

AGENDA
JEFFERSON COUNTY COMMISSION
THIRD QUARTERLY SESSION - JULY - SEPTEMBER 2019
THURSDAY, SEPTEMBER 19, 2019
6:00 P.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

- August 29, 2019
- September 5, 2019

APPROVAL OF REQUISITIONS

- September 19, 2019

APPROVAL OF ACCOUNTS PAYABLE

- September 12, 2019
- September 19, 2019

APPROVAL OF MANUAL CHECKS

- September 13, 2019
- September 20, 2019

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT (6:10 p.m. - 6:30 p.m)

PRESENTATIONS

1. 6:30 p.m. Angie Banks, Assessor
 - Exonerations - Discussion/Action
 - Split Tickets - Discussion/Action

2. 6:45 p.m. Pete Dougherty, Sheriff
- Approval of grant awards from WVHSEM - Discussion/Action
3. 7:00 p.m. Public Hearing
- Proposed text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA19-01. The text amendment, in accordance with WV Code §8A and Article 12 of the Zoning Ordinance, proposes revisions to Article 2, Definitions; Article 8, Supplemental Use Regulations; and Appendix C, Principal Permitted and Conditional Uses Table.
4. 7:15 p.m. Roger Goodwin, Chief County Engineer
- Request approval of the Jefferson Asphalt Products Co., Inc. proposal in the amount of \$49,080 to resurface Rose Hill Drive under the Rose Hill Estates Subdivision - Site Work Project (JCPC File No. 02-09) - Discussion/Action
5. 7:30 p.m. **BREAK**
6. 7:45 p.m. Lynn Fields, Probate Office
- Close estates on the following: - Discussion/Action
Estate of Norma W. Moore, deceased
Estate of Donald E. Holmes, deceased
Estate of Evelyn Holmes, deceased
7. ~~7:45~~ 8:00 p.m. Interview/Appointments to the Jefferson County Water Advisory Committee - two unexpired terms ending January 31, 2021 and one unexpired term ending January 31, 2022 - Discussion/Action
8. ~~8:00~~ 8:15 p.m. Alexander Naupac
- Request to waive late fees for 2015 & 2016 (\$60 total) - Discussion/Action
9. ~~8:15~~ 8:30 p.m. Nathan Cochran, Assistant Prosecuting Attorney
- Discussion of renewal of County cable franchise agreement and related issues - Discussion/Action
- Discussion of Jefferson County Circuit Court Civil Action #18-C-171 - Discussion/Action
- Discussion of EEOC Charge #533-2017-00706 and 533-2019-01397 - Discussion/Action
- Discussion of and communication with FEMA regarding potential resolution. U.S. District Court (Northern District) Civil Action #3:18-CV-122 - Discussion/Action
- Discussion of Jefferson County Circuit Court Civil Action #19-P-69 - Discussion/Action

NEW BUSINESS

10. Decision - Proposed text amendment to the Jefferson County Zoning and Land development Ordinance, File #ZTA19-02 - Public Hearing 8/29/19 - Discussion/Action
11. Appointment of EMS Representative to the E911 Advisory Board - one 3-year term ending September 1, 2022 - Discussion/Action
12. Notice of intent to appoint - (2) citizens to the Jefferson County Broadband Committee - Discussion/Action
13. Approval of winning bid and Award of Lease of Agricultural Land Owned by Jefferson County Commission - Discussion/Action
14. Acknowledgment of Assessor's Certificate of Compliance - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

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COUNTY COMMISSION REPORTS

15. ADJOURN

DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY WRITTEN REPORTS

Jefferson County Water Advisory Committee Quarterly update.

CORRESPONDENCE/INFORMATION

Stakeholders' Roundtable Discussion - Jefferson County Commission and Planning Commission.

Public comment received from John and Vicki Haygood regarding ZTA19-01, Special Event Facilities.

Public comment received from Kurk and Carrie Turney regarding ZTA19-01. Special Events Facilities.

Public comment received from Jarad Hawthorne regarding ZTA19-01 Special Events Facilities.

Correspondence received from the WV Department of Transportation, Division of Highways regarding the Statewide Transportation Improvement Program (STIP).

Impact Fee Status Report for August, 2019 received.

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, August 29, 2019

A meeting of the Jefferson County Commission was held on Wednesday, June 19, 2019 during the second 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, Ralph Lorenzetti, Patricia Noland, and Jane Tabb. Also present were Stephanie Grove, County Administrator; Jessica Carroll, Executive Administrative Assistant; Jacqueline Shadle, Clerk of the County Commission; and Jim Eddy, Bailiff. (An audio tape of the Thursday, August 29, 2019 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Lorenzetti led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Lorenzetti to approve the August 15, 2019 Regular Meeting Minutes as presented/ with noted correction. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK #	VENDOR NAME	CHECK AMOUNT
82152	AT&T	\$ 158.32
82153	COMPTROLLER OF MARYLAND	\$ 1,250.36
82154	CPI-COMPUTER PROJECTS OF ILLINOIS	\$ 1,800.00
82155	DR. ROBERT E JONES III	\$ 1,000.00
82156	EFTPS IRS TAXES	\$ 101,753.83
82157	FEDEX	\$ 174.50
82158	FRANKLIN & PROKOPIK P.C.	\$ 4,477.50
82159	GUTTMAN OIL CO	\$ 4,361.84
82160	JUSTTECH LLC	\$ 169.24
82161	LAURA L KUHN	\$ 289.00
82162	MATTHEW BENDER	\$ 88.08

82163		MATTHEW BENDER	\$	88.08
82164		MATTHEW BENDER	\$	1,407.07
82165		MID ATLANTIC ENTRY MD LLC	\$	588.00
82166		MONROE SYSTEMS FOR BUSINESS	\$	75.59
82167		AMANDA RING	\$	289.00
82168		PROFESSIONAL APPRAISAL CORPORATION	\$	4,500.00
82169		RAYMOND E BOYCE	\$	68.44
82170		RC AIR AND MOLD SOLUTIONS	\$	295.00
82171		RELX INC.	\$	1,100.00
82172		ROGER OR HELEN GILLEY	\$	150.00
82173		SHARON GALLAHER	\$	91.06
82174		RONALD DANTZIC	\$	13.38
82175		SHERIFF OF JEFFERSON COUNTY	\$	600,000.00
82176		THE JOURNAL	\$	208.00
82177		VINCENT TIONG	\$	54.86
82178		WV STATE TAX DEPT	\$	35,187.25
82179		XEROX CORPORATION	\$	2,334.50
82180		XEROX FINANCIAL SERVICES	\$	1,094.14
82181		JEFFERSON CO COMMISSION GEN CO 004	\$	320,020.08
82182		JEFFERSON DAY REPORT CENTER	\$	15,787.32
TOTAL			\$	1,098,874.44

Motion by Ms. Noland to approve the Accounts Payable for August 22, 2019 in the amount of \$1,098,874.44. Motion seconded and unanimously approved.

CHECK #	VENDOR NAME	CHECK AMOUNT
82183	AHA-ARTS & HUMANITIES ALLIANCE	\$ 1,815.83
82184	P/R DEDUCTION	\$ 30.57
82185	BUREAU OF CHILD SUPPORT	\$ 169.39
82186	CHARLES VANGILDER	\$ 15.85
82187	CITY OF CHARLES TOWN	\$ 1,419.69
82188	DARYLL WIMER	\$ 27.71
82189	P/R DEDUCTION	\$ 3,250.00
82190	EMPOWER RETIREMENT	\$ 2,630.00
82191	FUTURITY IT INC	\$ 1,000.00
82192	THE RESORT GLADE SPRINGS	\$ 1,655.40
82193	GUTTMAN OIL CO	\$ 3,438.33
82194	HARDY COUNTY SHERIFFS OFFICE	\$ 98.82
82195	J.C. EHRLICH	\$ 713.00
82196	JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	\$ 2,688.80

82197		JEFFERSON CO CONVENTION AND VISITORS BUREAU	\$	45,395.83
82198		JEFF CO PARKS & RECREATION COMMISSION	\$	40,891.20
82199		JEFFERSON SECURITY BANK	\$	4,685.00
82200		P/R DEDUCTION	\$	3,250.00
82201		LANGUAGE LINE SERVICES	\$	78.64
82202		MARGARET GAINEY	\$	1,192.10
82203		MILLENIUM INSURANCE GROUP	\$	900.00
82204		MOOREFIELD POLICE DE	\$	2,581.15
82205		NATIONWIDE RETIREMENT SOLUTIONS	\$	849.00
82206		OLD CHARLES TOWN LIBRARY	\$	1,500.00
82207		WITNESS	\$	161.00
82208		P/R DEDUCTION	\$	1,385.46
82209		POTOMAC EDISON	\$	116.81
82210		RANSON POLICE DEPT	\$	2,801.86
82211		RETIREE HEALTH BENEFIT TRUST	\$	8,646.00
82212		WITNESS	\$	253.22
82213		WITNESS	\$	161.00
82214		TOTAL ID SOLUTIONS INC.	\$	820.00
82215		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$	15,456.90
82216		WV EMERGENCY MANAGMENT COUNCIL	\$	125.00
82217		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$	46,656.93
82218		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$	500.00
82219		XEROX FINANCIAL SERVICES	\$	249.81
TOTAL			\$	197,610.30

Motion by Ms. Tabb to approve the Accounts Payable for August 29, 2019 in the amount of \$197,610.30. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
490	CS/2	EASTRIDGE HEALTH SYSTEM		\$ 2,600.00
744	AV/56	GLOBAL SCIENCE & TECH		\$ 275.99
1725	CO/246	MINGHINI'S		\$ 60,562.50
1726	CO/246	TYLER TECH		\$ 1,350.00
TOTAL				\$ 64,788.49

Motion by Ms. Tabb to approve the Manual Checks for August 23, 2019 in the amount of \$64,788.49. Motion seconded and unanimously approved.

MANUAL CHECKS			
Check#	Fund	VENDOR	Amount
745	AV/56	PRINT-O-STAT	\$ 34,116.98
1727	CO/246	TYLER TECH	\$ 1,275.00
TOTAL			\$ 35,391.98

Motion by Mr. Lorenzetti to approve the Manual Checks for August 30, 2019 in the amount of \$35,391.98. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Ms. Tabb to approve the Payroll for August 22, 2019 in the amount of \$278,955.36. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was provided by the following list of individuals. Please review the video archives of this meeting to review the comments received: Jay Mansfield, Mark Everhart, Ruth Hatcher, David Tabb, Catherine Jozwick, Barbara Stiefel, and Giuliana Brogna.

PRESENTATIONS

1. Angela Banks, Assessor – requested the approval of the following Exonerations and Split Tickets:

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Cindy Jones	PP	HF	310177	\$41.75
Darryl Fitzwater				\$83.49

- **Motion by Ms. Tabb to approve the Split Ticket for Ticket No. 310177 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Laura Anderson	PP	BC	300009	\$169.74

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 300009 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Betty Poland	PP	CTD	303749	\$48.70

- **Motion by Mr. Lorenzetti to approve the Exoneration for Ticket No. 303749 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Richard Belisle	PP	SD	315550	\$62.62

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 315550 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Ronald & Loretta Shade	PP	MD	313375	\$78.85

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 313375 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Jessica & Craig Pullen	PP	CTC	306455	\$123.20

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 306455 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Michael & Linda Butner	PP	HF	307257	\$438.33

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. 307257 as presented. Motion seconded and unanimously approved.**
2. Peter Dougherty, Sheriff – requested the approval of an Unclaimed Property Resolution
 - **Motion by Ms. Tabb to approve the Sheriff’s seizure of unclaimed property on behalf of the County Commission and authorize the President of the Commission to sign the Resolution. Motion seconded and unanimously approved.**
 3. Lynn Fields, Probate – requested the closure of the estate of Billy Clevenger, deceased.
 - **Motion by Ms. Tabb to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to close the estate of Billy Clevenger, deceased. Motion seconded and unanimously approved.**
 - **Motion by Mr. Hudson to reconvene as a County Commission. Motion seconded and unanimously approved.**
 4. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
 5. Public Hearing – Proposed text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA19-02

Alexandra Beaulieu, Zoning Administrator, provided the Commission and the audience with an overview of the amendment, which would allow churches in the Industrial Commercial Zoning District by way of a Conditional Use Permit.

Ms. Noland opened the floor for public comment at 11:04 am. Comments were made by the following:

Darryl Fitzwater - provided his support for the text amendment as he’s the Pastor of a church that’s currently located in the Industrial Commercial Zoning District.

There being no further comment, Ms. Noland closed the floor at 11:06 am and stated the record would remain open for two weeks to allow time for written comment, with a decision to be made on during the September 19, 2019 regularly scheduled Commission meeting.

6. Ronda Eddy, Jefferson Day Report Center – requested the approval of Resolution and Grant Contract
 - **Motion by Ms. Tabb to approve the Resolution, contract, and grant document for 20-CC-07 in the amount of \$155,000.00 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded and unanimously approved.**
7. Interview/Appointment to the Eastern West Virginia Regional Airport Authority for one 3-year term ending July 2, 2022.
 - Ms. Noland provided her nomination for Mr. Dan Zappe and received two votes (Commissioners Noland and Compton)
 - Ms. Tabb provided her nomination for Mr. John Allen and received three votes (Commissioners Tabb, Hudson, and Lorenzetti)
 - **After receiving the majority vote, Mr. Allen was appointed to the Eastern West Virginia Regional Airport Authority for one three-year term ending July 2, 2022.**
8. Jennifer Brockman, County Planner; Roger Goodwin, Director, Jefferson County Engineering, Planning and Zoning; and Steve Stolipher, Vice President of the Jefferson County Planning Commission – requested the approval of the Planning and Engineering Services proposal from Greenway Engineering to update the Jefferson County Zoning and Land Development Ordinance and Subdivision and Land Development Regulations
 - **Motion by Ms. Tabb to approve the proposal date 8/19/2019 submitted by Greenway Engineering in the amount of \$48,600.00 from the Coal Severance Fund to update and reorganize the Jefferson County Zoning and Land Development Ordinance and Subdivision and Land Development Regulations and Authorize President Noland to sign the scope of services contract. Motion seconded and passes on a vote of 4-1 with Commissioner Compton opposing.**
9. Alexandria Beaulieu, Zoning Administrator – provided an overview of the Planning Commission’s recommended Zoning Ordinance Text Amendment (ZTA 19-01) and to request that the County Commission schedule a public hearing.
 - **Motion by Ms. Noland to schedule a public hearing on Thursday, September 19, 2019 at 7:00 pm to receive input on the draft text amendment to the**

Jefferson County Zoning Ordinance, File #ZTA 19-01, which proposes to create provisions to establish Special Event Facilities in the Rural, Residential Growth, and Village zoning districts. Motion seconded and unanimously approved.

10. Stephen Allen, Director, Jefferson County HSEM

- a. Approval of the 2019 Jefferson County Emergency Operations Plan (EOP)
 - **Motion by Ms. Tabb to approve the updates to the 2019 Emergency Operations Plan, including the addition of ESF 11 – Agriculture and Natural Resources. Motion seconded and unanimously approved.**
- b. Resolution to proclaim September 2019 as National Preparedness Month in Jefferson County
 - **Motion by Ms. Noland to approve the proclamation and resolve to observe September 2019 as National Preparedness Month in Jefferson County. Motion seconded and unanimously approved.**

11. Jeffrey A. Polczynski, ENP – Director of Communications

- a. Appointment Request – Deputy Director
 - **Motion by Ms. Tabb to approve the appointment of Mr. Joseph Murphy as the Deputy Communications Director at a salary of \$63,500.00 with a starting date of September 16, 2019. Motion seconded and unanimously approved.**
- b. Appointment of two full-time Public Safety Dispatcher II
 - **Motion by Ms. Noland to approve the full time employment of John-Mark Michael and Jeffrey Finley as Full-Time Public Safety Dispatchers at a salary of \$37,488.00 with subsequent step increases after completion of their training. Motion seconded and unanimously approved.**

12. Nathan Cochran, Assistant Prosecuting Attorney

- Discussion of Renewal of County Cable Franchise Agreement and related issues
- Discussion of EEOC Charge #533-2017-00706 and 533-2019-01397
- Discussion of Jefferson County Circuit Court Civil Action#18-C-171
- Discussion of Jefferson County Circuit Court Civil Action #17-C-282
- Discussion of Jefferson County Circuit Court Civil Action #19-P-69
- Discussion Jefferson County Circuit Court Civil Action #19-AA-1
- Discussion of and communication with FEMA regarding potential resolution. US District Court (Northern District) Civil Action #3:18-CV-122

- Discussion of and issues regarding potential reimbursement of former Jefferson County Public Service District board member William Strider and/or Strider, LLC. for successful defense of ethics complaint
 - **Motion by Ms. Tabb to enter into Executive Session re: potential liability issues and personnel matters re: EEOC complaints 533-2017-00706 and 533-2019-01397. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**

NEW BUSINESS

13. Possible letter of support for continuation of current MARC service

- **Motion by Mr. Lorenzetti to direct Ms. Grove to send letters to both the Maryland Transit Authority and Governor Justice regarding support for MARC train service in the Eastern Panhandle. Motions seconded and unanimously approved.**

14. The Commission adjourned at 12:30 pm on a motion by Ms. Noland. Motion was seconded and unanimously approved.

Patricia A. Noland, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

Minutes

Jefferson County Commission

Thursday, September 5, 2019

A meeting of the Jefferson County Commission was held on Thursday, September 5, 2019 during the third 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 Caleb Hudson, Ralph Lorenzetti and Jane Tabb. Also present were Stephanie Grove, County Administrator; Jessica Carroll, Executive Administrative Assistant; Jacqueline Shadle, Clerk of the County Commission; and Jim Eddy, Bailiff. (An audio tape of the Thursday, September 5, 2019 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Hudson led the Pledge of Allegiance.

APPROVAL OF REQUISITIONS

Motion by Mr. Compton to approve the Requisitions for September 5, 2019 in the amount of \$13,676.00 to include Requisition No. 20012. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK #	VENDOR NAME	AMOUNT
82221	CAPITAL ELECTRIC	\$ 811.59
82222	EFTPS IRS TAXES	\$ 100,264.47
82223	EVERBRIDGE	\$ 3,713.15
82224	GUTTMAN OIL CO	\$ 4,022.37
82225	JEANNA HOLLER	\$ 21.09
82226	JEFFERSON CENTER	\$ 100.00
82227	MONROE SYSTEMS FOR BUSINESS	\$ 75.59
82228	RICE TIRES CO	\$ 1,144.62

82229		DISTRICT COURT OF MARYLAND		\$ 5.00
82230		SOFTWARE SYSTEMS INC		\$ 1,189.50
82231		WHOLESALE TIRES INC.		\$ 46.42
82232		WV REGIONAL JAIL & CORRECTION FACILITY AUTH		\$ 86,802.25
TOTAL				\$ 198,196.05

Motion by Ms. Tabb to approve the Accounts Payable for September 5, 2019 in the amount of \$198,196.05. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Compton to approve the Payroll for September 5, 2019 in the amount of \$278,991.86. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was made by the following individuals: Barbara Stiefel, David Tabb, Diane Blust, Nancy Gregory, and Ruth Hatcher. Please refer to the archived meetings on the jeffersoncountywv.org website to listen to public comment.

PRESENTATIONS

1. Russell Burgess, IT Director and Sandy Slusher McDonald, Deputy County Administrator – requested the approval of the renewal of the 2019 County Video Program.
 - **Motion by Ms. Noland to approve the agreement between CGI Communications and the County Commission and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded and unanimously approved.**

2. Dr. Terrence Reidy and John Bresland, Chair of the Jefferson County Board of Health – introduction of new Health Officer, Dr. Terrence Reidy, and present a request for \$3,600 to allow the Health Department to implement a county system “MyGovernmentOnline” at the Health Department.
 - **Motion by Mr. Compton to make available \$3,600.00 to the Health Department to participate in the MyGovernmentOnline system utilized by the County Planning and Zoning Department for one year only. Motion seconded and unanimously approved.**

3. Michelle Gordon, Finance Director – requested the review and approval of FY2019 State Budget Revision 2 for the Coal Severance Fund.
 - **Motion by Ms. Tabb to accept FY19 State Budget Revision 2 for the Coal Severance Fund. Motion seconded and passes 4-1 with Mr. Compton opposing.**

4. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.

5. Nathan Cochran, Assistant Prosecuting Attorney
 - Discussion of Jefferson County Civil Action #17-C-282
 - Discussion of Renewal of County Cable Franchise Agreement and related issues
 - Discussion of Jefferson County Circuit Court Civil Action#18-C-171
 - Discussion of EEOC Charge #533-2017-00706 & #533-2019-01397
 - Discussion of Jefferson County Circuit Court Civil Action #19-P-69
 - Discussion of and communication with FEMA regarding potential resolution
 - Discussion of US District Court (Northern District) Civil Action #3:18-CV-122
 - Report from Counsel on opioid litigation and related issues

 - **Motion by Ms. Noland to enter into Executive Session to discuss the renewal of the County Cable Franchise Agreement and related issues and hear a report from Counsel regarding the opioid litigation and related issues. Motion seconded and unanimously approved.**

6. Pete Dougherty, Sheriff
 - a. Request to renew the Governor’s Highway Safety Grant
 - **Motion by Ms. Noland to approve the renewal of the Governor’s Highway Safety Grant for another year. Motion seconded and unanimously approved.**
 - b. Request to increase the starting salaries for deputies effective January 1, 2020.
 - **Motion by Ms. Tabb to revise the grade scale for past COLAs and adjust the lateral amount to \$47,500.00 for Sheriff’s deputies. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

- Saint Margaret’s Renovation for additional courtroom

- **Motion by Ms. Tabb to put the courtroom renovation project out to bid with the provision that up to \$5,000 of the \$50,000 budget be earmarked for the full architectural drawings. Motion seconded and passes on a vote of 3-2 with Commissioners Compton and Hudson opposing.**

- Designation of additional HIPAA Privacy Officer
 - **Motion by Ms. Tabb to allow Ms. Gordon to have administrative access to the employee health insurance system, and, if necessary, be designated as a HIPAA Privacy Officer for Millennium Insurance. Motion seconded and unanimously approved.**

- Creation of a Complete Count Committee for the 2020 Census
The Commission provided unanimous consent for Ms. Grove to contact former members of previous Census count committees to see if they'd be interested in serving this year.

- 7. The Commission adjourned at 12:37 pm on a motion by Ms. Noland. Motion was seconded and unanimously approved.

Patricia A. Noland, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

REQUISITIONS TO BE APPROVED

September 19, 2019

DEPARTMENT	P.O. NUMBER	AMOUNT	VENDOR	DESCRIPTION
ENGINEERING, P&Z, GIS	20016	\$ 48,600.00	Greenway Consulting	Land Dvlp Ordinance Update
INFORMATION TECHNOLOGY	20014	\$ 10,071.34	Granicus	County Website Support & Maint.
GRAND TOTAL		\$ 58,671.34		



704 Foxcroft Avenue
Martinsburg, WV 25401

COPY

August 9, 2019

Jefferson County Planning Commission
116 East Washington Street, Suite 200
Charles Town, WV 25414

Re: **Jefferson County Land Development Ordinance Update**
Planning & Engineering Services Proposal

Dear Commissioners:

On behalf of Greenway Engineering please find the enclosed proposal for Professional Planning/Consulting Services associated with the tasks required to update and reorganize the current Jefferson County Subdivision and Land Development Regulations and Zoning Land Development Ordinance. We would be honored to work as an extension of Jefferson County Planning Staff to facilitate the amendment, reorganization, and update of the Ordinance(s) to make them more efficient, orderly, and user-friendly. A summary of our services is shown below, with detailed scope of services to follow:

<u>SUMMARY OF SERVICES</u>	<u>FEES</u>
Item 1: Review, Research, & Executive Summary	\$6,680.00 (Lump Sum)
Item 2: Greenway Draft Ordinance	\$13,460.00 (Lump Sum)
Item 3: County Draft Ordinance-Revisions	\$8,260.00 (HNTE)
Item 4: Public Processing	\$10,200.00 (HNTE)
Item 5: Meetings, Correspondence, & Coordination	\$10,000.00 (Hourly Allowance)

TOTAL = \$48,600.00

Engineers Surveyors Planners Environmental Scientists Laboratory QC Inspection Services
Telephone 304.620.5111 Fax 540.722.9528
www.greenwayeng.com



Invoice

Granicus
Dept CH ± Box 19634
Palatine, IL 60055 - 9634

Date	8/12/2019	Invoice #	116424
Terms	Net 30	Due Date	9/11/2019
		P.O. Number	

Please remit via ACH to:
Routing #: 022000020 Acct #: 269099115

Bill To

Jefferson County/Commission - WV
P.O Box 250, 124 E. Washington Street
Charles Town WV 25414
United States

Sold To

Jefferson County/Commission - WV
P.O Box 250, 124 E. Washington Street
Charles Town WV 25414
United States

Description	Term Start Date	Term End Date	Amount
govAccess - Maintenance, Hosting, & Licensing Fee - Core	9/1/2019	8/31/2020	10,071.34

For any questions about your invoice, please contact us at
AR@granicus.com or 1-800-314-0147

Thank you for your business

Total	\$ 10,071.34 USD
Amount Due	\$ 10,071.34 USD
Total	\$10,071.34

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: **September 19, 2019**

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 – Discussion/Action
- Apportioned/Split Tickets – 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: 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*): Grant Awards

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

The Sheriff's Office has received preliminary award notification from WVHSEM for two different grants. The first is for \$32,000 for the purchase of 2 mobile license plate readers. The second is for \$100,000 for the purchase of 20 Mobile Data Terminals, 12 SRT Communication Adapters, and 10 Helmets. These purchases will require a match. The funds for potential grant matches were provided for in our FY20 approved budget.

Is this a funding request? Y/N **NO**

If so, how much? \$

Provide exact financial impact/request: none

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

I move to approve the acceptance of the grant awards and authorize the Commission President to sign the acceptance documents.

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

If not attached, explain:

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

Contact information:

Email address: pdougherty@jcsdvw.com

Phone Number: 304-728-3205

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

NOTICE OF PUBLIC HEARING
Thursday, September 19, 2019 at 7:00 PM

The Jefferson County Commission has scheduled a Public Hearing on the proposed text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA19-01. The text amendment, in accordance with WV Code §8A and Article 12 of the Zoning Ordinance, proposes revisions to Article 2, Definitions; Article 8, Supplemental Use Regulations; and Appendix C, Principal Permitted and Conditional Uses Table. The purpose of this amendment is to develop provisions for a Special Event Facility in the Rural, Residential Growth, and Village Zoning Districts. The new text would replace the existing Rural Event Facility provision in Section 8.14. Currently, Section 8.14 allows event facilities to locate within an existing structure. The proposed text would allow a new structure to be constructed for the purpose of establishing an event facility.

Oral or written comments can be provided at the hearing, 7:00 PM Thursday, September 19, 2019 in the Charles Town Library meeting room at 200 E. Washington Street, accessed at the side entrance on Samuel Street. You may also submit written comments to info@jeffersoncountywv.org or to PO Box 250, Charles Town, WV 25414.

A copy of the proposed text amendment is available at the Office of Planning & Zoning and on the County's website at: www.jeffersoncountywv.org. If you have any questions, please call the Office of Planning & Zoning at 304-728-3228.

By Order of the Jefferson County Commission
Patsy Noland, President

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Alexandra Beaulieu, Zoning Administrator
Department or Organization: Department of Engineering, Planning and Zoning
Estimation of amount of time needed for appointment: 10 Minutes
Date Requested – 1st Choice: August 29, 2019

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

Date Requested – 2nd Choice:

Subject (Wording to be placed on agenda):

To provide an overview of the Planning Commission's recommended Zoning Ordinance Text Amendment (ZTA 19.01) and to request that the County Commission schedule a Public Hearing in accordance with WV Code §8A-7-8. The draft amendment proposes to create provisions to establish a Special Event Facility in the Rural, Residential Growth, and Village zoning districts. The new text would replace the existing Rural Event Facility provision in Section 8.14.

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

On April 9, 2019 a request from Quintina Reddington was submitted to the Jefferson County Planning Commission to amend the Zoning Ordinance to incorporate text which would allow her to establish an event facility on her orchard. The Planning Commission made a motion to accept into their work plan Ms. Reddington's request and directed Staff to begin working on an amendment.

On July 9, 2019 the Planning Commission held a Public Hearing to receive public input on the proposed text amendment, which proposed changes to Article 2, Definitions; Section 8.14 Rural Reception/Event Facility; and Appendix C – The Principal Permitted and Conditional Uses Table. During the Public Hearing, one public comment was made in support of the proposed amendment and one in opposition. The Planning Commission kept the public comment period open for two weeks, in order to provide an opportunity for the public to submit written comments. During that time, two additional comments were submitted, in general support of the amendment with recommended revisions.

On August 13, 2019 the Planning Commission incorporated revisions based on public comment received and with a vote of 7-0, found that the proposed amendment was consistent with the Envision Jefferson 2035 Comprehensive Plan and recommended that the draft text amendment be forwarded to the County Commission for the purpose of scheduling a public hearing.

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

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

I move to schedule a public hearing on _____, 2019 at ___ a.m./p.m. to receive input on the draft text amendment to the Jefferson County Zoning Ordinance, File #ZTA19-01, which proposes to create provisions to establish Special Event Facilities in the Rural, Residential Growth, and Village zoning districts.

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

- Staff Memo to Planning Commission dated 07-09-19 for background information
- Petition from Quintina Reddington dated March 26, 2019
- Proposed Text Amendment to various sections of the Zoning Ordinance (ZTA19-01)

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



JEFFERSON COUNTY, WEST VIRGINIA

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

P.O. Box 716

Charles Town, WV25414

www.jeffersoncounty.wv.org

Email: planningdepartment@jeffersoncounty.wv.org
zoning@jeffersoncounty.wv.org

Phone: (304) 728-3228

Fax: (304) 728-8126

MEMO

TO: Planning Commission

FROM: Alexandra Beaulieu, Zoning Administrator

DATE: 07-09-19

RE: ZTA19-01, Special Event Facilities

On April 9, 2019, the Planning Commission made a motion to accept into their work plan Quintina Reddington's request to create a text amendment to allow an event facility in the Rural zoning district.

Staff has received a number of inquiries to establish event venues, typically for weddings and similar types of receptions/celebrations. Since the adoption of Section 8.14 in 2014, which allows for a Rural Event Facility in an existing structure, it has been brought to our attention that converting existing barns is cost prohibitive due to the requirements set forth in Building Code; however, under the current regulations, there are no provisions to process a newly constructed event facility in the Rural zoning district.

The draft amendment before you today proposes two types of event facilities. An Agricultural Special Event Facility, which mimics the intent of the existing provisions in Section 8.14 but proposes additional text for clarity such as a minimum acreage and that the use be accessory to an existing farm.

The second type of facility is a Special Event Facility, which is a facility that operates independent from any other use on the property. A Special Event Facility would require processing a Conditional Use Permit to operate in the Rural, Residential Growth, and Village zoning districts. The proposed text includes criteria for the Board of Zoning Appeals to consider when reviewing an application such as the proposed frequency of events, maximum building capacity, signage, etc. Requiring a Conditional Use Permit for this land use is consistent with the County Commission's 2018 revision to Appendix C to allow most Commercial Uses to process as a Conditional Use in these zoning districts. Staff also found that the proposed text is consistent with the Envision Jefferson 2035 Comprehensive Plan's recommendation to "Amend the Zoning and Land Development Ordinance to permit additional non-residential rurally compatible uses." (recommendation 5, page 77 of the Plan.)

The proposed text is also consistent with the Plan's recommendation 5.b to "Amend local land use regulations to permit non-agriculturally related commercial uses by the Conditional Use Permit (CUP) process in the Rural zone if the use is agriculturally and rurally compatible in scale and intensity, poses no threat to public health, safety, and welfare, and if the use helps preserve farmland and open space and continue agricultural operations."

The Planning Commission's role is to receive input from the public and to determine whether the proposed text amendment is consistent with the Envision Jefferson 2035 Comprehensive Plan. Following the public hearing, the Planning Commission will finalize the draft text amendment and make a recommendation to the County Commission. Once the Planning Commission forwards their recommendation to the County Commission, the County Commission is required to hold a Public Hearing to receive additional public input.

The proposed text amendment reflects revisions to Section 2.2, Terms Defined; Section 8.14, Rural Reception/Event Facility [Proposed Special Event Facility]; and Appendix C, Principal Permitted and Conditional Uses Table.

Attachments:

- Agricultural and Rural Economy Recommendations (Goal 8) from the Envision Jefferson 2035 Comprehensive Plan
- ZTA19-01, Special Event Facilities

2.B. Agricultural and Rural Economy

One of the more significant issues expressed by County residents involved in the Envision Jefferson 2035 process was maintaining the rural economy and small town lifestyle of Jefferson County. It is important that this discussion not be framed by the concept of preservation but of creating opportunities for farms to be economically viable. This would include identifying ways to protect and enhance the farms and open spaces that provide the rural character along with the agribusinesses that have been the historical heart of the Jefferson County economy. One goal of this Plan is to maintain productive farmland soils and the rural character and economy of the County by reducing the conversion of farmland to non-agricultural based uses.

There must be a viable rural economy to maintain the rural landscape. The rural economy is much more than traditional farming. It includes innovative agriculture, horticulture, forestry, commercial and non-commercial equine industry, other forms of animal husbandry, tourism, rural based public and commercial recreation, ancillary rural business, and compatible rural institutional uses. Many of these sectors are growing and collectively contribute significantly to Jefferson County's economy and provide several thousand jobs. The County's citizens benefit from the proximity of rural based activities and services and the rural enterprises benefit from nearby markets for goods and services. With this potential, the rural areas of Jefferson County should be seen as ripe for investment and reinvestment.

A key aspect of the County's rural economy is recognizing the changes in the regional and national marketplace that might affect agricultural activities at the local level. In some instances, farm operators have adapted to these changes by diversifying into additional farm based activities, changing the types of farming activities taking place on a site, or seeking to include direct sales and on-site marketing, and value added processing of crops or products. The ability of a farm operator to diversify or change their operations to meet the needs of the marketplace is an important consideration in providing a framework for the continuation and enhancement of farm and agricultural activities in Jefferson County.

The enhancement of the rural economy is a central focus of the rural strategy of this Plan and requires the support of the Jefferson County Development Authority and other organizations which support the agricultural economy. A broad-based rural economy can be a net-revenue generator for the County because tax revenues generally exceed expenditures for rural properties. The County recognizes its fiscal responsibility to protect the land resource for the rural economy, to provide fundamental protection for rural businesses, to ensure prudent fiscal management of limited public resources, and to provide needed protection of the public health and safety.

Rural Economic Activities

The agricultural community in Jefferson County recommended the following priorities to strengthen the rural economy:

Agricultural Community Priorities
Diversify farm operations through the sale and marketing of value added products (such as the processing and marketing of products on-site);
Allow farm operators to work with nearby farm operators to market and sell each other's goods on each individual farm;
Allow a wider range of service activities to take place on agricultural properties.

The rural areas of Jefferson County include not only farms and residences, but also a variety of small artisan studios and other cottage industries. While the preservation of agriculture is essential to the protection of rural areas, it is also important to provide for the ability of appropriately scaled businesses to succeed. When permitting additional uses in the rural area, it is important that the size and scale of both the property and the business be correlated. The intensity of the activity permitted should directly relate to the size of the rural property which would enable larger rural properties to undertake more activities. By correlating scale and intensity of uses to the rural property size, it is anticipated that off-site impacts would be mitigated for the surrounding landowners. Some uses may require performance standards which should be incorporated into the local land use regulations.

By enabling farm operators to have more options and encouraging the creation of cottage industries that reflect the rural aesthetic, the viability of operating rural based businesses in the County's rural areas will be enhanced in the coming decades. While Jefferson County has modified its Zoning and Land Development Ordinance to allow for a greater variety of uses, additional steps might be needed to improve opportunities for farm operators to continue or expand their businesses, and for artisans and other individuals to operate small businesses that complement these activities. A streamlined process for uses with minimal impacts to surrounding neighbors should be developed.

The land use component of this Plan recognizes an example of a non-residential Conditional Use Permit (CUP) in the Rural area referred to as an Agricultural Based Economic Empowerment Area, defined as a commercial agricultural hub that is not located on a farm, but is located in a rural area and focuses on intensively supporting agricultural activity through the value added processing, holistic health and marketing of local goods. Other appropriate uses in the Rural district (some of which may require a CUP) include, but are not limited to, artisan activities; home based businesses; agricultural equipment sales, rental, and repair services; veterinary services; farm co-ops; product storage and seed supply; agri-tourism, bed-and-breakfast enterprises; farm markets, wayside stands, and similar types of uses, provided that these uses are designed in a manner compatible with the rural character of the area.

There are many creative people that live and work in Jefferson County, using their talents to create poetry, pottery, paintings, plays, performances, photographs, novels, fabric art, sculpture, carvings, installations, music and dance, and the fine art and culture of all forms. The County is home to numerous cultural and historical organizations as well as artist studios, galleries, museums, and theaters which host a number of activities and events throughout the year. These activities and organizations add to the cultural value in the County and provide economic resources for the artisan. This Plan supports the artisan community and its needs for developing a robust economic and cultural community.

While most of these types of Cottage Industries and Home Occupations are permitted by right in the Rural District, some more intense uses may require a CUP. This Plan recommends that the use of the CUP in the Rural District be limited to non-residential uses not permitted in the Rural District which are compatible in scale and intensity with the rural environment and that pose no threat to public health, safety, and welfare. Some non-agricultural/non-residential related rural CUPs should only be proposed on a small portion of a rural property to help preserve farmland and open space, and continue agricultural operations. This requires eliminating the Land Evaluation Site Assessment (LESA) system and modifying the CUP process. For additional discussion, see Rural Land Use Planning Section (page 34).

Agricultural Service Facilities

An issue expressed by members of Jefferson County's agricultural community during the planning of this document was the lack of agricultural service facilities located in Jefferson County. Farm operators currently travel to Winchester, Hagerstown, or Frederick to purchase farm machinery or to get their machinery repaired. Farmers raising livestock also need to travel out of state to sell or purchase animals at auctions. There are few large animal veterinarians in Jefferson County that can assist with maintaining the health of animals or be available in case of emergency. There are no meat processing facilities in the County and nearby out of state facilities are limited to mass production which excludes small farmers from receiving this service. The lack of service facilities could have a negative impact on the maintenance or expansion of agricultural activities in Jefferson County in the coming years.

Distribution and Marketing of the County's Agricultural Products

In recent years, there has been a change in the way farm products are marketed and sold in Jefferson County. In the past, a large number of farm products cultivated on Jefferson County farms were commodities, with little differentiation between the products of individual farm operators. Currently this is changing due to the increasing reliance of the local farm community on farmers' markets and direct sales to local and regional restaurants. There are several farmers' markets operating in Jefferson County on a weekly basis, during the growing season, at temporary sites. A permanent year-round farmers' market could provide opportunities for a winter market in a place that could also be used for the sales of arts and crafts, root crops, or value added products. Incorporating a farmers' market into a regional agricultural center

complex could serve as another means of selling the County's farm products and could include dining and/or commercial kitchen facilities.

While the farmers' markets have helped individual farm operators differentiate between their products, there is still a limited local or regional identity when it comes to agriculture in the Eastern Panhandle. In some cases, individual farms have addressed this concern through the creation of an identity for the farm and/or for the product being produced. It would be beneficial to the Jefferson County rural economy if a more unified effort occurred through a shared marketing mechanism, regional branding, or the creation of common distribution and marketing facilities.

An increasing movement toward smaller farming operations of less than 40 acres in size in the County should not be discounted, even though a number of farms in Jefferson County are located on large tracts of land. According to the 2012 U.S. Agricultural Census, over half of all farms in Jefferson County provide a limited income to farm operators; however, there are opportunities for expansion of smaller farming operations. The majority of the farms in Jefferson County have the opportunity to provide a viable range of income generating agricultural activities to an individual farm operator.

Enhance Farmland Protection Activities

In 2000, Jefferson County formed a Farmland Preservation Program that is funded by a portion of the transfer tax collected when a house or land is sold. To date, this program has purchased the development rights of 3,900 acres. As mentioned in the Land Use element, the funding that is available to support the County's farmland protection program is much less than the demand from farm operators to participate in it. Since the County's farmland protection program is funded by a portion of the transfer tax, the viability of the program is subject to a widely fluctuating real estate marketplace. In times when there is a great deal of real estate activity, revenue generated for the program is strong, enhancing the ability to purchase development rights and protect farmlands. Conversely, in times when the real estate market is slow, the amount of money available for protection efforts is limited. Therefore, it is important to establish reliable funding sources to support farmland protection activities. One option to protect farmland is to coordinate with the American Battlefield Protection program to make the most efficient use of funding resources.

To reduce the conversion of farmland, the Plan recommends that clustering should be the preferred method of any rural residential development. This would allow land owners to group lots in a traditional rural community pattern, while retaining a majority of the land for agricultural and rural economic uses. Even when the development of a residential cluster results in the loss of some farm land, the goal of the regulations related to cluster developments is to retain as much farmland as possible by adjusting the number and size of the lots in the cluster and requiring the balance of the farm (the residue) to be retained as a permanent agricultural use. Cluster developments on a property should minimize the use of high quality soils and maximize the use of less

productive agricultural land. In order to retain the maximum amount of land in farm use and rural economic activity, the open space requirement for residential cluster development shall be met by the residue which will retain no development rights.

Transportation in the Rural Environment

The County's rural road network originally evolved serving the needs of the farming community and is not intended to serve the needs associated with the higher traffic volumes and speeds required for large residential subdivisions. At certain seasons of the year conflict can be created between residential traffic and large pieces of slow moving farm equipment. The LESA/CUP system has not effectively protected the rural road network from this type of development pressure. As such, this Plan recommends utilizing cluster developments as the preferred form of residential development within the rural areas. Limiting suburban development in the rural area helps protect agricultural land use activities.

Most of the roads in the County's rural area are paved, but tend to have narrow widths, excessive horizontal and vertical curvatures, bridge and drainage problems, and poor intersection alignments. These conditions contribute to the safety concerns associated with increasing motor vehicle traffic on the rural roads. The increased residential densities that have occurred in the rural area in the past are producing additional traffic volume and requiring more maintenance of the rural road network of predominantly narrow, two-lane paved roads with existing design issues.

Agriculture Tourism

The rural areas of the County contribute to the local tourism economy in a variety of ways. Not least of these is the maintenance of attractive viewsheds to enhance the experience of visitors to battlefields, historic sites and villages. Tourism is addressed later in this Element on page 81.

The following recommendations provide action steps to foster and expand the diverse rural economy through a variety of policy, regulatory, incentive-based, and programmatic approaches that will protect the rural land, structures, and character necessary to advance the rural economy.

Agricultural and Rural Economy Recommendations (Goal 8)	
1.	Support West Virginia's and Jefferson County's "Right to Farm" policies which protect the rights of existing and future farms and farmers by developing zoning standards, other legislation, and educational programs designed to reduce potential conflicts arising from the proximity of agriculture to residential development (State Code § 19-19; Section 4.5 of the County's Zoning Ordinance).
	a. Identify and utilize a wider variety of funding sources that could serve to expand the County's farmland protection program.
	b. Create an educational pamphlet informing developers, realtors, and potential homeowners of the offsite impacts of living adjacent to farming activities.
2.	Enact Zoning Ordinance provisions to reduce the intensity of residential development in the Rural zone, other than by clustering, thereby protecting and increasing the investment potential and attractiveness of the agricultural lands for families, entrepreneurs, and businesses.
	a. Decrease the problems of rural traffic volume and the need for additional costly public infrastructure services in rural areas while conserving areas of the Rural zone for agricultural uses and the rural economy through support for rural cluster development vs large subdivisions of new home growth.
3.	Support the rural economy by amending the Subdivision Regulations to establish rural business site plan standards to include:
	a. performance criteria, including compatible size, scale, use, intensity, traffic capacity limits, employee limits, site design standards (i.e. buffering, siting), and standards that protect public health, safety, and welfare; and
	b. the adaptive reuse of existing historic and agricultural structures.
4.	Collaborate with the County's agricultural community to assess the current land use regulations and determine what opportunities for agriculture might currently exist and what additional opportunities might be able to succeed in Jefferson County.
5.	Amend the Zoning and Land Development Ordinance to permit additional non-residential rurally compatible uses.
	a. Incorporate into the zoning provisions innovative agricultural uses including the creation of standards which permit flexibility in the sale of farm products and related auxiliary products.
	b. Amend local land use regulations to permit non-agriculturally related commercial uses by the Conditional Use Permit (CUP) process in the Rural zone if the use is agriculturally and rurally compatible in scale and intensity, poses no threat to public health, safety, and welfare, and if the use helps to preserve farmland and open space and continue agricultural operations.

	<p>c. Require that new non-rural commercial uses that are not compatible with the dominant agricultural land use pattern locate only in the Urban Growth Boundaries (UGBs) and Preferred Growth Areas (PGAs) as identified by the future land use recommendations of this Plan.</p>
6.	<p>Coordinate with local businesses and the Jefferson County Development Authority (JCDA) to brand and market Jefferson County farms and products by identifying and linking potential partnerships and matching suppliers with potential local and regional markets.</p>
	<p>a. Conduct market research on high-value agricultural products, ancillary farm businesses, and other rural economic uses such as farm agri-tourism, retreats, and country inns;</p>
	<p>b. Develop and expand, in conjunction with the Jefferson County Convention and Visitors Bureau, brand identification of Jefferson County farm products;</p>
	<p>c. Provide more alternatives to promote rural tourism and rural land uses.</p>
7.	<p>Work with Jefferson County’s agricultural community to effectively distribute local agricultural products and encourage the growth of the market for local products.</p>
	<p>a. Facilitate the establishment of year round marketing outlets to support the farm community, such as farmers’ markets or a product distribution center;</p>
	<p>b. Encourage the expansion of off-site farmers’ markets to provide marketplaces for farmers and artisans to sell their goods within a variety of Jefferson County commercial venues;</p>
	<p>c. Promote products to Jefferson County based businesses.</p>
8.	<p>Coordinate with key agricultural and rural stakeholders to identify ways to expand marketing and value added production activities for farmers and artisans on their properties in rural areas of Jefferson County.</p>
	<p>a. Amend existing regulations in order to identify and facilitate ways to allow the sale of items grown, processed, crafted, or manufactured in Jefferson County on farms other than the farm where the product originated.</p>
	<p>b. Develop a streamlined process for such uses when there are minimal impacts to surrounding neighbors.</p>
	<p>c. Expand and improve high speed Information Technology (IT) connections in rural areas of Jefferson County with local internet or advanced technologies providers to enable residents to run businesses from home or to telecommute.</p>
9.	<p>Collaborate with the local artisan community and Jefferson Arts Council to review and amend the local land use regulations to promote and enhance the viability and livelihood of artisans in the rural areas of Jefferson County.</p>
	<p>a. Encourage local non-profit organizations and local and regional economic development agencies to create a regular forum where all County artisans, businesses, and members of the non-profit and arts communities can meet to network and collaborate.</p>

	b. Work to improve connections between County businesses and artisans that may have products and services that can be sold in local stores or other businesses.
	c. Ensure that training and educational opportunities are available that would enable the success of such businesses.
	d. Establish and support an endowment for arts funding for rural crafted arts.
10.	Strengthen the Agricultural Committee of the JCDA by creating a public/private Rural Economic Development Council comprised of rural industry sector leaders. This organization will:
	a. link governmental, non-governmental, and regional organizations;
	b. link state and federal farm assistance programs to local farmers;
	c. receive and make grants;
	d. act as an advocacy group for rural issues; and
	e. promote activities that nurture the rural economy.
11.	Create a county or regional agricultural industrial park that could include sites for service providers such as farm equipment repair facilities, tractor and implement sales, meat processing facilities, and veterinarian services; as well as:
	a. A local or regional food hub that could be tied into Community Supported Agriculture (CSA) packaging and distribution, a regional food bank, and to serve as a marketing site for farms and farmers;
	b. A neighborhood based CSA or Development Supported Agriculture;
	c. A permanent, year-round farmers' market site;
	d. Sites for Industrial Agriculture such as Vertical Farming, Hydroponic Greenhouses, and Aquaponic Farming;
	e. Agriculture based training, research, and continuing education facilities created in conjunction with institutes of higher learning and research;
	f. Commercial aquaculture activities;
	g. A livestock auction facility;
	h. A Community Cold Storage/Meat Locker Facility that would allow county residents to rent space to purchase and store sides of meat; and/or
	i. Alternative Energy Production facilities, ranging from ethanol refining to algae production for biofuels.
12.	Promote and expand the commercial and recreational equine industry as a fundamental component of the rural economy by amending County ordinances to reflect the current practices and needs of the industry.
13	Collaborate with the County's culinary, artisan, and farm communities and JCDA to study the feasibility of establishing a Culinary Center that would provide exposure to and for marketing the goods that are produced in Jefferson County and the Eastern Panhandle.

	<p>a. Collaborate with the West Virginia Extension Service, West Virginia Department of Agriculture, and local stakeholders to establish a regional commercial kitchen and packing facility in the Eastern Panhandle that could be used by farm operators in the manufacture of value added products.</p>
14.	<p>Expand vocational programs, either through the existing Future Farmers of America program in the County's high schools or through programs that combine classroom exercise with a co-op program exposing students to a variety of agricultural formats and opportunities.</p>
	<p>a. Advocate for Jefferson County Schools to partner with Berkeley and Morgan County schools to create a regional Agriculture Magnet School whose curriculum would be focused on agriculture and agribusiness fields.</p>
	<p>b. Encourage the Board of Education to provide equal vocational education programs in all middle schools and high schools throughout the County.</p>
15.	<p>Coordinate with Jefferson County Schools to encourage the following agricultural activities:</p>
	<p>a. Preserve and expand the Future Farmers of America programs that are in place at the County's middle and high schools.</p>
	<p>b. Coordinate with local artisans to improve accessibility and awareness of arts education and programming.</p>
	<p>c. In conjunction with local gardening organizations and Jefferson County Agricultural Development Office, expand school garden programs that could serve as a source of fresh foods for cafeterias.</p>
	<p>d. Encourage schools to use local agricultural products in cafeterias through partnerships with local farmers and CSA programs.</p>
16.	<p>Encourage the West Virginia University Extension Office to consider the creation of Mentoring/Training Programs similar to FarmLink programs that are in place in other states such as Maryland and Virginia.</p>
17.	<p>Support the County's rural economic strategy by working with the State Legislature to review the State Code and consider the following amendments:</p>
	<p>a. Tax credits on farm-related capital improvements;</p>
	<p>b. Tax abatement or deferral when a farmer makes an investment in high-value crops that do not turn a profit for several years (orchards, Christmas trees, vineyards, etc.);</p>
	<p>c. Assessment of farm worker housing on farms below residential market value;</p>
	<p>d. Additional reduction in the real estate tax rate on rurally zoned property that is under permanent conservation easement.</p>

From: [Reddington, Quintina](#)
To: [Planning Department](#)
Subject: Reddington Farm Barn Language
Date: Tuesday, March 26, 2019 3:51:33 PM
Attachments: [Proposed Event Barn Content.docx](#)

Hi Alex,

Below is the language for the event barn we discussed on Monday. Please let me know if this is what you had in mind.

Thank you,

Tina

Proposed Event Barn Content

We are proposing to build a new barn or barn like structure that will house a distillery and will be a multi- purpose facility to allow rental of the space for meetings or events.

- The structure will hold approximately 100-300 people inside depending on the space configuration ie. Tables and chairs vs standing room only.
- The structure will contain restrooms that meet the International Plumbing Code.
- Food will be prepared and served from a permanent or mobile facility that has been approved by the health department.
- If alcohol is served on site, separate from the distillery, all State liquor licensing laws will be.
- Events may include but are not limited to weddings, graduation festivities, corporate retreats/meetings.

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Section 2.2 Terms Defined

Agricultural Use^{17, 21, 23}

The use of land for a bona-fide farming operation. This includes:

1. Commercial Agricultural Enterprise;
2. Agriculture, Ranching;
3. Aquaculture;
4. Apiculture;
5. Horticulture
6. Viticulture;
7. Fish, meat, poultry and game birds processing, provided that fifty percent (50%) of the meat processed must be raised on the site farm of the processing facility for minimum periods of three (3) months for beef and pork and two (2) months for lamb and poultry;
8. Animal Husbandry; including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals;
9. Poultry husbandry and the production of poultry, game birds, and poultry products;
10. Dairy production and processing of dairy products;
11. Equestrian uses;
12. The production of field crops including but not limited to tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, mushrooms, timber, pasturage, Christmas trees, maple sap, woody biomass, compost;
13. Pick your own farm products;
14. Agricultural tourism;
15. Farm vacation enterprise;
16. Farm brewery and winery subject to the requirements for such a use in Article 8;
17. Rental of garden plots;
18. Community supported agriculture;
19. The warehousing; processing, value added, drying, storage, distribution and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, husbandry or production;
20. Forestry;
21. Agricultural Special Event Facility

Rural Reception/
Event Facility²⁴

A facility within an existing structure and/or outdoor area for the hosting of events such as weddings and similar events in the Rural Village, Residential Growth and Residential Light Industrial Commercial Districts (permitted by Special Exception). Such events are limited to events that involve extended families and friends such as weddings, wedding receptions, birthday events, anniversary events, reunion events and/or family gatherings. No events that involve charging admission or are solely performance events are permitted under this provision.

Rural Reception/Event Facility, Small²³ A Rural Reception/Event Facility in the Rural District for the hosting of events such as weddings with attendance not to exceed 75 cars at a frequency of no more than one event per month.

Special Event A gathering of individuals for the common purpose of attending a celebration, ceremony, reception, or similar activity for the benefit of someone other than the property owner. No events that involve charging admission or are solely performance events are permitted under this provision. Private parties, gatherings, and similar activities that are not subject to a use agreement between a private individual or group and the homeowner are not defined as a special event.

Special Event Facility A facility where special events are permitted to occur. Special event facilities are subject to a use agreement between a private group or individual and the facility owner. The facility owner may or may not charge a rental fee for the use of the facility. Facilities may operate entirely within a structure, entirely outside of a structure, or both inside and outside a structure.

Special Event Facility, Agricultural A Special Event Facility located on a parcel which the Assessor's Office has classified as "farm use".

Section 4.5 Agricultural Uses Permitted Generally

~~Except for compliance with distance requirements for a building set forth in Section 4.6.~~ Nothing in this Ordinance shall prohibit the use of land for agricultural purposes or the construction or use of building or structures incidental to the use for agricultural purposes. New structures built for the purpose of establishing an Agricultural Use, as defined in Article 2, which is open to the public (i.e., Agricultural Special Event Facility), are subject to a 75' setback. Existing structures converted for Agricultural Uses which are open to the public are not subject to the 75' setback.

Section 4.10 Site Plan Requirements

- A. Submittal and approval of a site plan is required for all commercial, townhouse and multi-family residential, industrial, and institutional development in any district and for all major additions or expansions of existing uses as defined in Article 2, in accordance with the requirements of the Subdivision and Land Development Regulations and this Ordinance.^{23, 26}
- B. Site Plan submittal is not required for single-family or two-family dwelling units, unless planned as part of a multi-unit or mixed use development plan.
- C. Site Plan submittal is not required for any Agricultural Use defined in Article 2. Agricultural Uses which are open to the public (Agricultural Special Event Facility, Farm Market, etc.) established on parcels of less than 20 acres shall process a Concept Plan in accordance with the Subdivision and Land Development Regulations.
- D. The site plan format and informational requirements that must be followed are referenced in the Jefferson County Subdivision and Land Development Regulations, and this Ordinance.
- E. The Planning Commission has the authority to waive any site plan standards in accordance with the Subdivision and Land Development Regulations.^{10, 17, 21, 23}

Section 8.14 Rural Reception/Event Facility³⁶ Special Event Facilities

The purpose of this section is to create a process by which a property owner in the Rural, Residential Growth, and Village zoning districts may establish a Special Event Facility. A Special Event Facility in any other zoning district may process in accordance with Appendix C.

A. An Agricultural Special Event Facility is permitted in any zoning district on a parcel with an existing farm and shall operate accessory to the property owner’s primary residence or caretaker’s residence. The minimum acreage required is five acres.

1. An Agricultural Special Event Facility may be established on a separate legal lot of record adjoining a parcel with farm use status, as long as it is under the same ownership.
2. An Agricultural Special Event Facility on a parcel of less than 20 acres shall process a Concept Plan, subject to a Public Workshop before the Planning Commission, in accordance with the Subdivision and Land Development Regulations.
 - a. If a Concept Plan is not required, the following documentation shall be submitted as part of the Zoning Certificate application:
 - i. A sketch reflecting the layout of the proposed event shall be submitted to ensure compliance with setbacks and parking. The sketch should delineate the parking area, the event tent(s), location of portable restrooms, and the location of any vendors.
 - ii. A traffic control plan shall be submitted to address traffic flow for ingress and egress to ensure that traffic will not create a backup onto public or private roads.
3. An Agricultural Special Event Facility shall not exceed attendance of 250 people, excluding event staff and vendors.
4. All aspects of the land use, excluding parking, but including any new structures and any outdoor components such as event tents, portable restrooms, etc., shall be setback 75 feet from all property lines. Parking shall be setback 25’ from all property lines.
5. Parking shall be provided at a ratio of one parking space for each two guests allowed on-site and one parking space for each permanent employee who does not reside on premises. Parking may occur on grass if the applicant can demonstrate that the parking will occur on usable ground and can identify how handicapped accessibility (if applicable) will be addressed.
6. The land use shall comply with Section 8.9A.1 and shall apply the Residential Growth District standard to all adjacent lots.

If the subject parcel associated with an approved Agricultural Special Event Facility loses the associated “farm use” classification through the Assessor’s Office, the property owner may apply for a Special Exception in accordance with Article 6 to continue operating the land use.

B. A Special Event Facility is a facility that operates independent from any other use on the property.

1. In the Rural, Village, and Residential Growth zoning districts, a Special Event Facility shall process a Conditional Use Permit in accordance with Article 6.
 - a. The minimum lot size shall be five acres. Site development standards shall comply with Appendix B.

- b. Parking shall be provided at a ratio of one parking space for each two guests allowed on site and one parking space for each permanent employee.
- c. In addition to the criteria set forth in Article 6, Section 6.3, the Board shall evaluate the following:
 - i. Proposed frequency:
 - ii. Number of attendees (maximum building capacity):
 - iii. Signage:
 - iv. Adequacy of parking area. The Board should consider the number of parking spaces as well as the location of the proposed parking area:
 - v. Adequacy of vehicular access to the property. The applicant shall provide a traffic control plan to address traffic flow and ingress and egress to the property to ensure that traffic will not hinder shared access (if applicable) or create a back-up onto public or private roads; and
 - vi. Impact on adjacent properties.

Parks and Recreation events and facilities are exempt from Section 8.14.

~~A Rural Reception/Event Facility is a facility within an existing structure and/or outdoor area for the hosting of events such as weddings and similar events. Such events proposed in the Rural, Village, Residential Growth, and Residential Light Industrial-Commercial Districts are approved by the Board of Zoning Appeals following a public hearing. Such public hearing shall be conducted according to the requirements of Section 6.1C; may be continued according to the requirements of Section 6.1D; and is subject to the notification requirements of Section 6.1B.²²~~

~~Such a land use may be approved based on the Board's evaluation of the proposed frequency and size of the proposed events, adequacy of parking area, size of the subject property, adequacy of vehicular access to the property, impact on adjacent properties, and compatibility with the neighborhood. For events exceeding 300 persons, applicants shall provide a traffic control plan.²²~~

~~A Rural Reception/Event Facility, Small, is a Rural Reception/Event Facility in the Rural District only, for the hosting of events such as weddings with attendance not to exceed 75 cars, at a frequency of no more than one event per month. Such events are permitted administratively provided that if the facility would utilize a private, shared right of way, driveway or easement for vehicular access, a public hearing before the BZA is required.²²~~

~~Approvals of all Rural Reception/Event Facility and Rural Reception/Event Facility, Small shall include a provision that noise at the property line shall conform with Section 8.9A.1 of this Ordinance and shall apply the Residential Growth District Standard to all adjacent lots containing a residence as well as adjacent lots in the Rural District.~~

~~Note that any vendors and/or production staff are not counted in the trip generation for this Section.²²~~

APPENDIX C: PRINCIPAL PERMITTED AND CONDITIONAL USES TABLE^{23, 29, 32, 33, 35, 37}

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Commercial Uses													Sec. 8.9
Antique Shop	P	P	P	P	NP	P	NP	CU	CU	P	P	P	
Appliance Sales	NP	P	P	P	CU	P	NP	CU	CU	P	P	NP	
Art Gallery or Artist Studio	P	P	P	P	NP	P	P	CU	CU	P	P	P	
ATM	P	P	P	P	NP	P	P	CU	CU	P	P	CU	
Automobile repair, sales and service	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Automobile parts, supplies and tire stores	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Automobile, light truck and light trailer rentals, indoor	P	P	P	P	P	P	NP	CU	CU	P	P	CU	
Automobile, light truck and light trailer rentals, outdoor	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Bail Bond Services	NP	P	P	P	CU	NP	NP	CU	CU	CU	P	CU	
Bank	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Bank with Drive-Through Facility	CU	P	P	P	CU	P	P	CU	CU	P	P	CU	
Bar	P	P	P	P	NP	P	P	NP	NP	P	P	CU	
Barber/Beauty Shop, Limited	P	P	P	P	NP	P	P	CU	CU	P	P	P	
Bed and Breakfast	P	NP	NP	NP	NP	NP	NP	P	CU	NP	NP	P	Sec. 8.3
Brewpub	P	P	P	P	NP	P	P	CU	CU	P	P	CU	Sec. 8.5
Business Equipment Sales and Service	CU	P	P	P	CU	P	P	CU	CU	P	P	CU	
Building Maintenance Services	CU	P	P	P	P	P	P	CU	CU	P	P	CU	
Building Materials and Supplies	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Campground ³¹	CU	P	NP	NP	NP	P	NP	P	CU	P	P	CU	Sec. 8.17
Car Wash	NP	P	P	P	CU	P	P	CU	CU	P	P	CU	
Commercial Blood Plasma Center	NP	P	P	P	NP	CU	CU	CU	CU	CU	P	CU	
Commercial Uses	NP	NP	NP	NP	NP	NP	NP	NP	**	P	P	CU	Sec. 8.9
Contractor with No Outdoor Storage	P	P	P	P	P	P	P	CU	CU	P	P	CU	
Contractor with Outdoor Storage	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Convenience Store, Limited	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Convenience Store	CU	P	P	P	CU	P	NP	CU	CU	CU	P	CU	Sec. 5.8C (RLIC only)
Country Inn	P	P	P	P	NP	P	P	CU	CU	P	P	P	
Crematorium, Pet ³⁷	NP	P	NP	P	NP	NP	NP	P	NP	P	P	CU	Sec. 8.19
Custom Manufacturing	P	P	P	P	P	P	P	CU	CU	P	P	CU	
Dry cleaning and Laundry Services	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Dry cleaning and Laundry Facility	NP	P	P	P	P	P	P	CU	CU	P	P	CU	
Equipment Rental, Sales, or Service	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Exterminating Services	NP	P	P	P	P	P	P	CU	CU	P	P	CU	
Florist	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Food Preparation	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Hotel/Motel	NP	P	P	P	NP	P	P	CU	CU	P	P	CU	
Gambling Facilities	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	CU	Sec. 4.4G
Gas Station, Limited	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Gas Station	NP	P	P	P	CU	P	P	CU	CU	P	P	CU	
Gas Station, Large	NP	CU	P	P	CU	CU	CU	CU	CU	P	P	CU	
Golf Course	NP	P	P	P	NP	P	P	CU	CU	P	P	CU	
Grocery Store	P	P	P	P	CU	P	NP	CU	CU	P	P	CU	
Horse Racing Facility	NP	NP	NP	P	NP	NP	NP	CU	CU	P	P	CU	
Kennel	NP	P	P	P	CU	P	P	P	CU	P	P	CU	Sec. 8.4

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Commercial Uses continued													Sec. 8.9
Medical/Dental/Optical Office, Small	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Medical/Dental/Optical Office	NP	P	P	P	CU	P	P	CU	CU	P	P	CU	
Mobile Home, Boat and Trailer Sales	NP	P	P	P	CU	P	NP	CU	CU	CU	P	CU	
Movie Theater	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Nightclub	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Non Profit Commercial Uses	P	P	P	P	NP	P	P	CU	CU	P	P	CU	
Non-Profit Community Centers	P	P	P	P	CU	P	CU	P	CU	P	P	CU	
Parking, Commercial Offsite Accessory	NP	P	P	P	P	P	P	CU	CU	P	P	CU	
Pawn Shop Services	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Personal Services	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Professional Office, Small	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Professional Office	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Restaurant, Fast Food, Limited	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Restaurant, Fast Food	CU	P	P	P	CU	P	P	CU	CU	CU	P	CU	
Restaurant, Fast Food, Drive-Through	NP	P	P	P	CU	CU	P	CU	CU	CU	P	CU	
Restaurant	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Retail Sales Limited	P	P	P	P	NP	P	P	CU	CU	P	P	CU	
Retail Sales and Services, General	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Retail Store, Large	NP	CU	P	CU	NP	CU	NP	CU	CU	CU	CU	CU	
Shipping and Mailing Services	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
<u>Special Event Facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>CU</u>	<u>CU</u>	<u>P</u>	<u>P</u>	<u>CU</u>	<u>Sec. 8.14</u>
Storage, Commercial	NP	P	P	P	CU	P	NP	CU	CU	P	P	CU	
Veterinary Services	P	P	P	P	CU	P	P	P	CU	P	P	CU	
Wireless Telecommunications Facilities	P	P	P	P	P	P	P	P	P	P	P	P	Art. 4B
Agricultural Uses*													
Agricultural Uses, as defined in Article 2	P	P	P	P	P	P	P	P	P	P	P	P	
Agricultural Repair Center	NP	P	P	P	P	P	P	P	CU	P	P	NP	
Agricultural Tourism	P	P	P	P	P	P	P	P	P	P	P	P	
Crematorium, Livestock ³⁷	CU	CU	CU	CU	CU	CU	CU	P	CU	CU	CU	CU	Sec. 8.19
Farm Brewery	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.5
Farm Winery or Distillery	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.5
Farm Market	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.6
Farm Vacation Enterprise	P	P	P	P	P	P	P	P	P	P	P	P	
Farmer's Market	P	P	P	NP	NP	P	NP	P	CU	P	NP	CU	Sec. 8.6
Feed and/or Farm Supply Center	CU	P	P	P	P	P	P	P	CU	P	P	NP	
Horticultural Nurseries and Commercial Greenhouses	P	P	P	P	P	P	P	P	CU	P	P	NP	
Landscaping Business	P	P	P	P	P	P	P	P	CU	P	P	NP	
Rental of Existing Farm Building for Commercial Storage Structure must have existed for 5 years	NP	P	P	P	P	P	P	P	CU	P	P	NP	
<u>Special Event Facility, Agricultural</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Sec. 8.14</u>
Accessory Uses													
Accessory Uses	P	P	P	P	P	P	P	P	P	P	P	P	

- NC Neighborhood Commercial
- GC General Commercial
- HC Highway Commercial
- LI Light Industrial
- MI Major Industrial
- PND Planned Neighborhood Development
- OC Office / Commercial Mixed-Use
- R Rural
- RG Residential Growth District
- RLIC Residential-Light Industrial-Commercial District
- IC Industrial-Commercial District
- V Village District
- P Permitted Uses
- NP Not Permitted Uses
- CU Conditional Uses (subject to requirements of district and/or other requirements of this Ordinance)
- ** Accessory Use to a planned residential community, if permitted pursuant to Section 5.4 and processed as a CU
- ¹ The Planning Commission may amend the permitted uses for a development in the PND District per Article 5
- ² Approval process is per the Salvage Yard Ordinance

AGENDA REQUEST FORM
www.jeffersoncountywv.org



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

Department or Organization: **Department of Engineering, Planning & Zoning**

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

Date Requested – 1st Choice: **September 19, 2019**

Date Requested – 2nd Choice: **October 05, 2019**

Subject (*Wording to be placed on agenda*): **Request Approval of the Jefferson Asphalt Products Co., Inc. proposal in the amount of \$49,080.00 to resurface Rose Hill Drive under the Rose Hill Estates Subdivision – Site Work Project (JCPC File No. 02-09)**

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

The Rose Hill Estates Subdivision is a nine lot subdivision located on Rose Hill Drive, on the north side of Route 51, west of Charles Town. The developer defaulted on the bond and completion of some of the site improvements.

Jefferson Asphalt Products Co., Inc. has submitted a proposal to place a leveling course of asphalt and a top course of wearing 1 asphalt from Rt 51 to Station 20+30 of Rose Hill Drive, as per the approved subdivision plan.

Once the work is completed and the Rose Hill Estates Property Owners Assoc. Inc. has submitted a letter of acceptance for the work, the Office of Engineering will release payment from the escrowed bond funds to Jefferson Asphalt Products Co., Inc.

Bond funds in the amount of \$55,949.63 are being held in a bank escrow account at the Bank of Charles Town (account #xxx4083). The work will be paid for with funds from the bank escrow account (these are not tax dollars).

Is this a funding request? **No; escrowed bond funds will be utilized to pay for the work.**

If so, how much?

Motion Requested: **Yes**

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

Move to approve the Jefferson Asphalt Products Co., Inc.'s proposal in the amount of \$49,080.00 to resurface Rose Hill Drive, under JCPC File No. 02-09; and upon completion of the work, to authorize the Office of Engineering to make payment from escrowed bond funds to Jefferson Asphalt Products Co., Inc.

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

- **Jefferson Asphalt Products Co., Inc. – Proposal, Scope of Work & Plans for resurfacing Rose Hill Drive.**

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

<u>FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS</u>

Jefferson Asphalt Products Co., Inc.

175 John J Thomas Way
Charles Town, WV 25414
Phone: (304) 725-2539
Fax: (304) 728-8546
WV000499

August 30, 2019

Rose Hill Estates Property Owners Assoc. Inc.
c/o The County Commission of Jefferson County
124 E. Washington St.
Charles Town, WV 25414

Re: Paving and Repair Prices for Rose Hill Dr.

Patching

Mill out 3 areas approximately 5'X7', 6'X10', and 6'X31'
Patch areas back with 3" WVDOH Base II

Surface Paving

Mill joint at State Rt 51, and at Station 20+30
Mill joint at existing paved driveways
Sweep area to be paved
Spray any vegetation in existing pavement with total vegetation killer
Furnish and apply tack coat
Furnish and apply 1/2" average WVDOH Wearing I as a Scratch and Leveling Course
Furnish and apply 1 1/2" average WVDOH Wearing I as a Surface Course
Compact all materials in place.

Price: \$ 46,880.00

Shoulder Stone

Furnish and apply stone shoulder approx. 1' wide flush with the new pavement
Compact all materials in place.

Price: \$ 1,800.00 (Estimated 40 tons at \$45.00/ton; not to exceed 40 tons)

Signage

Furnish and erect one 36" octagonal stop sign

Price: \$400.00

- Price valid for acceptance for 60 days from above date
- All existing stone driveways will have an approximately 2' lip off
- No striping included

Jefferson Asphalt Products Co., Inc., agrees to do all work and furnish materials in accordance to the Scope of Work provided by The Jefferson County Commission's Department of Engineering, Planning and Zoning dated 8/30/19.

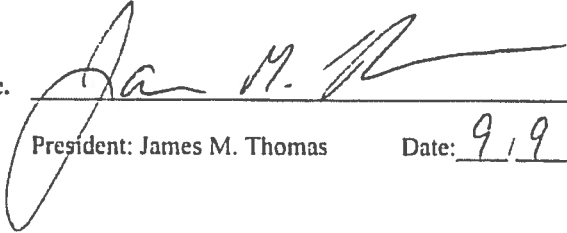
RECEIVED

SEP 9 2019

JEFFERSON COUNTY
ENGINEERING, PLANNING AND ZONING

Lump Sum Grand Total \$49,080.00


Proposal by Jefferson Asphalt Products Co., Inc.



President: James M. Thomas Date: 9.9.19

Accepted by Rose Hill Estates Property Owners Assoc. Inc. _____

President: Will Liston Date: / /



C. Glenn Greensstreet-III

SCOPE OF WORK

Rose Hill Subdivision - Site Work Project

(JCPC File No. 02-09)

Jefferson County, West Virginia

August 30, 2019

1. Contractor shall provide all materials, labor, and equipment necessary to remove three inches (3") of existing asphalt, as shown on sheet 3 of the approved plans, at three locations of the following sizes: 5'X7', 6'X10', and 6'X31'; and properly dispose of excavated material.
2. Contractor shall provide all materials, labor and equipment to provide a two inch (2") milled joint tie-in at Rt 51 (on Sheet 3), Sta 20+30 (on sheet 4), and all paved driveways; and properly dispose of excavated material.
3. Contractor shall provide all materials, labor, and equipment necessary to place 3" of compacted Base-I Asphalt within the 3" excavated areas stated above. Compaction shall be with a smooth steel drum roller.
4. Contractor shall provide all materials, labor, and equipment necessary to clean the existing asphalt pavement from debris and vegetation and properly dispose of any debris and vegetation.
5. Contractor shall provide all materials, labor, and equipment necessary to place an asphalt tack coat from Rt 51 to station 20+30 onto the existing pavement surfaces to be asphalt resurfaced.
6. Contractor shall provide all materials, labor, and equipment necessary for the placement and compaction of one-half inch (1/2") of WVDOH leveling coarse asphalt paving from Rt 51 to station 20+30 on all existing pavement to be resurfaced. The leveling course shall provide a 2% +/- crown to the roadway. Compaction shall be with a smooth steel drum roller.
7. Contractor shall provide all materials, labor, and equipment necessary for the resurfacing of the road by placement and compaction of one and one-half inches (1-1/2") of WVDOH Wearing 1 surface coarse asphalt paving from Rt 51 to station 20+30 on all existing pavement to be resurfaced. Compaction shall be with a smooth steel drum roller.
8. Contractor shall provide all materials, labor, and equipment necessary for the placement and compaction of the two inches (2") thick by one foot (1') wide shoulder stone on both sides of the newly paved road section. Compaction shall be with a smooth steel drum roller. Shoulder stone material shall be ¾ inch crush-of-run.

9. Contractor shall provide all materials, labor, and equipment for the placement of one (1) thirty-six inch (36") octagonal stop sign for Rose Hill Drive., at the intersection with Route 51, as shown on the approved preliminary plat. Stop signs and posts shall be in accordance with WVDOH specifications.
10. Contractor shall maintain traffic access throughout the subdivision during the construction period and provide all temporary traffic control necessary until the work is 100% complete; including but not limited to, traffic control signs, barricades, warning lights, flagmen, etc. All temporary traffic control devices shall be in accordance with West Virginia Division of Highways standards and specifications.
11. Contractor shall perform all work in accordance with the approved Preliminary Plat (Jefferson County Planning Commission File no. 02 - 09), all related permits, and all local, State and Federal laws and regulations.
12. Contractor shall provide all clean up and disposal of all trash and debris resulting from the contractor's work. All trash and debris shall be disposed of in accordance with all applicable laws and regulations
13. The contractor shall provide a copy of all stone and asphalt delivery/scale tickets to the Jefferson County Engineer.
14. Price for the work shall include all associated taxes, permit fees, etc.
15. The Contractor shall provide vehicle and property damage liability insurance and WV Worker's Compensation Insurance. The Contractor shall provide to the Owner a certificate of liability insurance in the amount of one million dollars (\$1,000,000) and a copy of current West Virginia Workers' Compensation Insurance certificate showing the contractor to be in good standing with the State of West Virginia.
16. The Contractor shall hold a current West Virginia Contractor's License and shall be in good standing with the State of West Virginia. Contractor shall provide to the Owner a copy of the contractor's license issued by the West Virginia Contractor's Licensing Board.
17. Contractor shall complete all work within Twenty-One (21) calendar days of signing of the contract.
18. Contractor shall guarantee all work from defects in Materials and/or Workmanship ONLY for a period of one year from the date of final payment for all work. Contractor makes NO warranty to damages caused to the newly paved roadway that are beyond his control. Contractor makes NO warranty in regard to the adequacy of the existing roadway, subgrade, and pavement.
19. The Contractor agrees to save and hold harmless, and protect the Jefferson County Commission, its agents and employees, the Owner, and all the Rose Hill property

owners from any and all liability resulting out of any acts or negligence by the Contractor in the completion of the work for this project.

NO.	DESCRIPTION	AMOUNT
1	PLAT	100.00
2	RECORDING	100.00
3	NOTARIAL	100.00
4	ADDITIONAL	100.00
5	TOTAL	400.00

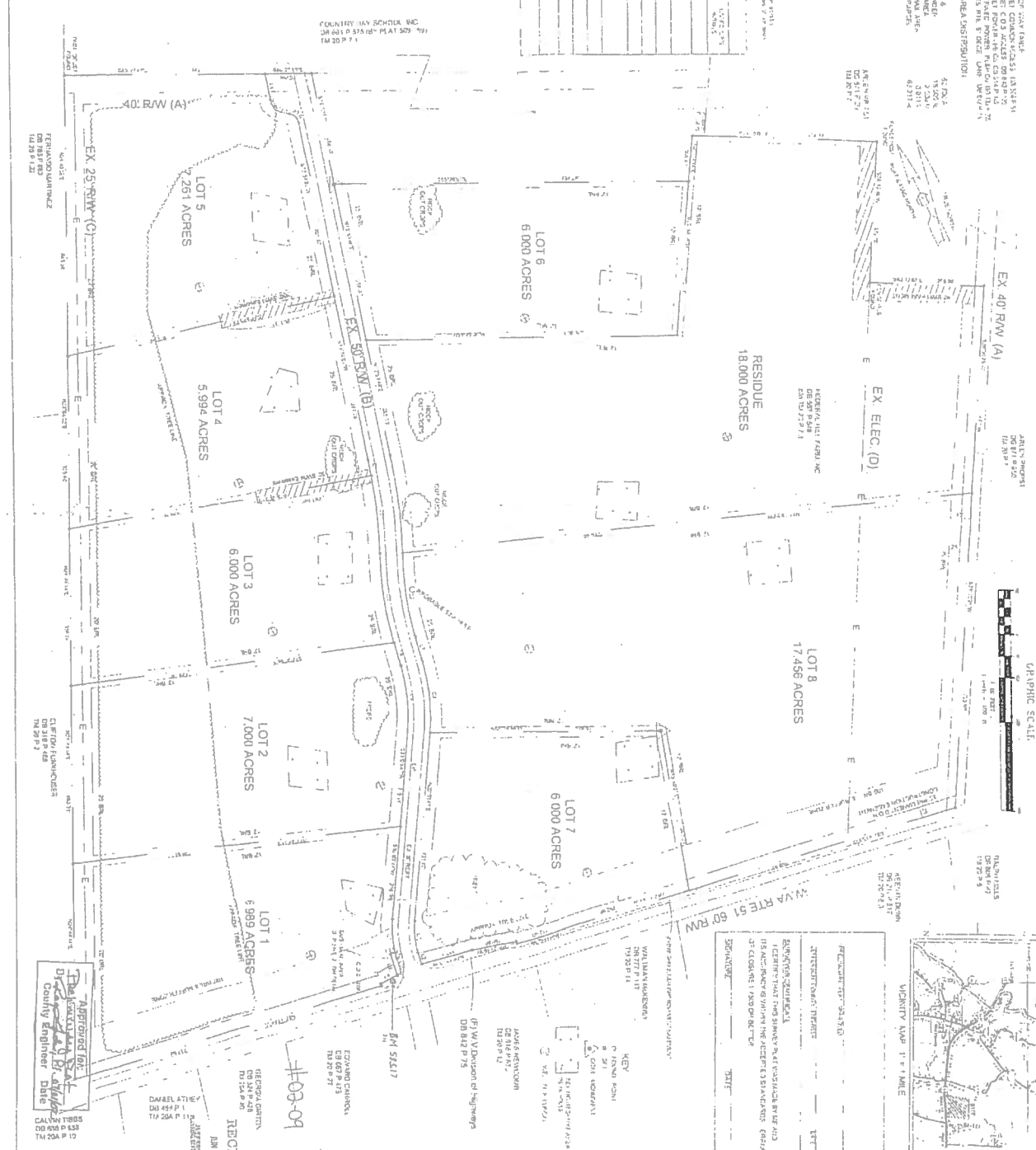
CLASS.	DEPT.	AMOUNT	DATE	REMARKS
1	PLAT	100.00	11/15/11	
2	RECORDING	100.00	11/15/11	
3	NOTARIAL	100.00	11/15/11	
4	ADDITIONAL	100.00	11/15/11	
5	TOTAL	400.00		

SECTION 29, TOWNSHIP 10N, RANGE 10E, COUNTY OF JEFFERSON, MISSOURI
 1/4 SECTION 29, TOWNSHIP 10N, RANGE 10E, COUNTY OF JEFFERSON, MISSOURI
 1/4 SECTION 29, TOWNSHIP 10N, RANGE 10E, COUNTY OF JEFFERSON, MISSOURI
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 1/4 SECTION 29, TOWNSHIP 10N, RANGE 10E, COUNTY OF JEFFERSON, MISSOURI

TABLE OF DESCRIPTIONS

NO.	DESCRIPTION	AMOUNT
1	PLAT	100.00
2	RECORDING	100.00
3	NOTARIAL	100.00
4	ADDITIONAL	100.00
5	TOTAL	400.00

SECTION 29, TOWNSHIP 10N, RANGE 10E, COUNTY OF JEFFERSON, MISSOURI
 1/4 SECTION 29, TOWNSHIP 10N, RANGE 10E, COUNTY OF JEFFERSON, MISSOURI
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 1/4 SECTION 29, TOWNSHIP 10N, RANGE 10E, COUNTY OF JEFFERSON, MISSOURI

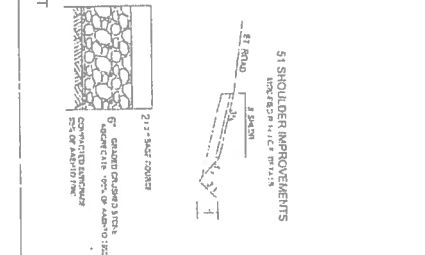
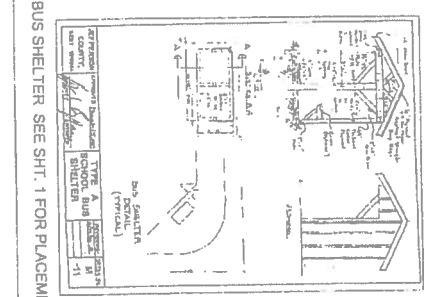
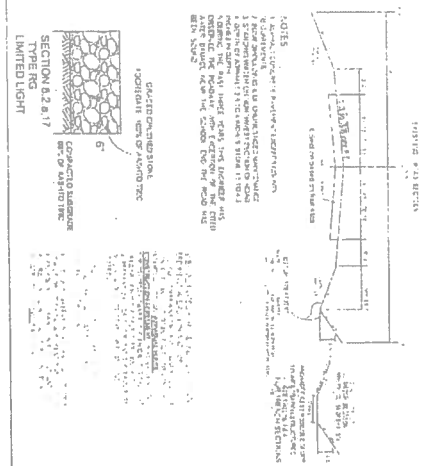
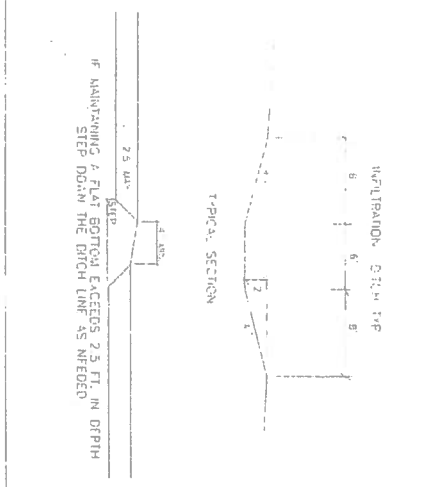


ROSE HILL ESTATES
PRELIMINARY PLAT
 MIDDLEWAY TAX DISTRICT, JEFFERSON COUNTY, WV
 LAND OF FEDERAL HILL FARMING CO.
 DEPT. OF REVENUE, TAX DIVISION, CHARLESTON, WV

RECEIVED
 NOV 15 2011

APPROVED FOR
 COUNTY ENGINEER
 DATE: 11/15/11

DESIGNED BY: [Name]
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: 11/15/11



DATE	10/11/11
BY	DAVID L. HARRIS
CHECKED BY	DAVID L. HARRIS
SCALE	AS SHOWN
PROJECT	ROSE HILL ESTATES
SHEET	2 OF 5

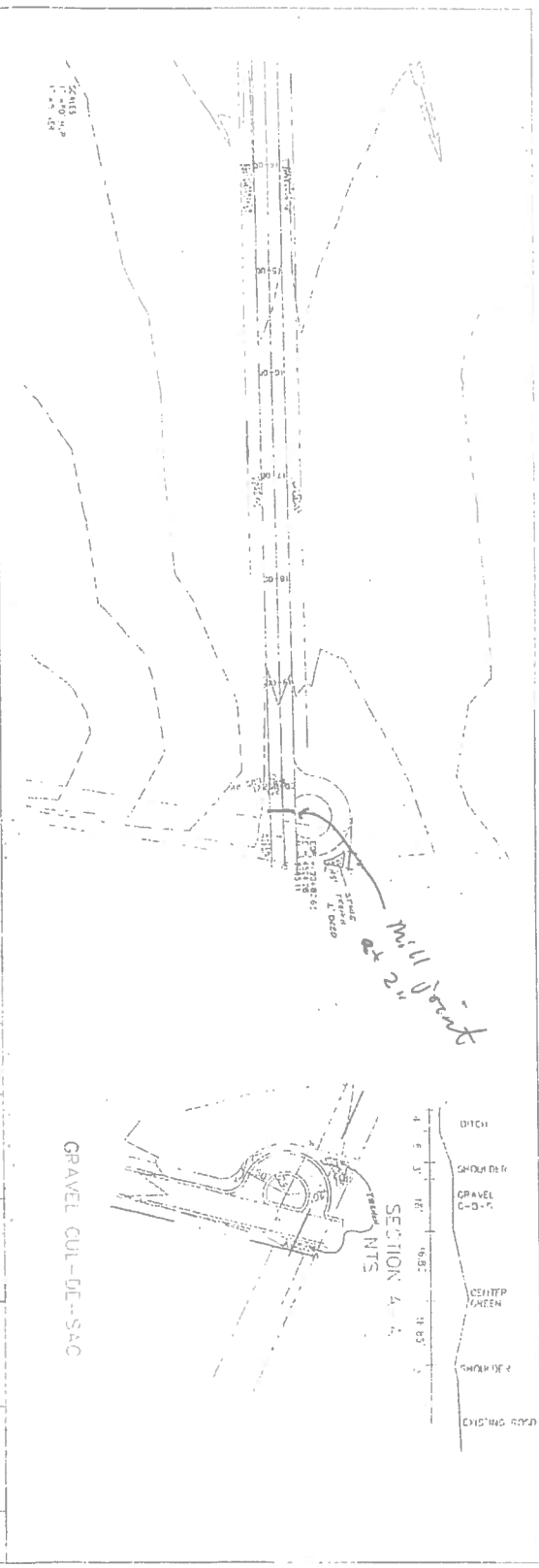
ROSE HILL ESTATES
DRAINAGE PLAN AND DETAILS
MIDDLEWAY TAX DISTRICT, JEFFERSON COUNTY, WV

CREATED BY: DAVID L. HARRIS
DATE: 10/11/11
CHECKED BY: DAVID L. HARRIS
DATE: 10/11/11
SCALE: AS SHOWN
PROJECT: ROSE HILL ESTATES
SHEET: 2 OF 5



CONSULTING ENGINEER
DAVID L. HARRIS
11111
10/11/11

570.00	3-56	14.00	4+50	15+00	5+50	16-00	6+50	17+00	7+50	18+00	8+50	19+00	9+50	20+00	0+50	21+00	1+50	22+00	2+50	23+00	3+50	4+50	25+00	5+50	26+00	6+50	27+00	570.00
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551.86																												551.86
552.00																												552.00
552.15																												552.15



DATE	11/11/11
BY	...
CHECKED BY	...
DATE	...
IN CHARGE	...
DATE	...

EXISTING ROAD PLAN & PROFILE
 ROSE HILL ESTATES
 UDDLEWAY TAX DISTRICT JEFFERSON COUNTY WVA

DATE RECEIVED BY
 DATE
 IN CHARGE
 DATE



YEBERNETSKY, ROBERTS,
 SURVEYORS & ENGINEERS
 B STANSBURY INC.
 P.O. BOX 538
 HERRING SPRING, WV 26041
 (304) 795-2123

AGENDA REQUEST FORM

www.jeffersoncountywv.org

NAME: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

ESTIMATION OF TIME NEEDED FOR APPT.: 10-20 minutes

DATE REQUESTED: 1ST CHOICE September 19th, 2019

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

SUBJECT: Close the estates

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

The following three estates did not meet the requirements to be closed in July, and the beneficiaries have requested approval to close before the October term so that disbursements can be made.

Estate of Norma W. Moore, deceased

Estate of Donald E. Holmes, deceased

Estate of Evelyn Holmes, deceased

ARE DOCUMENTS ATTACHED: To follow

IS A PROJECTOR NEEDED?: NO

lfields@jeffersoncountywv.org (304) 728-3210

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jessica Carroll

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: **September 19, 2019**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Interview/Appointments to the Jefferson County Water Advisory Committee – two unexpired terms ending January 31, 2021 and one unexpired term ending January 31, 2022 – 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 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

Kirsten Cook
loudounhuntsecretary@gmail.com –

Kearneysville, WV

(571) 969-0210

Objective: A position in an environmental organization with a focus on conservation and education.

Qualifications: Resourceful, energetic, professional involved with all levels of student development. Five years of classroom experience devoted to developing students cognitive, behavioral, and social growth. Able to enhance objectives and goals through

- student motivation
- curriculum design
- classroom management
- vocabulary and literature instruction

Education: B.A in English (Sweet Briar College)
Professional Development in Special Education-Wheeling Jesuit University

Experience: 2015-2019 Harpers Ferry Middle School
7th Grade – Language Arts Instruction

Special Projects: Theater Arts Club – Director
Directed the annual theater production
Organized and facilitated school newspaper
Participated in numerous student initiatives at the school level

Interests: Active land conservationist
Secretary and Social Committee chair for Loudoun Hunt

Affiliations: USHJA member
MFHA member
VPPA member

Jefferson County Commission
Application for Boards, Committees or Commissions

Please type or print information

Name: Kirsten Cook

Home Telephone Number: 571-969-0210

Work Address: 1 Chimney Farm, Kearneysville, WV

Work Phone Number: Same as above

Mobile Phone Number: 11

E-mail Address: loudounkentsecretary@gmail.com

Party Affiliation: (Building Commission and Health Department applicants)

N/A

Occupation: Educator

Education: High School _____

College B.A English - Sweet Briar College

Trade/Business School Wheeling Jesuit University

Are you a United States citizen? Yes No

Are you a West Virginia resident? Yes No

Are you a resident of Jefferson County? Yes No

Are you able to produce verification of residency? Yes No

(Proof of paying personal property tax, voter registration, etc.)

Address: 5056 Sulphur Springs

Kearneysville, WV 25438

Magisterial District: _____

List Qualifications for this Position and/or include a resume and cover letter that expresses your interest in serving:

See attached

Organization Memberships and Positions Held : MEHA, Loudoun Hunt
Teacher - Jefferson County Schools, VPPF,
USEF, USHJA

Have you even been convicted of any felonies? If yes, please list.

Date:	Offense:
<u>N/A</u>	

Statement: _____

I hereby certify that the facts set forth in the above are true and complete to the best of my knowledge and authorize the Jefferson County Commission to verify their accuracy and to obtain reference information. I hereby release Jefferson County Commission from any/all liability of whatever kind and nature which, at any time, could result from obtaining and having an appointment decision based on such information.

I understand that falsified statements of any kind or omissions of facts called for on this application shall be considered sufficient basis for removal.

I understand that I will fully adhere to the policies, rules and regulations of this appointment, including reading, adhering and signing the County's Ethics Statement and adhering to Robert's Rules as provided in a packet to me when obtaining my Oath of Office or on the County's website. I understand I may also attend a free annual Board Training and Ethics Training meeting established by the Jefferson County Commission.

Signature: Kristen Cook Date: 9/16/15

This application is good for and will be retained for two (2) years in accordance with the Administrative Policies and Procedures Policy. In order to be considered for appointment, a new application must be submitted.

September 9, 2019

I am requesting consideration by the Jefferson County Commission for appointment to the Jefferson County Water Advisory Board. Presently I serve as a Jefferson County Supervisor for the Eastern Panhandle Conservation District. I was elected to the position in 2016 first to fill an unexpired term vacated by resignation. I was re elected in 2018 to serve a 4 year term. I have checked with my office in Charleston, to determine if I can legally accept an appointment to JCWAC. I was referred to the Ethics Commission and upon explaining the position I was requesting appointment to, was told that there was no reason not to apply. That being said, I am asking for your appointment.

I have lived most of my life in Jefferson County, and my family has been farming here for nearly 200 years. I was a Police Officer in Fairfax County, Virginia for 20 years, and have been retired since 1993. I retired and came back to take over my family farm upon retirement. I have worked as an equine midwife at 2 nearby farms, and have farmed my own properties since then.

My election as a Conservation Supervisor has educated me and opened access to contacts who share the same goals and visions I have for conservation practices in Jefferson County. Upon being recruited to EPCD I attended several meeting in order to be sure I was making a decision that would be good for county residents and me. I make no secret of the fact that I love the job. We have so much to offer here in Jefferson County and organizations like EPCD and JCWAC are both valuable in preserving what we have and leaving a legacy for our descendants.

Though I don't have a science, or biology background, I have other skills that can be valuable to JCWAC. I work for myself, so my

schedule is flexible, and I am able to attend meetings even those during the day. I grew up in this county and have references to many things that newcomers take for granted or may have no knowledge of. I have skills in parliamentary procedure, having worked as a coach for a Law Enforcement Explorers Chapter in Fairfax. I have done historical research and legal research.

I have a respect for the process that we must adhere to though I may not always agree with the outcome. I believe that listening to constituents is important no matter who they are. I believe we should listen to the message even if we don't care for the messenger. My 20 years in public service taught me how to deal with the public, and though my filter may occasionally slip I believe when the time comes I can represent myself in a professional manner. I subscribe to the adage, "It's best to remain silent and thought a fool, than open ones mouth are move all doubt."

I have attended several JWAC meetings, and believe it is time for me to step up and offer what ever I can to help them function to the full potential of the board. I believe that we have an obligation to Jefferson County and its future, to answer questions from residents, research when necessary to give accurate responses, and remember that we are stewards of this Earth and must leave it in better condition than when we arrived.

I have the time to commit, I have a desire to serve, and I have the ability to fight for what I believe in. I believe in the mission of JCWAC and would appreciate the chance to serve.

Nancy Lutz
dairyaire290@gmail.com

Jim Cummins
5 Preston Street
P.O. Box 83
Bakerton, WV 25410
304-876-3234

August 22, 2019

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

Dear Commissioners:

I am interested in being appointed to the Jefferson County Water Advisory Committee. I have been a resident of Jefferson County since 1977, when I moved to Bakerton from Ridgeway, WV. I recognize both the constraints and opportunities which the county and this region are experiencing in regard to water quality and quantity. I believe that I have the experience, skills and responsibility necessary to find solutions for and service to the County working on this committee.

Through my career I have much experience with water quality and quantity issues which I feel are very pertinent to the responsibilities of the Water Advisory Committee. In addition to the items listed in my attached short BIO, which includes my membership on the board of the Jefferson County PSD from 2008 to 2013, I was also a member of a Technical Sub-Committee for the Shenandoah Regional Water Policy Committee, developing a drought response plan for the northern Shenandoah Valley. From 2002-2004 I was a member of the Berkeley County WV Septic and Sewer Subcommittee, Source Water Protection Task Force, which developed that county's Source Water Assessment and Protection Program Report. From 1998-99, I was a U.S. EPA appointed member of a Special Panel to Address Combined Sewer Overflows (CSOs) and Storm Water Issues for the District of Columbia which developed recommendations for the District's Water and Sewer Authority and the Blue Plains Wastewater Treatment Plant to better treat the annual CSO waste discharges of over 2.2 billion gallons. In addition, I have over thirty years of professional experience with river and stream management, including resolving some of the toughest environmental problems in the Potomac watershed, from acidic mine drainage in the North Branch to urban runoff in the Anacostia River, which are intricately linked to the management of our landscapes and infrastructures.

I consider an appointment to the Water Advisory Committee as an important way that I can continue to contribute to Jefferson County. If appointed, I will likely need to repeatedly remind my family of this, as I expect you, through your own experiences, will concur.

I look forward to hearing from you and answering any questions which you might have.

Sincerely,



Jim Cummins

Jefferson County Commission
Application for Boards, Committees or Commissions

Please type or print information

Name: Jim Cummins

Home Telephone Number: 304-876-3234

Work Address: N.A. - Retired

Work Phone Number: NA

Mobile Phone Number: N.A.

E-mail Address: jcummins3@gmail.com

Party Affiliation: *(Building Commission and Health Department applicants)*
NA

Occupation: Retired River + Stream Ecologist

Education: High School

College MAsters Science in Biology

Trade/Business School _____

- | | | |
|--|---|-----------------------------|
| Are you a United States citizen? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Are you a West Virginia resident? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Are you a resident of Jefferson County? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Are you able to produce verification of residency? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

(Proof of paying personal property tax, voter registration, etc.)

Address: 5 Preston Street
Harpers Ferry, WV
25425

{ Is near Bakerstown }

Magisterial District: 32 Shepherdstown — I had to look this up.

List Qualifications for this Position and/or include a resume and cover letter that expresses your interest in serving:

See Attached ~~short~~ Bio. — I want to help the
county maintain + improve water quality +
quantity.

Organization Memberships and Positions Held : See Attached Bio
Attachment 2

Have you even been convicted of any felonies? If yes, please list. NO


Date:	Offense:

Statement: _____

I hereby certify that the facts set forth in the above are true and complete to the best of my knowledge and authorize the Jefferson County Commission to verify their accuracy and to obtain reference information. I hereby release Jefferson County Commission from any/all liability of whatever kind and nature which, at any time, could result from obtaining and having an appointment decision based on such information.

I understand that falsified statements of any kind or omissions of facts called for on this application shall be considered sufficient basis for removal.

I understand that I will fully adhere to the policies, rules and regulations of this appointment, including reading, adhering and signing the County's Ethics Statement and adhering to Robert's Rules as provided in a packet to me when obtaining my Oath of Office or on the County's website. I understand I may also attend a free annual Board Training and Ethics Training meeting established by the Jefferson County Commission.

Signature:  Date: 8/22/2019

This application is good for and will be retained for two (2) years in accordance with the Administrative Policies and Procedures Policy. In order to be considered for appointment, a new application must be submitted.

Attachment 1: Background and Qualifications for Application to the Water Advisory Committee

Jim Cummins Retired Stream and River Ecologist. Lives in Bakerton, WV



Masters of Science (1985) in Biology from George Washington University.

Undergraduate at University of Montana,

Career: 1985-87- Started the Fisheries Program for the District of Columbia.

1988-2016 - the Director of the Living Resources of the Interstate Commission on the Potomac River Basin (ICPRB). Projects at ICPRB included biological assessments of streams in WV, MD, PA and DC, environmental flow studies, habitat restoration and fish passage, especially in regard to the Little Falls Dam near Washington, D.C. and a linked American shad stocking program with integrated student and volunteer involvement. During the 1980s and early 1990s I conducted ecological and fisheries surveys of the Potomac's North Branch. Authored "Flowing to the Future," a 1995 plan for improving the Potomac's North Branch through mitigating long-standing acidic mine drainage problems in MD and WV which developed an exceptional trout fishery and helped improve the economy in that watershed (region). Chaired the North Branch Potomac River Advisory Committee, 2014-16. 1984-2006 was principal ecologist for Anacostia River restoration (urban/suburban impacts). 1993-95 - Managed and was the primary author for a multi-disciplinary planning project which produced "The Potomac River Watershed Visions Report." This report became the foundation for the designation of the Potomac River as one of the nation's Heritage Rivers.

During the 1980s and early 1990s I conducted ecological and fisheries surveys of the Potomac's North Branch. Authored "Flowing to the Future," a 1995 plan for improving the Potomac's North Branch through mitigating long-standing acidic mine drainage problems in MD and WV which developed an exceptional trout fishery and helped improve the economy in that watershed (region). Chaired the North Branch Potomac River Advisory Committee, 2014-16. 1984-2006 was principal ecologist for Anacostia River restoration (urban/suburban impacts). 1993-95 - Managed and was the primary author for a multi-disciplinary planning project which produced "The Potomac River Watershed Visions Report." This report became the foundation for the designation of the Potomac River as one of the nation's Heritage Rivers.

PROFESSIONAL MEMBERSHIPS:

Association of Mid-Atlantic Aquatic Biologist. Founding Board Member (2005)
President 2006, 2012.

Maryland Water Monitoring Council
Board Member 2002-2007
Co-Chair, Monitoring and Assessment
Subcommittee, 2003- 2015

Jefferson County, WV, Public Service District. Board Member 2008-2013, Chair 2012-13.

The Jefferson County Chapter of the Izaak Walton League of America, member, 2006 – present.

Potomac Valley Audubon Society, Board Member, Vice President 2019-present.

Jefferson County Watersheds Association
Steering Committee - 1997-1998
Member 1997 - 2002

Crystal Lake Property Owners Association (HOA), Founding Member, Board, current Treasurer.

Camp Hill United Methodist Church, Harpers Ferry,
currently: Liturgist, Board, Chair of Parish/Pastor Relationship Committee.

American Fisheries Society (AFS) 1985 - 2000

AFS Potomac Chapter President 1993

Treasurer 1991-1992

Newsletter Editor 1989-1991

Potomac Greenways Coalition Founding Member

Chairman 1992-1993

Treasurer 1994-1997

RECOGNITIONS INCLUDE: 1) 2016, Lifetime Achievement Award, presented by MD Senator Jamie Raskin, 2) 2006, "Hero of Conservation" Field and Stream Magazine, 3) 2006, "Future of Fishing" Award, from American Sportfishing Association's 3) 2004, Congressional Sportsmen's Foundation and American Fly Fishing Tackle Association's Annual Award for American Shad Restoration, presented by then Secretary of the Interior Gale Norton and 4) 1998, "Conservationist of the Year," The Potomac River Smallmouth Bass Club.

Resident of West Virginia since 1974, Jefferson County (Bakerton) since 1977.

Wife: Nancy (retired Special Ed. Teacher, Jefferson County, WV, former Clerk of Harpers Ferry)

Children: Caroline (Married, lives in Saint Paul, MN), Dirick (recent graduate of Shepherd University).

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Alexander Naupac

Department or Organization: self

Estimation of amount of time needed for appointment: 10 mins

Date Requested – 1st Choice: September 19, 2019 6pm
If a specific date is needed, please provide reason for specific date:

Date Requested – 2nd Choice:

Subject (Wording to be placed on agenda): Request to Waive late fees for 2015 & 2016 (\$60 total)

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

Is this a funding request? Y N

If so, how much?

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address: alexandernaupac@yahoo.com Phone Number: 585-576-0049

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

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: **September 19, 2019**

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 renewal of County cable franchise agreement, resolution of franchise fee audit, and related issues. Discussion/Action.
2. Discussion of Jefferson County Circuit Court Civil Action #18-C-171. Discussion/Action.
3. Discussion of EEOC Charge #533-2017-00706 & #533-2019-01397. Discussion/Action.
4. Discussion of and communication with FEMA regarding potential resolution. U.S. District Court (Northern District) Civil Action #3:18-CV-122. Discussion/Action.
5. Discussion of Jefferson County Circuit Court Civil Action #19-P-69. Discussion/Action.

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: **September 19, 2019**

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

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

Subject (*Wording to be placed on agenda*): **Decision on the Proposed text amendment to the Jefferson County Zoning and Land development Ordinance, File #ZTA19-02 – Public Hearing 8/29/19 – Discussion/Action**

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

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

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

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

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

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

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

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text.](#)

NOTICE OF PUBLIC HEARING
Thursday, August 29, 2019 at 11:00 AM

The Jefferson County Commission has scheduled a Public Hearing on the proposed text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA19-02. The text amendment, in accordance with WV Code §8A and Article 12 of the Zoning Ordinance, proposes a revision to Appendix C Principal Permitted and Conditional Uses Table. The purpose of this amendment is to change the classification for “Churches” from “Not Permitted” (NP) to “Conditional Use” (CU) within the Industrial Commercial zoning district, which would allow a church to be established on a parcel zoned Industrial Commercial via the Conditional Use Permit process, subject to a Public Hearing before the Board of Zoning Appeals.

Oral or written comments can be provided at the hearing, **11:00 AM Thursday, August 29, 2019** in the Charles Town Library meeting room at 200 E. Washington St., at the side entrance on Samuel St. You may also submit written comments to info@jeffersoncountywv.org or to PO Box 250, Charles Town, WV 25414.

A copy of the proposed text amendment is available at the Office of Planning & Zoning and on the County’s website at: www.jeffersoncountywv.org. If you have any questions, please call the Office of Planning & Zoning at 304-728-3228.

By Order of the Jefferson County Commission
Patsy Noland, President

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Alexandra Beaulieu, Zoning Administrator
Department or Organization: Department of Engineering, Planning and Zoning
Estimation of amount of time needed for appointment: 10 Minutes
Date Requested – 1st Choice: August 1, 2019

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

Date Requested – 2nd Choice:

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

To provide an overview of the proposed Zoning Ordinance Text Amendment (ZTA 19-02) to change Churches from “Not Permitted” to “Conditional Use” in the Industrial Commercial zoning district and to request the County Commission to schedule a Public Hearing per WV Code §8A-7-8.

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

On June 11, 2019 Pastor Tanie Guy petitioned the Jefferson County Planning Commission to amend Appendix C: Principal Permitted and Conditional Uses Table of the Zoning Ordinance to change the provision for Churches in the Industrial Commercial zoning district from “Not Permitted” to “Conditional Use”.

On July 9, 2019 the Planning Commission held a Public Hearing to receive public input on the proposed text amendment. One public comment was made in support of the proposed amendment. The Planning Commission, by a vote of 7-0, found that the proposed amendment was consistent with the Envision Jefferson 2035 Comprehensive Plan and recommended that the draft text amendment be forwarded to the County Commission for the purpose of holding a public hearing.

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

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

I move to schedule a public hearing on _____, 2019 at ___ a.m./p.m. to receive input on the proposed amendment to the Jefferson County Zoning Ordinance (ZTA19-02).

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

- Staff Memo to Planning Commission dated 07-09-19 for background information
- Petition from Pastor Tanie Guy dated June 3, 2019
- Proposed Text Amendment to Appendix C of the Zoning Ordinance (ZTA19-02)

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



JEFFERSON COUNTY, WEST VIRGINIA

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

P.O. Box 716

Charles Town, WV25414

www.jeffersoncounty.wv.org

Email: planningdepartment@jeffersoncounty.wv.org
zoning@jeffersoncounty.wv.org

Phone: (304) 728-3228

Fax: (304) 728-8126

MEMO

TO: Planning Commission

FROM: Alexandra Beaulieu, Zoning Administrator

DATE: 07-09-19

RE: ZTA19-02, Churches in the Industrial-Commercial Zoning District

Recently, Staff was made aware that a church had been operating out of a building in the Burr Industrial Park. Currently, Churches are listed as "Not Permitted" in the Industrial Commercial zoning district in Appendix C of the Zoning Ordinance.

The Church would like to come into compliance with the County's requirements. In order for the church to continue operating from their current location, Staff advised that the first step to coming into compliance would be to request a text amendment to change churches from "Not Permitted" to either "Permitted" or "Conditional Use" in the Industrial-Commercial zoning district.

Staff recommended that the request should be to amend the Ordinance to allow churches to process via a Conditional Use Permit which would allow the opportunity for the Board of Zoning Appeals to evaluate each application on its own merits based on public input and surrounding uses. For example, the subject property is surrounded primarily by commercial uses and not industrial uses. In some instances, allowing an institutional use to locate within an industrial area may not be appropriate, which is why Staff advised against amending Appendix C to allow churches in the Industrial-Commercial zoning district by right.

Staff found that the proposed text amendment is consistent with the Comprehensive Plan's recommendation to "Encourage the adaptive reuse of existing buildings and previously used sites within Jefferson County in context with their surroundings, paying particular attention to brownfield and greyfield sites." (Urban Level Development Recommendations [Goal 1] Recommendation 10, page 32.) Staff did not identify any conflict with the Plan with regard to new construction of churches in the Industrial Commercial Zone via the Conditional Use Permit process.

With regard to the subject church, if the proposed text amendment is approved, the next step would be to apply for a Conditional Use Permit, subject to a Public Hearing before the Board of Zoning Appeals.

The Planning Commission's role is to receive input from the public and to determine whether the proposed text amendment is consistent with the Envision Jefferson 2035 Comprehensive Plan. Following the public hearing, the Planning Commission will finalize the draft text amendment and make a recommendation to the County Commission. Once the Planning Commission forwards their recommendation to the County Commission, the County Commission is required to hold a Public Hearing to receive additional public input.

This text amendment reflects revisions to Appendix C, Principal Permitted and Conditional Uses Table.

Attachments:

- Urban Level Development Recommendations (Goal 1) from the Envision Jefferson 2035 Comprehensive Plan
- ZTA19-02, Churches in the Industrial-Commercial Zoning District

Land Use Classifications as shown on the Future Land Use Guide

The land use classifications on the Existing Land Use Map and Future Land Use Guide were developed throughout the planning process and may not relate precisely to a single zoning classification. These land use classifications are intended to provide guidance to the County and Planning Commissions when considering owner initiated zoning map amendments (rezoning requests). According to Chapter 8A of the West Virginia State Code, as amended, the County Commission can approve any zoning ordinance map or text amendment by finding that the request is consistent with the Comprehensive Plan. For zoning map amendments in areas outside of growth areas shown on the Future Land Use Guide, this Plan recommends that the County Commission can further determine that a requested zoning map amendment is consistent with the balance of the Plan by receiving evidence and making a finding that the zoning map amendment is for the economic well-being of Jefferson County; or by finding that there is an error or under scrutinized property on the Future Land Use Guide; or a change in the neighborhood; or any other circumstance that may have been missed when considering the Future Land Use Guide; and/or that environmental impacts have been considered. Detailed information regarding the land use classifications as shown on the Existing Land Use Map and Future Land Use Guide and discussed in the following recommendations can be found in Appendix G – Land Use Map Classifications.

1.A. Urban Level Development Area

Land use and infrastructure are intertwined and in turn affect each other. This section is primarily focused on the land use recommendations for the urban areas. More information on infrastructure can be found in the section titled "Economic Development, Employment, and Infrastructure" on page 64.

Much of the development that has taken place in recent decades has taken place outside of the traditional boundaries of the municipalities of the County. In fact, over 76% of the County's population resides outside the municipalities. In some cases, development has taken place on land either annexed into municipalities or adjacent to existing incorporated areas, with some residential development disconnected from the adjacent municipalities with large gaps of open land that may or may not be farmed at present. This form of development can affect the viability of agricultural activities (due to noise, smell, and access issues) as well as creating the need to provide infrastructure services to outlying areas which has proven costlier than developments located closer to the existing urban core of the County.

As communities have looked more closely at the cost of extending services to developments constructed further from existing fire, police, water and sewer facilities, many communities have recognized the need to rethink their land use plans and planning processes to favor residential and commercial development in closer proximity to these services.

This Plan recommends that new development will take place in areas where infrastructure exists and the extension of services to growth in outlying areas will occur in accordance with the goals and objectives of this Plan. By encouraging higher densities within the Urban Growth Boundaries and Preferred Growth Areas and working closely with municipalities, the best result can be accomplished by providing opportunities for development within these areas with established infrastructure systems. It should be noted that these statements are not about reducing development; it is about growing in a fashion that more efficiently uses existing infrastructure and services.

While the Jefferson County Commission may not have a fiduciary responsibility to provide some of these services or the authority for some services provided, such as public utility systems and the road network, citizens of the County are impacted by the cost of these services. Any land use policy that Jefferson County adopts will have an impact on other agencies such as water and sewer providers, law enforcement, fire and rescue, EMS, and the West Virginia Division of Highways (WVDOH). Appropriate placement of utilities and roads can concentrate those resources in a way that the cost of providing those services decreases in proportion to the number of residents who use those features. The WVDOH has noted that the ability to provide roadway improvements in a concentrated area is a better use of their limited resources.

In addition to the provision of water and sewer services in a community, one of the key differentiations between urban areas and rural areas is the proximity of residents to community facilities such as parks, schools, community centers, fire and police facilities, and libraries. In urbanized areas, community facilities are typically located in close proximity to neighborhoods. In some cases, schools, playing fields, recreational facilities, and libraries share parking and/or stormwater infrastructure with two or more uses being located within the same building or site. These facilities are connected to neighborhoods via sidewalk, bike or trail networks and serve as anchors for the neighborhood and its residents. In many cases, the school playgrounds and fields also serve, either formally or informally, as a park space for the neighborhood. Conversely, as the growth of communities has become more decentralized over the last several decades, the location of community facilities has followed this pattern.

As new neighborhoods are connected into the water and sewer networks, a large number of subdivisions have their own pump station to move sewer from their area to the main treatment facility. While this is partially a result of current regulations that do not allow for public utilities to expand facilities until there is demand present, the pattern has been cited by local public service officials as one that adds to the cost of both maintaining and operating the existing system. This also results in a capacity issue to serve all the developments. For existing developments that are on well and septic, there may be opportunities to connect to public water and sewer, dependent upon the residents' wishes or any necessary public safety and health requirement.

The WVDOH is responsible for the construction and maintenance of nearly all publicly owned roadways in the state, including all roadways located outside of municipalities.

The remaining roadways are privately owned and are maintained by the residents of a community, by owners of properties adjoining a roadway, or by members of a Homeowners Association (HOA).

Since West Virginia county governments have little control over the roadways in their jurisdiction, planning for interconnectivity of developments requires creative solutions. HOAs are reluctant to allow automobile traffic that is not generated by the subdivision to utilize their road system because they are not contributing to the maintenance costs. When an accident occurs where there is not interconnectivity, drivers are unable to be rerouted away from the main roads/entrances and rescue vehicles are forced to work through the stalled traffic to get to the accident site. Conversely, in a more connected development, the side streets would serve as a valve to the main roadway while also being used as a way for rescue vehicles to get to an accident site.

With this in mind, it is important for Jefferson County to work with the West Virginia Division of Highways, land developers, and homeowners associations in order to be in a position to better connect neighborhoods via an enhanced street network including walking, biking, or trail paths and to provide for a more efficient public utility system. Additional information regarding transportation can be found in the "Economic Development, Employment, and Infrastructure Element (includes Transportation)" on page 64.

Redevelopment

There are numerous examples, both locally and nationally, of existing buildings that have been repurposed and retrofitted to meet modern needs. Examples range from large barns that have been repurposed for small local business or into apartment buildings to factories that have been reutilized as mixed-use facilities incorporating housing, offices and retail. More modern buildings have been repurposed as churches, schools, or public libraries with the ability for adaptive reuses presenting many applications.

In many cases, the repurposing of a building not only benefits the community by redefining the fabric of a neighborhood, but tends to be less costly than new construction once financial incentives are factored into the total cost. The reuse of older buildings also benefits the environment by retaining a building that might otherwise end in a landfill, saving the use of new building materials, and not developing on existing farmland or open space. With abandoned or underutilized structures, the concept of reutilization and revitalization is something that should be explored; however, at times the State Building Code makes rehabilitation of existing structures difficult.

In some areas of Jefferson County there are buildings that may avail themselves to be converted into residential structures. While some, like the upper levels of stores in the municipalities and villages are available, other buildings, such as former warehouses and other such structures and barns, require additional creativity to recognize as potential dwellings. By providing guidance and directing potential developers to

structures that might be fit for adaptive reuse for housing, it is anticipated that some of the older structures in Jefferson County could be retained and have a new life.

Urban to Rural Transition

Due to annexation and changes in building practices across our Country since World War II, there is less delineation between downtown areas and the rural areas of the community. This is due to suburban residential and highway commercial development patterns with individual access and parking along major corridors leading from traditional downtowns. With the approval of Urban Growth Boundaries (UGB) and Preferred Growth Areas (PGA) as a part of Envision Jefferson 2035, an opportunity exists to work with the municipalities to create and implement a series of design principles that reflect the nature of the existing communities, while ensuring an appropriate transition between town and country inside the UGBs and PGAs. In instances where a municipal boundary abuts an area designated for Rural Land Use and the Agricultural Economy as defined in this section, page 36, it is expected such areas shall be rural.

In an effort to guide land development in the municipalities, UGBs, and PGAs, the following are recommendations to achieve this goal.

Urban Level Development Recommendations (Goal 1)	
1.	Recognize the existing vested rights, development entitlements, and permitted density levels on properties in Jefferson County.
	a. No property's zoning status will be changed as part of this Plan.
2.	Recognize that the County Commission has the authority to make land use decisions including Zoning Map Amendments based upon the finding of consistency with the Future Land Use Guide and the recommendations of this Plan; the County Commission may determine that petitions or decisions for zoning map amendments are consistent with the Comprehensive Plan if any of the following conditions are met after the entire Plan is taken into consideration:
	a. Economic Well-Being of the County; or
	b. Error or Under Scrutinized Property on the Future Land Use Guide; or
	c. Change in Neighborhood; or
	d. Any Other Circumstance that the Governing Body determines should have been considered when drafting the Future Land Use Guide; and/or
	e. Environmental impacts are considered.
3.	Identify opportunities for small area plans and involve key stakeholders.
4.	In coordination with the Jefferson County Development Authority, utility providers, and other agencies, extend natural gas services and alternative energy sources into Jefferson County and encourage the extension of these services into new subdivisions to provide access to alternatives for heating and cooking uses.
5.	Create urban level land uses within the municipalities, UGBs, PGAs, or Villages through rezoning that is consistent with the Plan recommendations.
	a. Direct new urban level residential developments to locate in preferred areas within the municipalities, UGBs, PGAs, or Villages where water and sewer services are available.
	b. Reduce application fees for urban level development located within the areas desired for urban future growth.
	c. Establish a greater variety of zoning district options (in commercial, residential, and mixed-use zoning categories) that adhere to predictability of land use options and outcomes based on the Plan recommendations.
	d. Consider the utilization of alternatives to use-separated (Euclidean) zoning within the UGB and PGA, such as the SmartCode adopted by the City of Ranson or performance based zoning to achieve the desired land used goals.
	e. Update the County's zoning regulations in a way that balances flexibility of use for property owners and developers while preserving the quality of life for residents.

	f. Streamline development review and permitting policies by establishing a two tiered system that would allow greater power for staff review for projects of a certain size or smaller scale, etc.
6.	Require new urban level development to provide opportunities for multi-modal accessibility and to occur in a manner that enables connectivity to existing street and infrastructure networks or for future connectivity as development is extended to municipalities, UGBs, PGAs, or Villages.
	a. Create and implement the results of small area studies that would address the potential provision of infrastructure, accessibility, place making, and community facilities.
	b. Require viable integration of multi-modal accessibility to facilities as part of new development plans.
	c. In coordination with the West Virginia Division of Highways, identify key corridors where publicly owned roadways might be beneficial to the overall development of the County.
	d. Coordinate with existing property owners/HOA's to extend existing roadway corridors when possible to connect into adjoining neighborhoods or new development. At a minimum, this may include pedestrian, non-motorized vehicle, and/or emergency access ways.
7.	Encourage the location of new infrastructure (water, sewer, utilities) within municipalities, UGBs, PGAs, or Villages.
	a. Direct new development to be contained in municipalities, UGBs, PGAs, Villages, and areas zoned for Residential Growth (RG), where public water and sewer will be available.
	b. In designating where public utilities are to be delivered, enable public utility providers the ability to right size the infrastructure needed as development occurs, while considering the ability of current and future customer base to assume the debt for the infrastructure.
	c. Encourage that new investment by public entities be focused toward the municipal areas, including the UGBs and the PGAs.
8.	Encourage the location of new community public facilities (such as schools, libraries, parks) within Municipalities, UGBs, PGAs, or Villages.
	a. Encourage the clustering of development so that the developer retains their density while dedicating community facilities.
	b. Locate and integrate new neighborhoods so that existing community centers, schools, parks, or libraries serve the needs of the new development.
	c. Whenever possible, construct community facilities in areas served by public water and/or sewer.

9.	Develop incentives for the protection of historic, cultural and/or natural resources during site development.
	a. Allow the applicant the ability to achieve permitted density and/or intensity on a site while allowing for the protection of the desired resource.
	b. Allow opportunities for development to take place at a higher density/intensity than might be otherwise be possible to offset the cost associated with protection of these resources.
10.	Encourage the adaptive reuse of existing buildings and previously used sites within Jefferson County in context with their surroundings, paying particular attention to brownfield and greyfield sites.
	a. Identify specific sites and structures where adaptive reuse could occur that will assist with the redevelopment of brownfields and greyfield areas where the existing building(s) can be rehabilitated. (using sites from <i>Ranson Renewed</i> as an example)
	b. Identify and obtain funding mechanisms to remediate sites and encourage the utilization of these areas.
	c. Collaborate with the development community and interested environmental associations that can assist the County in amending its development provisions to encourage universal design, energy efficiency, and enhanced on- or off-site storm water retention.
11.	Reduce stormwater runoff, nutrients, sediment, and waste materials that reach the Potomac and Shenandoah Rivers, as well as other water bodies through development oversight provisions.
	a. Amend the parking requirements to support walkable and/or transit oriented communities per the land development standards based on site design and site amenities.
	b. Allow developers the option to provide fewer than the minimum required parking spaces if it can be determined that sufficient mitigation measures are in place.
12.	Development on US 340 South should limit any land uses of a higher intensity than current zoning allows to the area between the existing US 340 right-of-way and the proposed preferred alignment right-of-way.
	a. The area to the east of the preferred alignment is to remain zoned Rural, except the intersection of Myerstown Road and the proposed preferred alignment.
	b. Once a Record of Decision is published by the West Virginia Division of Highways, within 18 months, the Departments of Planning and Zoning should begin an updated land use plan for this area to reflect the commitment on the part of the state to construct the new four lane road.

	<p>c. Require that confirmation from public service providers be submitted, as a part of the application, stating that public water and sewer infrastructure can be provided to the proposed property to be rezoned (including cost), before any zoning map amendments occur in this area.</p>
13.	<p>Develop design criteria and access management standards for the WV 45 corridor west of the Shepherdstown Preferred Growth Area and within the Shepherdstown Growth Management Boundary to the Jefferson/Berkeley County line.</p>
	<p>a. Ensure that any new development or redevelopment along this corridor occur in a manner that recognizes and enhances the gateway aspect of this corridor.</p>
	<p>b. Require that an additional setback from the road right-of-way be set aside to allow for a roadway widening improvement easement, a pedestrian easement to include a hard surface trail, a landscaping strip wide enough to support large canopy trees, and the subsequent start of the development. This commitment of land shall not affect the overall permitted density and may require adjustments elsewhere in the development plan. This easement area shall be required whether or not the land is conveyed to a public agency.</p>
	<p>c. Require that developments be configured to eliminate lots having individual access onto WV 45. Lots shall use common access easements or rights-of-way to gain access to the state right-of-way.</p>
14.	<p>Require all commercial/industrial zoning map amendment requests to utilize new zoning categories adopted on June 1, 2014 (or later) and discourage the use of the existing Residential-Light Industrial-Commercial (R-LI-C) District as a zoning category for zoning map amendment requests.</p>
	<p>a. Encourage any development in a zone that permits mixed use to be developed according to the Mixed Residential/Commercial or Mixed Office/Commercial ratios found in the land use category recommended by this Plan, unless otherwise provided in the Zoning Ordinance.</p>
15.	<p>Develop new non-rural residential zoning categories in line with the residential land use categories recommended by this Plan and require that all non-rural residential zoning map amendment requests utilize the new categories, after the creation of such new residential zoning districts.</p>
16.	<p>Collaborate with state legislators to amend WV Code 8A to allow conditions to be imposed meeting specified requirements on proposed zoning map amendments.</p>
	<p>a. Encourage the state legislature to include adaptive reuse of historic structures in State Building Code.</p>

ASCENSION

73 Edmond Rd., Suite 2
Kearneysville, WV. 25425

RECEIVED

JUN 03 2019

JEFFERSON COUNTY PLANNING,
ZONING & ENGINEERING

June 3, 2019

Dear Planning Commission,

We are a tenant at 73 Edmond Rd, which is in a complex of business offices. The zoning for this complex is Industrial Commercial (IC) which does not permit a church to operate. We are requesting a text amendment to Appendix C: Principle Permitted and Conditional Uses Table to change the Land Use for a Church in the IC zoning from Not Permitted (NP) to Conditional Use (CU).

Thank you for your consideration.



Pastor Tanie Guy
Church Administrator
304 930 1161 (O)
304 886 5409 (C)

APPENDIX C: PRINCIPAL PERMITTED AND CONDITIONAL USES TABLE^{23, 29, 32, 33, 35, 37}

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

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jessica Carroll

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: **September 19, 2019**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Appointment of EMS Representative to the E911 Advisory Board – one three-year term ending September 1, 2022 – 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 **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

Jefferson County
Fire & Rescue Association

Jefferson County Commission

The Jefferson County Fire and Rescue Association was informed by the Jefferson County ECC Director that the EMS Rep from the Fire and Rescue Association to the E-911 Advisory Board position was due to expire on 9/1/2019 and was up for reappointment by the County Commission. At the 9/3/2019 Jefferson County Fire and Rescue Association meeting Marshall Demeritt was nominated and approved by our membership for appointment to this position so we would request that the commission appoint Marshall Demeritt to this position. Marshall's contact email is mddemeritt@gmail.com.

Thanks



Mike Mood
Chairman JCFRA

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: [Click here to enter text.](#)

Date Requested – 1st Choice: **September 19, 2019**

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*): **Notice of Intent to Appoint Jefferson County Broadband Planning Team – Two (2) Citizens - Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information:
[Click here to enter text.](#)

Is this a funding request? Yes
If so, how much? \$

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

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NOTICE OF INTENT TO APPOINT

The Jefferson County Commission proposes to name two (2) citizens to the Jefferson County Broadband Committee on Thursday, September 19, 2019 or as soon thereafter as the Commission may decide.

The Jefferson County Commission received a Community Development Block Grant (CDBG) for a Broadband Plan to devise strategies to bring affordable service to the county's unserved and underserved areas. The Committee will meet and discuss goals and vision for the Jefferson County Broadband Plan by developing a scope of work and preparing an RFP for a consultant to be selected by the committee and approved by the County Commission.

Persons who may be interested in the above listed committee should submit a letter of interest or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, no later than 12:00 p.m. on the Monday prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name:

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **September 19, 2019**

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*): **Lease of Agricultural Land Owned by Jefferson County Commission – Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information:
[Click here to enter text.](#)

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.](#)

**REQUEST FOR PROPOSAL
LEASE OF AGRICULTURAL LAND OWNED
BY JEFFERSON COUNTY COMMISSION**

Proposal will be received by the County Commission Office, Post Office Box 250, 124 East Washington Street, Charles Town, WV 25414 until 2:00 pm on September 18, 2019 for the following:

LEASE OF APPROXIMATELY 17 ACRES AGRICULTURAL LAND

Proposals must be received in the office of the County Commission by the deadline. Any proposals received after the above specified date and time will be returned unopened to the sender.

Proposals shall include a description of the proposed use and proposed pricing per acre. The lease will be for one year from September 20, 2019 to September 20, 2020, with options to renew the terms of the Agreement for up to five (5), one (1)-year periods. Award will be based on the total price to lease the site included in the sample lease and evaluation of the proposed uses. Eligible uses shall include agricultural and other low impact uses that will not change the character of the property. Proposals must be received in the offices of the County Commission of Jefferson County no later than the deadline at the address listed above or via e-mail at sgrove@jeffersoncountywv.org. All proposals received beyond the deadline will be returned. The bids will be publicly opened on Wednesday, September 18, 2019 at 3:00 pm.

PROPOSAL

I, we, the undersigned do hereby agree to enter into a lease to cash rent the property described in the attached Lease Agreement to conduct the proposed uses as described in the attached bid. Rent to be as follows:

17 acres @ _____ = \$ _____

Dated this _____ day of _____, 2019

By: _____ Signature: _____
(Printed name)

Address: _____

City: _____ State: _____ Zip: _____

LEASE AGREEMENT—CASH RENT

This agreement (hereinafter referred to as "Agreement") is entered into this _____ day of _____, 2019 between the COUNTY COMMISSION OF JEFFERSON COUNTY (hereinafter referred to as "County") and _____, (hereinafter referred to as "Tenant").

1. **Description of Property.** The County hereby leases to Tenant, to occupy and use for _____, the following-described property the piece of property the County owns in the Middleway District, Jefferson County, West Virginia, containing approximately 17 acres being more particularly described on tax map 15, parcel 1 in the land records of Jefferson County, West Virginia (hereinafter referred to as "Property"). The property is being leased "as is" without any representation or warranty as to its condition.
2. **Term of Agreement.** The term of this Agreement shall be for one (1) year, from the 20th day of September, 2019, until the 20th day of September 2020. The Owner, at its own option, may renew the terms of the Agreement for up to five (5), one (1)-year periods, subject to written notice from the Tenant and approval by the County Commission of Jefferson County.
3. **Rent.** For the occupancy use of the farm, Tenants agree to pay the County annual rent of \$_____/acre, for a total payment of \$_____, payable to the County (at the address listed below), due on October 1, 2019. The failure to pay rent in a timely fashion shall, upon notice and 10 days' opportunity to cure, result in the termination of this lease.
4. **Uses.** The property shall be used only for _____ (the "permitted uses"), and Tenant shall not use the Property for any other purpose. Any permitted agricultural activities shall be conducted at all times in a safe manner, consistent with best management practices applicable to each. All uses, including agricultural must be conducted in full compliance with all applicable legal and regulatory requirements. Motor vehicle use on the property shall be limited to that reasonably necessary to conduct the permitted uses. Tenant's use of the Property shall not violate any applicable ordinance, law or regulation. Tenant shall not create or permit any nuisance, damage or waste to be made or maintained upon the Property, nor, except as provided in this lease, shall the Tenant construct any structure on the Property. Tenant shall keep the Property in reasonably trash free condition.
5. **Operational Expenses.** Tenants shall bear all operational costs and expenses associated with the permitted uses.
6. **No Assignment or Sublease.** Tenant may not assign, transfer or sublease its rights under this lease.
7. **Access.** Tenant shall have access to the entire property at any time for the purpose of

carrying out the permitted uses.

8. **New and Existing Construction.**

1. County may construct additional buildings on any portion of the Property. Any new building or structure shall be enclosed by a fence to be built at County's expense. Tenant's rent shall be reduced by 1% for each acre enclosed.
2. Tenant shall not interfere with or disturb the cemetery on the Property.

9. **Fences.**

- a. County may construct new fences on the property at any time and County shall construct and maintain such fences at its expense.
- b. Tenant may construct new fences on the Property with County's prior consent and Tenant shall construct and maintain such fences at its expense.
- c. Tenant may remove fences on the Property with County's prior consent and Tenant shall be responsible for all costs of removal.

10. **Timber and Firewood.** Tenant shall not cut any standing timber. All dead and down wood shall remain County's property and shall not be removed without County's consent.

11. **Indemnification.** Tenant shall indemnify and hold County harmless:

- a. for any injury to third persons (including Tenant's employees and contractors) related in any way to the permitted use and activities; or
- b. Tenant's failure to fully comply with any legal or regulatory requirements applicable to the permitted uses and activities.

12. **Survive Termination.** The indemnification provisions of Section 11 of this agreement shall survive the termination or expiration of this Lease Agreement.

13. **Cooperation.** Tenant and County each agree to cooperate with each other with regard to any regulatory or other governmental filings.

14. **Risk of Destruction.** If engaged in agricultural activities, tenants expressly assume the risk of any or all destruction of the crop or premises as a result of foreseeable or unforeseeable excessive rain, flood, hail, tornado, winds, or any other acts of God or nature. County shall not be required to apportion, reduce, or abate any amount of cash rent due hereunder by virtue of the Tenants' inability to plant or harvest any crop, or any portion thereof, or to use the premises in the manner contemplated by this Agreement.

15. **Independent Contractor.** It is agreed that nothing contained in this Agreement is intended or should be construed as creating the relationship of a partnership, joint venture, or association with the County and Tenant. Tenant is an independent contractor and it, its employees, agents, and representatives shall not be considered employees, agents or representatives of the County. Except as otherwise provided herein, Tenant shall maintain,

in all respects, it's present control over the means and personnel by which this agreement is performed. Payment of federal income tax, FICA payments, state income tax, unemployment compensation taxes and other payroll deductions and taxes are the sole responsibility of the Tenant.

16. Parties' Rights Upon Lease Termination.

- a. County recognizes that any annual crops (excluding perennial grasses) grown on the Property are paid for and owned by Tenant. Should any such crop to be harvested exist on the property at the time of termination of this lease, County will allow Tenant reasonable time to maintain and harvest such existing crop in such a manner that it preserves as much of the crop's value as possible.
- b. During the period required to maintain and harvest such existing crop, notwithstanding the termination of this lease, Tenant's obligations as specified in this lease shall remain in full force and effect as to portions of the property on which such crop is present and Tenant shall pay to County any additional rent (pro-rated for the duration post-termination and acreage) as is reasonable.

17. Miscellaneous. This lease: contains the entire agreement of the parties; supersedes all prior written or oral concerning the property; and may not be changed or added to except by a written amendment signed by both parties.

18. Notices. Any notice required by this lease shall be delivered to the parties at the address below in a manner that provides written proof of delivery.

COUNTY

Jefferson County Commissioners
P.O. Box 250
Charles Town, WV 25414

By: _____ Date _____
Patricia A. Noland, President
County Commission

TENANT

By: _____ Date _____

Its: _____

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name:

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **September 19, 2019**

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

Subject (*Wording to be placed on agenda*): **Acknowledgment of the Assessor's Certificate of Compliance - Discussion/Action**

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

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

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

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

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

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

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text.](#)

West Virginia Department of Agriculture

Kent A. Leonhardt, Commissioner
Joseph L. Hatton, Deputy Commissioner



ASSESSOR'S CERTIFICATE OF COMPLIANCE

TO THE HONORABLE COUNTY COURT OF JEFFERSON COUNTY

The Assessor of Jefferson County, Angela L. Banks, has completed the Farm Census of 2019 and has satisfactorily complied with the requirements of the Farm Statistics Law. She is, therefore, eligible to receive compensation from the County Court according to Chapter 7, Article 7, Section 6C of the New Code of West Virginia.

A handwritten signature in blue ink that reads "Kent A. Leonhardt".

Commissioner of Agriculture

Jefferson County Water Advisory Committee

Quarterly update

1. JCWAC's West Virginia Tributary Team Grant application for \$10,000, under a Technical Implementation Grant (filed on behalf of JCWAC and presented by Matt Pennington, Region 9) did not receive initial approval at the April 2019 meeting. As written and as approved by the County Commission, the Application was to develop a five year strategic plan for Jefferson County Water Advisory Committee through facilitated outreach and education in Jefferson County.

The WV Tributary Team explained its decision based on a singular focused to approve grant applications and programs that have a direct, measurable, nexus to a reduction in TMDLs per the Chesapeake Bay Executive Order and WV Watershed Implementation Plans.

However, considerable contacts were made and conceptual interest in our application was well received. Several Tributary Teams partners have encouraged the JCWAC to refile and offered to partner with JCWAC on the development of a 5-year strategic plan. In the interim, JCWAC has pivoted to work with these partners, and to develop capacity through its website, Facebook page, through the Jefferson County Fair outreach and growth of volunteers and active Commission appointed JCWAC Members.

2. To further this effort, the JCWAC has updated and continues to add content to its Website and Facebook page: Please see us at: www.jeffersoncountywvwater.org and Facebook at Jefferson County WV Water Advisory Committee.
3. In May, the JCWAC received a presentation by Monica Whyte of the WVDHHR to review Federal and West Virginia State drinking water regulations protections. Our June, July and August monthly presentations have also included: WV Rivers Coalition/Defenders of Rural Agriculture/Downstream Strategies and an update from the Blue Ridge Watershed Coalition.
4. JCWAC has been actively listening to citizens' and discussing drinking water resources and is engaged in encouraging groups to work with us, and together, to develop a community based Jefferson County Watershed Management Plan focused on an inventory of monitoring data, resources, and planned development to promotes sustainable, measurable outcomes for Jefferson County to meet the WVDEP WIP III requirements and increase water stewardship and conservation countywide.
5. In conjunction with newly engaged volunteers and those interested in becoming members of the JCWAC, JCWAC is finalizing a "Watershed Ambassador" program for youth and adults county-wide to leverage "I Know my Watershed" with a set of tasks, questions and metrics to award "Jefferson County Watershed Ambassador" badge of achievements; the Jefferson County Watershed Ambassador project is aimed at conservation and education for homeowners, landowners, students (in particular) and residents. The purpose is to build out a network and contacts that will be engaged for the outreach to facilitate and revisit the development of a community driven Jefferson County Water Advisory Five year strategic plan.
6. The JCWAC was an active participant again this year at the Jefferson County Fair, we shared responsibility and costs for a double booth with the Eastern Panhandle Conservation District. Thanks to the efforts and invitations by EPCD, JCWAC interacted and participated in inviting and joining groups such: WV Division of Forestry, Cacapon Institute, WV Rivers Coalition and Blue Ridge Watershed Coalition. It was a very successful, well attended and attractively water based and agriculture conservation themed booth with loads of activities for youth.

7. WV Rivers Coalition has invited, and JCWAC has accepted, the invitation and looks forward to participating in the Safe Water Conservation Collaborative Education and Outreach Workgroup. Our first meeting is in September.

Respectfully submitted, Mary Sell, Chair, Jefferson County Water Advisory Committee

Sandra McDonald

From: Alerts Jeffersoncounty
Sent: Friday, September 13, 2019 12:35 PM
To: Planning Department
Subject: Stakeholders' Roundtable Discussion 9-30-19

**Stakeholders' Roundtable Discussion
Monday, September 30, 2019 at 3:00 PM**

The Jefferson County Commission and Planning Commission have recently undertaken a comprehensive update to the County's Zoning and Land Development Ordinance and Subdivision and Land Development Regulations. The purpose of this effort is to clarify, reorganize and streamline the development review process. To assist in this effort, the Jefferson County Planning Commission has scheduled a stakeholders' roundtable discussion for Monday September 30, 2019 at 3:00 PM in the Old Charles Town Library Meeting Room to receive thoughts and input from the development community including consultants, engineers, surveyors and architects. This is an open forum meeting to promote discussion within Jefferson County.

Contact the Dept. of Planning & Zoning with questions. 304-728-3228 or
planningdepartment@jeffersoncountywv.org.

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT RESPOND TO THIS MESSAGE. IF YOU NEED ASSISTANCE, PLEASE CALL 304-728-3284

Sandra McDonald

From: Vicki Haygood <haygoodvicki@gmail.com>
Sent: Wednesday, September 11, 2019 12:50 PM
To: JCCInfo
Subject: Public Hearing for Event Facility Code Change

In response to public comment on ZTA19-01, Special Event Facilities:

We support the proposal to allow special event facilities in rural Residential Growth, and Village zoning districts. We support the agritourism plans of the Reddington's located at 414 Kidwiler Rd in Harpers Ferry WV and would welcome a new venue to host events, special occasions or meetings throughout the week or weekend. We would like the commission to consider a change in the maximum number of guests allowed. Rather than assume the prior maximum of 250, please consider the maximum number of guests to reflect the facility/site capacity.

Thank you,

John and Vicki Haygood
28 Ira Way
Kearneysville, WV 25430

Sandra McDonald

From: WebmastervJCC <webmaster@jeffersoncountywv.org>
Sent: Wednesday, September 11, 2019 1:14 PM
To: JCCInfo
Subject: Jefferson County Commission, WV: Website Form Notification

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

Form Name: County Commission Contact
Date & Time: 09/11/2019 1:13 PM
Response #: 990
Submitter ID: 4114
IP address: 166.137.244.93
Time to complete: 6 min. , 4 sec.

Survey Details

Page 1

1. Name

Kurk Turney

2. Email

kurkturney@comcast.net

3. Questions or Concerns

In response to public comment on ZTA19-01, Special Event Facilities:

We support the proposal to allow special event facilities in rural Residential Growth, and Village zoning districts. We support the agritourism plans of the Reddington's located at 414 Rd in Harpers Ferry WV and would welcome a new venue to host events, special occasions or meetings throughout the week or weekend. We/I would like the commission to consider a change in the maximum number of guests allowed. Rather than assume the prior maximum of 250, please consider the maximum number of guests to reflect the facility/site capacity.

Thank you,

Kurk and Carrie Turney (neighbors)
122 Maryvale Dr
Harpers Ferry, WV 25425

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

Yes

Thank you,
Jefferson County Commission, WV

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

Sandra McDonald

From: Jarad Hawthorne <jaradhawthorne@gmail.com>
Sent: Friday, September 13, 2019 9:27 AM
To: JCCInfo
Subject: In response to public comment on ZTA19-01

To whom it may concern, in response to public comment on ZTA19-01, Special Event Facilities:

I Jarad Hawthorne support the proposal to allow special event facilities in rural Residential Growth, and Village zoning districts. We support the agritourism plans of the Reddington's located at 414 Kidwiler Rd in Harpers Ferry WV and would welcome a new venue to host events, special occasions or meetings throughout the week or weekend. We/I would like the commission to consider a change in the maximum number of guests allowed. Rather than assume the prior maximum of 250, please consider the maximum number of guests to reflect the facility/site capacity.

Thank you,

Jarad Hawthorne



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • (304) 558-3505

Byrd E. White, III
Secretary of Transportation

August 13, 2019

Jimmy Wriston, P. E.
Deputy Secretary/
Acting Commissioner

To Whom It May Concern:

The Statewide Transportation Improvement Program (STIP) is a financially constrained document required to show planned Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) expenditures for federal fiscal years 2016-2021. One of the requirements to funding any project with FHWA or FTA funds is that each proposed project undergoes a public "review and comment period." Therefore, additions or deletions to the STIP and certain changes to projects currently in the STIP must meet this requirement before federal funds can be obtained. Accordingly, I am again requesting your assistance in making available (to anyone who wishes to review them) the attached listing of proposed amendments to the approved 2016-2021 STIP.

All written comments are to be received no later than August 23, 2019 and should be addressed to:

Ryland Wayne Musick, Jr., M.S., P. E.
Deputy State Highway Engineer –
Planning and Programming
West Virginia Division of Highways
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0430

Thank you for your assistance with this matter. Should you need additional information, please feel free to contact my office at (304) 558-6233.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryland Wayne Musick, Jr., M.S., P.E.", written over a white background.

Ryland Wayne Musick, Jr., M.S., P. E.
Deputy State Highway Engineer –
Planning and Programming

RLP:MI

Attachment

cc: Mrs. Chandra Inglis-Smith, Federal Highway Administration – w/ attachment
Ms. Michele DeAngelis, Federal Transit Administration – w/ attachment

bcc: HP, PP

**STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2016-2021
PROGRAM AMENDMENT**

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	FEDERAL DOLLAR COST	TOTAL PHASE COST	FEDERAL COST CHANGE
PROJECT COMMENTS														
CABELL	2019	2	MPO	9/28/2019	STP	ENG	NA999	CITY STREET - 14 ST W	DESIGN 14TH ST W PATH	U306 CITYYS 1 00	STBG2019191D	\$80,000	\$100,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
CABELL	2020	2	MPO	6/28/2020	NHPP	CON	1064	EAST MALL RD - CSX OP	RESURFACE	S306 64 02029 00	NHPP0641402D	\$1,530,000	\$1,700,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
CABELL	2019	2	MPO	8/28/2019	NHPP	ROW	1064	MILLER RD O/P (DESIGN/BUILD)	REPL BRIDGE	U306 64 00922 00	NHPP0641081D	\$90,000	\$100,000	\$0
2016-2021 AMD 28 - DELETE, PHASE NOT NEEDED														
CABELL	2019	2	MPO	8/28/2019	STP-TMA	ENG	NA999	ST CLOUD COMMONS	DESIGN PLAYGROUND	U308 HUNTI 2 00	STBG2019190D	\$20,000	\$25,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
FAYETTE	2020	9	MPO	10/28/2019	TAP	ENG	NA999	OAK HILL EAST END PED UPGRADE	DESIGN SIDEWALK	U310 OAKHI 7 00	TAP2018255DTC	\$200,000	\$200,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
GREENBRIER	2020	9	MPO	7/28/2020	TAP	ENG	NA	LEWISBURG US 219 SOUTH SIDEWALKS 2012	DESIGN/CONST SIDEWALK	U313 LEWIS 4 04	TAP2018253DTC	\$50,000	\$50,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
GREENBRIER	2021	9	MPO	12/28/2020	TAP	CON	NA	LEWISBURG US 219 SOUTH SIDEWALKS 2012	DESIGN/CONST SIDEWALK	U313 LEWIS 4 04	TAP2018254D	\$160,000	\$200,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
HARRISON	2020	4	MPO	10/28/2019	TAP	ENG	NA	BRIDGEPORT COMM CONNECTIVITY	DESIGN CONST TRAIL	U317 HARRI 8 00	TAP2018249DTC	\$30,000	\$30,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
HARRISON	2021	4	MPO	12/28/2020	TAP	CON	NA	BRIDGEPORT COMM CONNECTIVITY	DESIGN CONST TRAIL	U317 HARRI 8 00	TAP2018250D	\$72,000	\$90,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
HARRISON	2020	4	MPO	10/28/2019	NHPP	ENG	US050	CLARKSBURG EXP LIGHTING	UPGRADE LIGHTING	U317 50 01230 00	NHPP0050374D	\$320,000	\$400,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
HARRISON	2021	4	MPO	11/28/2020	NHPP	CON	US050	CLARKSBURG EXP LIGHTING	UPGRADE LIGHTING	U317 50 01230 00	NHPP0050375D	\$4,800,000	\$6,000,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
KANAWHA	2019	1	MPO	7/28/2019	STP	ENG	WV081	ADMIRAL T J LOPEZ BR	6YR BR INSPECTION	T620 61 00012 00	STP0061091D	\$560,000	\$700,000	\$0
2016-2021 AMD 28 - CANCEL PROJECT, DONE THRU DOH INSPECTIONS														
KANAWHA	2019	1	MPO	8/28/2019	NHPP	CON	1064	MACCORKLE AVE - OAKWOOD	RESURFACE	S320 64 05375 00	NHPP0642177	\$450,000	\$500,000	\$0
2016-2021 AMD 28 - DELETE PROJECT														

**STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2016-2021
PROGRAM AMENDMENT**

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	FEDERAL DOLLAR COST	TOTAL PHASE COST	FEDERAL COST CHANGE
PROJECT COMMENTS														
LOGAN	2020	2		10/28/2019	NRT	CON	NA989	HATFIELD-MCCOY-LOGAN CO TRAIL	CONST TRAIL	U323 HATFI 5 00	NRT2017205D	\$50,080	\$62,500	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
MARION	2020	4		10/28/2019	TAP	ENG	NA989	FAIRMONT SRTS TRAFFIC CALMING	INSTALL SAFETY FLASHERS	U325 FAIRM 9 00	TAP2018260DTC	\$15,000	\$15,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
MARION	2020	4		8/28/2020	TAP	CON	NA989	FAIRMONT SRTS TRAFFIC CALMING	INSTALL SAFETY FLASHERS	U325 FAIRM 9 00	TAP2018261D	\$21,814	\$27,267	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
MERCER	2020	10		10/28/2019	TAP	ENG	NA	ATHENS PARK TRAIL	DESIGN CONST TRAIL	U328 ATHEN 2 00	TAP2018251DTC	\$12,000	\$12,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
MERCER	2021	10		12/28/2020	TAP	CON	NA	ATHENS PARK TRAIL	DESIGN CONST TRAIL	U328 ATHEN 2 00	TAP2018252D	\$28,901	\$36,126	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
MERCER	2020	10		3/28/2020	STP	CON	WV104	LOCUST ST TRAFFIC SIGNAL	INSTALL TRAFFIC SIGNAL	U328 104 00236 00	STBG0414012D	\$192,000	\$240,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
MONONGALIA	2020	4		10/28/2019	TAP	ENG	NA989	DUNKARD AVE SIDEWALKS PHASE V	CONSTRUCT SIDEWALK	U331 MONON 6 04	TAP2018215DTC	\$60,000	\$60,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
MONONGALIA	2021	4		1/28/2021	TAP	CON	NA989	DUNKARD AVE SIDEWALKS PHASE V	CONSTRUCT SIDEWALK	U331 MONON 6 04	TAP2018216DTC	\$240,000	\$240,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
MONONGALIA	2019	4		8/28/2019	STP	CON	C0045	RIVER ROAD SLIDES	REPAIR	S331 45 1150 00	STBG0045080D	\$2,000,000	\$2,500,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
OHIO	2019	6		7/28/2019	NHPP	ENG	US250	27TH ST BR NB & SB	C&P	S335 250 00145 00	NHPP0250261D	\$8,000	\$10,000	\$0
2016-2021 AMD 28 - CANCEL PROJECT														
OHIO	2019	6		9/28/2019	NHPP	CON	US250	27TH ST BR NB & SB	C&P	S335 250 00145 00	NHPP0250262D	\$1,284,000	\$1,605,000	\$0
2016-2021 AMD 28 - CANCEL PROJECT														
OHIO	2020	6		2/28/2020	NHPP	CON	I070	I-70 MINING PROJECT PANELS 17 & 18	MINE SUBSIDENCE REPAIR	S335 70 01195 03	NHPP070161D	\$9,600,000	\$12,000,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
PACAHONTAS	2020	8		10/28/2019	NRT	ENG	NA989	MARLINTON RANGER DISTRICT	DESIGN CONST TRAIL	U338 MARLI 6 00	NRT2018256D	\$5,000	\$5,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														

**STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2016-2021
PROGRAM AMENDMENT**

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	FEDERAL DOLLAR COST	TOTAL PHASE COST	FEDERALCOST CHANGE
PROJECT COMMENTS														
POCAHONTAS	2021	8		11/28/2020	NRT	CON	NA999	MARLINTON RANGER DISTRICT	DESIGN CONST TRAIL	U338 MARLI 6 00	NRT2018257D	\$12,000	\$15,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
ROANE	2020	3		10/28/2019	STP	ROW	US033	COL RUBY BRADLEY BRIDGE (DESIGN/BUILD)	WIDEN BRIDGE	U344 33 01276 00	STP0033397D	\$480,000	\$600,000	\$0
2016-2021 AMD 28 - CANCEL PHASE, DESIGN/PHASE PROJECT														
ROANE	2019	3		9/28/2019	STP	ENG	US033	SCOTT MILLER HILL BP MITIGATION	WETLAND MITIGATION	U344 33 00349 06	STBG0033417D	\$9,600,000	\$12,000,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
WAYNE	2020	2		10/28/2019	STP-TMA	ENG	NA000	HUNTINGTON TRI-STATE AIRPORT	DESIGN PARKING STRUCTURE	U350 TRIST 2 00	STBG2019194D	\$520,000	\$650,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
WAYNE	2019	2		9/28/2019	NHPP	CON	US052	PRICHARD FOUR LANE	CENTERLINE JOINT REPAIR	S350 052 1690 00	STP0052333D	\$160,000	\$200,000	\$0
2016-2021 AMD 28 - DELETE PROJECT														
WAYNE	2019	2		8/28/2019	CMAQ	ENG	NA	PRICHARD INTERMODAL	FREIGHT AWARENESS PLAN	T250 RIFMP 17 00	CMAQ2018057D	\$200,000	\$250,000	\$0
2016-2021 AMD 28 - CANCEL PROJECT														
WETZEL	2020	6		10/28/2019	NHPP	ENG	WV002	PROCTOR - KENT MITIGATION	WETLAND MITIGATION	U352 2 1166 01	NHPP0002607D	\$8,000,000	\$10,000,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
WOOD	2019	3		8/28/2019	TAP	ENG	NA999	COMING PARK TRAIL ACQUISITION	ACQUISITION OF CSX CORR ON N BEND TRAIL	U354 COMIN 1 00	TAP2019186DTC	\$50,000	\$50,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
WOOD	2020	3		1/28/2020	TAP	ROW	NA999	COMING PARK TRAIL ACQUISITION	ACQUISITION OF CSX CORR ON N BEND TRAIL	U354 COMIN 1 00	TAP2019187D	\$20,000	\$25,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
WOOD	2020	3		8/28/2020	TAP	CON	NA999	COMING PARK TRAIL ACQUISITION	ACQUISITION OF CSX CORR ON N BEND TRAIL	U354 COMIN 1 00	TAP2019188D	\$163,200	\$204,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
STATEWIDE	2019	99		9/28/2019	HSIP	ENG	NA999	2019 ITS PROGRAM	ITS UPDATE REVIEW	T699 ITS 4 00	HSP2019196D	\$200,000	\$250,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
STATEWIDE	2019	99		9/28/2019	HSIP	ENG	NA999	2019 LIGHTING STANDARDS & SPECS	REVIEW HIGHWAY LIGHTING	T699 LIGHT 1 00	HSP2019197D	\$225,000	\$500,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														
STATEWIDE	2019	99		9/28/2019	HSIP	ENG	NA999	2019 NAVIGATION LIGHTING	REVIEW BRIDGE LIGHTING	T699 NAVIG 19 00	HSP2019198D	\$240,000	\$300,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT														

**STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2016-2021
PROGRAM AMENDMENT**

COUNTY	FFY	GROUP DISTRICT	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	FEDERAL DOLLAR COST	TOTAL PHASE COST	FEDERAL COST CHANGE
PROJECT COMMENTS													
STATEWIDE	2020	99	10/28/2019	STP	ENG	NA999	AUXILIARY STRUCTURE INSPECTION	PILOT PROJ STURCTURE INSP	T699 AUXSI 1 00	STBG2019198D	\$400,000	\$500,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													
STATEWIDE	2019	99	9/28/2019	CMAQ	CON	NA999	ITS, SIGNAL SYSTEMS, LIGHTING & STRUCTURES	IDIQ	T699 ITS 3 00	HSCM2019173	\$2,640,000	\$3,300,000	\$1,240,000
2016-2021 AMD 28 - 175% COST INCREASE (>\$2M)													
STATEWIDE	2019	99	9/28/2019	HSIP	CON	NA999	ITS, SIGNAL SYSTEMS, LIGHTING & STRUCTURES	IDIQ	T699 ITS 3 00	HSCM2019173	\$1,980,000	\$2,200,000	\$1,755,000
2016-2021 AMD 28 - 175% COST INCREASE (>\$2M)													
STATEWIDE	2020	99	10/28/2019	HSIP	ENG	NA	RDWY DEPARTURE ASSESSMENT A	IMPROVE RDWY DEPARTURES	T699 RDWA 20 00	HSIP2020058D	\$225,000	\$250,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													
STATEWIDE	2020	99	6/28/2020	HSIP	CON	NA	RDWY DEPARTURE ASSESSMENT A	IMPROVE RDWY DEPARTURES	T699 RDWA 20 00	HSIP2020059D	\$968,400	\$1,076,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													
STATEWIDE	2020	99	10/28/2019	HSIP	ENG	NA	RDWY DEPARTURE ASSESSMENT B	IMPROVE RDWY DEPARTURES	T699 RDWB 20 00	HSIP2020050D	\$225,000	\$250,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													
STATEWIDE	2020	99	6/28/2020	HSIP	CON	NA	RDWY DEPARTURE ASSESSMENT B	IMPROVE RDWY DEPARTURES	T699 RDWB 20 00	HSIP2020051D	\$805,500	\$895,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													
STATEWIDE	2020	99	10/28/2019	HSIP	ENG	NA	RDWY DEPARTURE ASSESSMENT C	IMPROVE RDWY DEPARTURES	T699 RDWC 20 00	HSIP2020054D	\$225,000	\$250,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													
STATEWIDE	2020	99	6/28/2020	HSIP	CON	NA	RDWY DEPARTURE ASSESSMENT C	IMPROVE RDWY DEPARTURES	T699 RDWC 20 00	HSIP2020055D	\$852,300	\$947,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													
STATEWIDE	2020	99	10/28/2019	HSIP	ENG	NA	RDWY DEPARTURE ASSESSMENT D	IMPROVE RDWY DEPARTURES	T699 RDWD 20 00	HSIP2020056D	\$225,000	\$250,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													
STATEWIDE	2020	99	6/28/2020	HSIP	CON	NA	RDWY DEPARTURE ASSESSMENT D	IMPROVE RDWY DEPARTURES	T699 RDWD 20 00	HSIP2020057D	\$788,400	\$876,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													
STATEWIDE	2020	99	10/28/2019	HSIP	ENG	NA	RDWY DEPARTURE ASSESSMENT E	IMPROVE RDWY DEPARTURES	T699 RDWE 20 00	HSIP2020052D	\$225,000	\$250,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													
STATEWIDE	2020	99	6/28/2020	HSIP	CON	NA	RDWY DEPARTURE ASSESSMENT E	IMPROVE RDWY DEPARTURES	T699 RDWE 20 00	HSIP2020053D	\$641,700	\$713,000	\$0
2016-2021 AMD 28 - ADD NEW PROJECT													

**STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2016-2021
PROGRAM AMENDMENT**

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	FEDERAL DOLLAR COST	TOTAL PHASE COST	FEDERAL COST CHANGE
STATEWIDE	2019	99		8/28/2019	HSIP	ENG	NA989	TRAFFIC INCIDENT MANAGEMENT 2	DEVELOP LOCAL TIM COMMITTEES	T699 TIM 19 00	HSIP2016197D	\$160,000	\$200,000	\$0
2016-2021 AMD 28 - CANCEL PROJECT														

PROJECT COMMENTS

Impact Fee Status Report

August 2019

Office of Impact Fees

Summary

Date Range: Thursday 1 through Saturday 31 August 2019

Report Date: 3 September 2019

Process Number Range: 1900140-1900170

Total Applications: 31

Total Non-Exempt: 30

Of which:

Commercial: 11

Residential: 19

Of which:

County: 14

Municipal: 16

Total Exempt: 1

Of which:

Commercial: 0

Residential: 1

Of which:

County: 1

Municipal: 0

Tables 1 through 7 summarize impact fee processing for August 2019. Table 8 represents account totals, pending the transfer of fees collected as shown in Table 1, including General Impact Fee Account (3111776) interest which is listed in Table 2.

Table 1. Form 100 Tallies

	Exempt	Commercial	Residential	Total
1 – 31 August 2019	1	11	19	31
Fees collected		\$78.00	\$123,933.00	\$124,011.00
<i>Of which</i>				
School Impact Fee			\$112,097.00	\$112,097.00
Law Enforcement Fee		\$7.00	\$2,184.00	\$2,191.00
Parks & Recreation Fee			\$8,702.00	\$8,702.00
EMS Fee		\$71.00	\$950.00	\$1,021.00

Table 2. Financial Data – Office of Impact Fees General Account (3111776)

Description	Amount
Opening Statement Balance (1 August 2019)	\$57,878.21
August Deposits (1 – 31 August 2019)	\$124,011.00
School July Transactions (withdraws via transfer on 19 August 2019)	(\$51,745.44)
Law July Transactions (withdraws via transfer on 19 August 2019)	(\$1,513.76)
Parks & Rec July Transactions (withdraws via transfer on 19 August 2019)	(\$4,123.76)
EMS July Transactions (withdraws via transfer on 19 August 2019)	(\$495.25)
Interest Earned (31 August 2019)	\$34.17
Ending Statement Balance (31 August 2019)	\$124,045.17
<i>Outstanding Credits (deposits through 1 September 2019)</i>	<i>\$0.00</i>

Table 3. Financial Data – School Impact Fee Account (3107582)

Description	Amount
Opening Balance (1 August 2019)	\$3,548,547.31
July Transactions (deposits via transfer on 19 August 2019)	\$51,745.44
Interest Earned (31 August 2019)	\$1,516.13
Ending Balance (31 August 2019)	\$3,601,808.88

Table 4. Financial Data – Law Enforcement Impact Fee Account (3120120)

Description	Amount
Opening Balance (1 August 2019)	\$144,900.21
July Transactions (deposits via transfer on 19 August 2019)	\$1,513.76
Interest Earned (31 August 2019)	\$61.80
Ending Balance (31 August 2019)	\$146,475.77

Table 5. Financial Data – Parks & Recreation Impact Fee Account (3122808)

Description	Amount
Opening Balance (1 August 2019)	\$207,317.02
July Transactions (deposits via transfer on 19 August 2019)	\$4,123.76
Interest Earned (31 August 2019)	\$88.78
Ending Balance (31 August 2019)	\$211,529.56

Table 6. Financial Data –EMS Impact Fee Account (3122816)

Description	Amount
Opening Balance (1 August 2019)	\$23,638.89
July Transactions (deposits via transfer on 19 August 2019)	\$495.25
Interest Earned (31 August 2019)	\$10.12
Ending Balance (31 August 2019)	\$24,144.26

Table 7. Total Impact Fees as of 1 September 2019/1

Description	Amount
Office of Impact Fees General Account	\$124,045.17
School Impact Fee Account	\$3,601,808.88
Law Enforcement Fee Account	\$146,475.77
Parks & Recreation Impact Fee Account	\$211,529.56
EMS Impact Fee Account	\$24,144.26
Total Impact Fees	\$4,108,003.64

/1 These values represent both impact fees collected and interest earned. The general account includes the outstanding credits listed in table 2 and outstanding debits, if any, listed in tables 3-6.

Table 8. Pending August 2019 Fee Transfers /1

Account	31 August 2019 Account Totals	Pending Impact Fee Transfers	Account Totals
School Impact Fee Account	\$3,601,808.88	\$112,127.76	\$3,713,936.64
Law Enforcement Fee Account	\$146,475.77	\$2,191.68	\$148,667.45
Parks & Recreation Impact Fee Account	\$211,529.56	\$8,704.39	\$220,233.95
EMS Impact Fee Account	\$24,144.26	\$1,021.34	\$25,165.60
Total Impact Fees	\$3,983,958.47	\$124,045.17	\$4,108,003.64

/1 This table represents each of the impact fee category account totals as of 31 August 2019 listed in tables 3 – 6. Pending fee transfer amounts, excluding interest and any outstanding credits, collected in August 2019 are listed in table 1 of the General Account (3111776); these transactions will be processed in September 2019. Any outstanding credits, as listed in table 2, will be added to the next month's Impact Fee transfer amounts.



Form 100 Transaction Summary

Jefferson County Government – Office of Impact Fees

Impact Fee Applications Processed between dates Thursday 1 through Saturday 31 August 2019

Process Number	Date	Last Name	First Name	Tax District	Deed Book	Deed Page	Tax Map	Parcel	Impact Fees Collected	Date	Exemption Reason
Exempt Applications											
1900168	08/27/2019	Gutierrez	Jose Villegas	07 Middleway	1222	502	23	65	\$0.00	08/27/2019	Form 200

Category Count: 1 **Category Total** **\$0.00**

Non-Exempt Applications

1900140	08/05/2019	Crim	Patricia	02 Charles Town	937	342	17	6.1	\$6,423.00	08/05/2019	N/A
1900141	08/06/2019	Swope	Bob and Kelley	07 Middleway	1218	337	29A	9	\$6,423.00	08/06/2019	N/A
1900142	08/08/2019	Tchorzewski	Janusz	08 Ranson Corp	1197	652	12	1.3	\$2.00	08/08/2019	N/A
1900143	08/08/2019	Tchorzewski	Janusz	08 Ranson Corp	1197	652	12	1.3	\$35.00	08/08/2019	N/A
1900144	08/08/2019	Tchorzewski	Janusz	08 Ranson Corp	1197	652	12	1.3	\$7.00	08/08/2019	N/A
1900145	08/09/2019	Sizemore	Charles	07 Middleway	1217	315	19	38.2	\$6,423.00	08/09/2019	N/A
1900146	08/13/2019	Hill	Linda	04 Harpers Ferry	1101	241	06	17	\$6,423.00	08/13/2019	N/A
1900147	08/15/2019	Halex	Daniel and Ariel	07 Middleway	1134	389	26	10.12	\$6,423.00	08/15/2019	N/A
1900148	08/16/2019	Gladhill	Maurice	02 Charles Town	952	565	4	19	\$6,423.00	08/16/2019	N/A
1900149	08/16/2019	DR Acquisitions,		08 Ranson Corp	1028	659	4	341	\$6,981.00	08/16/2019	N/A
1900150	08/16/2019	DR Acquisitions,		08 Ranson Corp	1028	659	4	341	\$6,981.00	08/16/2019	N/A
1900151	08/16/2019	DR Acquisitions,		08 Ranson Corp	1028	659	4	341	\$6,981.00	08/16/2019	N/A
1900152	08/16/2019	DR Acquisitions,		08 Ranson Corp	1028	659	4	341	\$6,981.00	08/16/2019	N/A
1900153	08/19/2019	Tchorzewski	Janusz	08 Ranson Corp	1197	652	12	1.3	\$1.00	08/19/2019	N/A
1900154	08/19/2019	Tchorzewski	Janusz	08 Ranson Corp	1197	652	12	1.3	\$1.00	08/19/2019	N/A
1900155	08/19/2019	Tchorzewski	Janusz	08 Ranson Corp	1197	652	12	1.3	\$1.00	08/19/2019	N/A
1900156	08/19/2019	Tchorzewski	Janusz	08 Ranson Corp	1197	652	12	1.3	\$1.00	08/19/2019	N/A
1900157	08/19/2019	Tchorzewski	Janusz	08 Ranson Corp	1197	652	12	1.3	\$16.00	08/19/2019	N/A
1900158	08/19/2019	Tchorzewski	Janusz	08 Ranson Corp	1197	652	12	1.3	\$5.00	08/19/2019	N/A
1900159	08/19/2019	Tchorzewski	Janusz	08 Ranson Corp	1197	652	12	1.3	\$1.00	08/19/2019	N/A
1900160	08/20/2019	K Hovnanian		08 Ranson Corp	1133	476	8D	15M	\$6,255.00	08/20/2019	N/A
1900161	08/20/2019	Ainsworth	Donald	08 Ranson Corp			10	20	\$6,255.00	08/20/2019	N/A

Process Number	Date	Last Name	First Name	Tax District	Deed Book	Deed Page	Tax Map	Parcel	Impact Fees Collected	Date	Exemption Reason
Non-Exempt Applications											
1900162	08/22/2019	Wright	David	02 Charles Town	1193	707	10A	51.1	\$6,423.00	08/22/2019	N/A
1900163	08/22/2019	Schindell	Robert and Jamis	04 Harpers Ferry	1145	314	12D	9	\$6,423.00	08/22/2019	N/A
1900164	08/26/2019	Lutman Land		06 Kabletown	1225	231	3A	130	\$6,423.00	08/26/2019	N/A
1900165	08/26/2019	Lutman Land		09 Shepherdstown	1225	22	9	31	\$6,423.00	08/26/2019	N/A
1900166	08/26/2019	Mark Smith	Mark A. Smith	09 Shepherdstown	1201	558	17	4.1	\$6,423.00	08/26/2019	N/A
1900167	08/27/2019	EPIC Burr	Andre Fontaine	02 Charles Town	1103	3	1	69	\$8.00	08/27/2019	N/A
1900169	08/27/2019	Voss	Daria	02 Charles Town	1215	682	20A	20.1	\$6,423.00	08/27/2019	N/A
1900170	08/29/2019	Gladhill	Marice	02 Charles Town	952	565	4	19	\$6,423.00	08/29/2019	N/A
Category Count: 30									Category Total	\$124,011.00	
TOTAL APPLICATIONS: 31									Grand Total	\$124,011.00	