jefferson County Commission through this Ordinance and collected from the users of emergency ambulance service within Jefferson County.

USER. Means any person, firm or corporation to whom emergency ambulance transport service is made available.

SECTION 4 - RATES

The Emergency Ambulance Service Fee imposed under this Ordinance shall be for emergency ambulance service provided for a Jefferson County Fiscal Year July 1 to June 30.

- **Residential Unit Fee.** The Emergency Ambulance Service Fee established by this Ordinance shall be **thirty five dollars (\$35.00) per residential unit** per Fiscal Year.
- **Other Non-Residential Fees.** The Emergency Ambulance Service Fee for property that is not residential shall be calculated based on total building square footage, and based on one of 5 (five) classifications.

For properties where the Assessor has available building square footage, four (4) rates are applicable. The fee is calculated per 100 square foot of the total building square footage as defined in SQUARE FOOTAGE and is subject to a minimum fee payable of eighty-five dollars (\$85.00) per non-residential unit per fiscal year:

- CASINO RATE \$2.244 / 100 sf
- WAREHOUSE RATE \$1.197 / 100 sf
- VACANT >18 MOS \$0.748 / 100 sf
- REGULAR RATE FOR ALL OTHER \$2.992 / 100 sf

For properties where the total building square footage is not available from the Jefferson County Assessor, the flat fee is: \$150.00

Homestead Exemption. All those residents who have been granted a property tax Homestead Exemption by the Assessor in the tax year prior to July 1, 2014, and each year thereafter, shall pay a discounted fee of twenty dollars (\$20.00) on their personal residence.

Responsibility and Due Date. The Fee imposed under this ordinance shall be the responsibility of the record owner of the unit as of July 1st, each year. The Fee assessed and levied under the provisions of the ordinance shall be a personal obligation of the owner of the unit. The Fee shall be due and payable July 1st of each year for taxable units owned as of July 1st for services to be rendered in the fiscal year. On or before, July 31st of each year, a bill shall be mailed to the owner's mailing address on record with the Assessor of Jefferson County.

Late Fee and Dates

- For each service year, *accounts paid on or after October 1 through December 31* the fee shall increase by \$5 for residential properties or by 10% for non-residential properties.
- For *accounts paid on or after January 1 through March 31* of a given service year, the fee shall increase by an additional \$10 for residential properties or by an additional 20% for non-residential properties, whichever is greater.

Collections. Fees delinquent on or after the First day of April the year after they became due and payable shall be forwarded to the County Commission. The County Commission, in its sole discretion, may collect unpaid fees through civil action filed in a court of competent jurisdiction. Such suit need not be brought in the same fiscal year the fee was billed. In any suit for collection of delinquent fees, the Commission is authorized to recover its reasonable costs of collection, including court costs, attorney's fees, service costs and statutory interest.

Error Resolution. If any owner believes he or she was erroneously charged an emergency service fee, the County Commission shall provide, upon the owner's request, an exoneration form. The form shall be completed and returned to the County Commission no later than September 30 of the Fiscal Year for which the fee applies. The County Commission staff shall, within a reasonable time, investigate any request for exoneration. The County Commission shall, at its next regular meeting after completion of the investigation, consider each written request for exoneration and staff's recommendation regarding the exoneration request. If good cause for exoneration is found by the County Commission, the Commission shall exonerate or modify the imposed charges, and shall notify the owner in writing of its actions. If the Commission does not exonerate or modify as requested by the applicant, the owner requesting exoneration may appeal to the Circuit Court of Jefferson County. The appeal must be filed within 30 days of the Commission decision upon the exoneration. No prior fiscal year fees will be refunded.

SECTION 5 - RATE CHANGES

The service of ambulance protection shall be continued, maintained, and improved by the Jefferson County Emergency Services Agency at the charge and expense of the owners of all residential and commercial units within the county. The fees shall be imposed, assessed and

collected as set forth in this Ordinance. In the event the JCESA determines change in the fee imposed by this ordinance is necessary, it shall, by resolution, request the County Commission consider approving the recommended a change. The JCESA shall submit copies of its current budget, the future budget developed under Section 7 and any other documentation supporting the proposed a change in the fee. The County Commission retains sole discretion in approving, denying or modifying any fee change. Procedures set forth in Article 15, Chapter 7, Section 17 of the Code of West Virginia for the initial levy of such a fee shall be followed by the County Commission in the event an increase is sought.

SECTION 6 – EFFECTIVE DATE

The prior Ordinance became effective June 30, 2017 and the Emergency Ambulance Service Fee was originally enacted effective June 30, 2014. This Amended Ordinance shall become effective on July1, 2018. The fee assessed and levied by this ordinance are for services to be rendered from July 1, 2018 to June 30, 2019, and each fiscal year thereafter.

SECTION 7 – USE AND MANAGEMENT OF FEE PROCEEDS

The proceeds from the imposition and collection of the Emergency Ambulance Service Fee shall be deposited in a special fund or specific appropriations shall be exhibited in separate and distinct accounts for the benefit of the JCESA held by the Treasurer of Jefferson County and shall be used only to pay reasonable and necessary expenses actually incurred, including personnel, training, supplies and equipment used in providing emergency ambulance service to residents of Jefferson County. Proceeds not expended in a given Fiscal Year will be maintained in the special fund and may be used in subsequent Fiscal Years as necessary.

SECTION 8 – BUDGET DEVELOPMENT

The Jefferson County Emergency Services Agency shall hold an annual public hearing for the purpose of receiving written or oral public comments pertaining to the operations of the JCESA within Jefferson County. This public hearing shall be advertised as a Class II legal advertisement in local newspapers within the County.

The required public hearing shall be held no later than the regular December Board of Directors meeting in order to provide JCESA sufficient time to consider any improvements or changes in services and to account for said changes when submitting the annual budget request to the Jefferson County Commission.

As required by the JCESA Ordinance, JCESA shall prepare a financial statement and budget detailing the upcoming Fiscal Year projections for the special emergency ambulance fund. The Board of Directors shall make recommendations to the County Commission regarding the need to change or maintain the rates charged for the upcoming year.

SECTION 9 – DATA USED FOR ASSESSMENT OF FEES

Upon completion of the annual budget for the Fund, County Commission shall request the Assessor to provide it with a list of all residential units, non-residential, casino, and warehouse units and square footage within the meaning of this Ordinance within the county to be utilized as the data base for billing the Special Emergency Ambulance Service Fee commencing the

following July 1. In addition, GIS shall provide a list of addressable units within each category to assist in the identification and classification of residential, non-residential, casino, and warehouse units within the county. Each residential, non-residential, casino, and warehouse unit or property shall have an account established in the name of the owner of that unit or property and a bill in the amount of the fee shall be delivered to that property owner by US Postal Service on or after July 31st of the Fiscal Year. The Assessor will further provide monthly updates to County Commission so that the database can be maintained on a current basis.

SECTION 10 – COLLECTION OF DELINQUENT ACCOUNTS

On or before November 30 of each year, letters shall be sent to all unpaid accounts as a status reminder including a notice of late fees and charges and a notice that delinquent accounts will be submitted for collection after March 31st. On or about April 1, all delinquent accounts at that point shall be submitted for collection by either internal or external agencies.

SECTION 11 – INITIAL USE OF FUNDS AND POSITIONS

Funds will initially be allocated to train, hire and equip Fire Fighter/Paramedics and Fire Fighter/EMTs assigned based on response time to maximize limited resources.

SECTION 12 – AMENDMENTS AND SEVERABILITY

This Ordinance may, from time to time, be amended by a majority of the members of the County Commission as they deem it necessary and appropriate.

If a court of competent jurisdiction declares any provision of this Ordinance to be void, invalid or ineffective in whole or in part, the effect of such decisions shall be limited to those provisions which are expressly declared to be void, invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully enforceable and effective.

This Ordinance shall become effective upon July1, 2018.

NOW THEREFORE, THIS ORDINANCE IS ENACTED AND ORDAINED BY MAJORITY VOTE OF THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA.

Given under my hand and seal this _____ day of _____, 2018.

Josh Compton, President

NOTICE
JEFFERSON COUNTY COMMISSION
MEETING SCHEDULE CHANGE

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

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

WEST VIRGINIA LOTTERY
Charles Town
County / Municipality Split
Fiscal Year 2018

Charles Town
1999 Net Terminal Revenue \$ 45,603,174
Benchmark Goal @ 2% \$ 912,063.48

Date	2% of Adj. Net Revenue	Jefferson County	Five Municipalities	Bolivar 7.93%	Charles Town 39.90%	Harpers Ferry 2.17%	Ranson 33.68%	Shepherdstown 16.32%
1 day ending: 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
3/10/2018	96,736.80	48,368.40	48,368.40	3,835.61	19,298.99	1,049.60	16,290.48	7,893.72
3/17/2018	94,595.04	47,297.52	47,297.52	3,750.69	18,871.71	1,026.36	15,929.80	7,718.96
3/24/2018	89,533.72	44,766.86	44,766.86	3,550.01	17,861.98	971.44	15,077.48	7,305.95
3/31/2018	100,626.12	50,313.06	50,313.06	3,989.83	20,074.91	1,091.79	16,945.44	8,211.09
Sub Total	\$ 3,769,584.88	\$ 2,340,824.18	\$ 1,428,760.70	\$ 113,300.71	\$ 570,075.53	\$ 31,004.12	\$ 481,206.59	\$ 233,173.75

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	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	1/20/2018	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	3/10/2018	48,368.40					
3/22/2014	50,734.62	3/21/2015	53,081.08	3/19/2016	50,356.80	3/18/2017	43,959.78	3/17/2018	47,297.52					
3/29/2014	51,174.60	3/28/2015	50,548.88	3/26/2016	52,217.46	3/25/2017	49,130.62	3/24/2018	44,766.86					
4/5/2014	55,229.90	4/4/2015	51,713.78	4/2/2016	54,185.88	4/1/2017	48,124.72	3/31/2018	50,313.06					
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
							2,340,824.18

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	February, 2018	51,255.32
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	422,152.36

Table Game Revenue Distribution - Jefferson County School Board

Date	Amount	Date	Amount	Date	Amount	Date	Amount
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

Date	Amount	Date	Amount	Date	Amount	Date	Amount
July, 2015	227,024.37	July, 2016	231,702.60	July, 2017	179,428.86	July, 2018	153,765.96
August, 2015	210,194.19	August, 2016	189,475.86	August, 2017	162,927.06	August, 2018	151,404.90
September, 2015	194,536.32	September, 2016	203,104.26	September, 2017	148,890.54	September, 2018	156,027.84
October, 2015	205,322.91	October, 2016	190,178.91	October, 2017	150,621.90	October, 2018	163,390.02
November, 2015	202,465.62	November, 2016	183,263.82	November, 2017	163,390.02	November, 2018	155,027.84
December, 2015	219,165.15	December, 2016	178,524.00	December, 2017	156,027.84	December, 2018	151,404.90
January, 2016	202,635.33	January, 2017	191,508.87	January, 2018	151,404.90	January, 2019	153,765.96
February, 2016	196,555.77	February, 2017	154,436.16	February, 2018	153,765.96	February, 2019	153,765.96
March, 2016	218,958.69	March, 2017	167,916.81	March, 2018	162,258.15	March, 2019	166,636.68
April, 2016	204,448.14	April, 2017	162,258.15	April, 2018	166,636.68	April, 2019	160,827.27
May, 2016	229,247.52	May, 2017	166,636.68	May, 2018	160,827.27	May, 2019	160,827.27
June, 2016	187,716.33	June, 2017	160,827.27	June, 2018	160,827.27	June, 2019	160,827.27
Total 2015-2016	2,498,270.34	Total 2016-2017	2,179,833.39	Total 2017-2018	1,266,457.08	Total 2018-2019	1,266,457.08

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
3/10/2018	96,736.80	48,368.40	48,368.40	3,835.61	19,298.99	1,049.60	16,290.48	7,893.72
3/17/2018	94,595.04	47,297.52	47,297.52	3,750.69	18,871.71	1,026.36	15,929.80	7,718.96
3/24/2018	89,533.72	44,766.86	44,766.86	3,550.01	17,861.98	971.44	15,077.48	7,305.95
3/31/2018	100,626.12	50,313.06	50,313.06	3,989.83	20,074.91	1,091.79	16,945.44	8,211.09
4/7/2018	89,592.72	44,796.36	44,796.36	3,552.35	17,873.75	972.08	15,087.41	7,310.77
Sub Total	\$ 3,859,177.60	\$ 2,385,620.54	\$ 1,473,557.06	\$ 116,853.06	\$ 587,949.28	\$ 31,976.20	\$ 496,294.00	\$ 240,484.52

Benchmark Goal \$ 912,063.48

Remainder until split \$ -

VIDEO LOTTERY REPORT
FY 2014

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	48,628.92	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	3/10/2018	48,368.40
3/22/2014	50,734.62	3/21/2015	53,081.08	3/19/2016	50,356.80	3/18/2017	43,959.78	3/17/2018	47,297.52
3/29/2014	51,174.60	3/28/2015	50,548.88	3/26/2016	52,217.46	3/25/2017	49,130.62	3/24/2018	44,766.86
4/5/2014	55,229.90	4/4/2015	51,713.78	4/2/2016	54,185.88	4/1/2017	48,124.72	3/31/2018	50,313.06
4/12/2014	48,653.18	4/11/2015	51,024.54	4/9/2016	49,690.04	4/8/2017	46,262.60	4/7/2018	44,796.36
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
							2,385,620.54

Table Game Revenue

Date	Amount	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	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	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	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	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	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	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	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	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	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	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	May, 2014	93,191.89
		June, 2012	129,235.38	June, 2013	104,803.37	June, 2014	72,350.70	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	February, 2018	51,255.32
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	422,152.36

Table Game Revenue Distribution - Jefferson County School Board

Date	Amount	Date	Amount	Date	Amount	Date	Amount
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

Date	Amount	Date	Amount	Date	Amount
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	February, 2018	153,765.96
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	1,266,457.08