

AGENDA
JEFFERSON COUNTY COMMISSION
FOURTH QUARTERLY SESSION - OCTOBER - DECEMBER 2019
THURSDAY, OCTOBER 31, 2019
9:30 A.M.
County Commission Meeting Room
located at the Old Charles Town Library
200 E. Washington Street, Charles Town, WV

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- October 17, 2019 Special Session
- October 17, 2019 Regular Meeting
- October 22, 2019 Board of Assessment Appeals

APPROVAL OF ACCOUNTS PAYABLE

- October 24, 2019
- October 31, 2019

APPROVAL OF MANUAL CHECKS

- October 25, 2019
- November 1, 2019

APPROVAL OF PAYROLL

- October 17, 2019

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

PRESENTATIONS

1. 9:45 a.m. Pete Dougherty, Sheriff
- Appointment to fill vacant deputy position - Discussion/Action

- Request to donate 2011 Ford Crown Victoria to the Calhoun County Sheriff's Office - Discussion/Action

2. 10:00 a.m. Jennifer Myers, Director, Jefferson County Parks and Recreation
- Presentation of the Eugene M. Fuller Program Awards awarded to the Jefferson County Parks and Recreation Commission for Let's Play! Mobile Recreation - Discussion/Action
3. 10:15 a.m. Russell Burgess, Director, Jefferson County IT Department
- Approval of part-time employment for Tyler Amick, IT Helpdesk support staff with an emphasis in Cybersecurity - Discussion/Action
4. 10:30 a.m. Alexandra Beaulieu, Zoning Administrator
- Decision on proposed text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA19-01.
5. 10:45 a.m. BREAK
6. 11:00 a.m. Nathan Cochran, Assistant Prosecuting Attorney
- Discussion of renewal of County cable franchise agreement, resolution of franchise fee audit, and related issues - Discussion/Action
- Discussion of Jefferson County Circuit Court Action #18-C-171 Discussion/Action
- Discussion of EEOC Charge #533-2017-00706 & #533-2019-01397 Discussion/Action
- Discussion of WV Supreme Court #19-0412 (from Jefferson County Circuit Court Civil Action #17-C-282) - Discussion/Action
- Discussion of opioid case, potential litigation, and settlement issues with legal counsel (Jefferson County Commission v. Perdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170) - Discussion/Action
- Discussion of EPA Administrative Complaint #04R-19-R3 - Discussion/Action

UNFINISHED BUSINESS

7. Continuation of discussion regarding MARC Train funding - Discussion/Action
8. Continuation of discussion on the Net Neutrality Letter of Support - Discussion/Action

NEW BUSINESS

9. Discussion of letter received from the Jefferson County Fire and Rescue Association, Inc. - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

- Approval of FMLA Policy Revision - Discussion/Action
- Discussion of Tax Office space/location - Discussion/Action

COUNTY COMMISSION REPORTS

10. ADJOURN

DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY WRITTEN REPORTS

- Jefferson County Department of Homeland Security and Emergency Management Quarterly Report - First Quarter

CORRESPONDENCE/INFORMATION

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

SPECIAL SESSION

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

At a Special Session of the County Commission of said County and State continued and held in the County Commission meeting room of the Old Charles Town Library, 200 E. Washington Street, Charles Town, West Virginia on Thursday, October 17, beginning at 11:00 o'clock a.m.

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

In re: Discussion concerning MARC Train Funding

The meeting was called to order by President Noland at 11:00 am and Commissioner Lorenzetti led the Pledge of Allegiance.

President Noland stated the Commission had received a letter from the Governor's Office requesting Jefferson County provide \$82,810 to the state in order to fund the continuing operation of the MARC train service in the Eastern Panhandle. An informal discussion ensued between the Commission and staff; however, no decisions were made regarding the funding. It was the consensus of the Commission to discuss the issue further during the regularly scheduled October 31, 2019 County Commission meeting.

There being no further business, the special session was adjourned at 11:47 am.

Patricia A. Noland, PRESIDENT

Respectively Submitted:
Jessica D. Carroll
Administrative Assistant

Minutes

Jefferson County Commission

Thursday, October 17, 2019

A meeting of the Jefferson County Commission was held on Thursday, October 17, 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 Josh Compton, Caleb Hudson, Ralph Lorenzetti, and Jane Tabb. Commissioner Noland was absent with prior notice. 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, October 17, 2019 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Hudson led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Compton to approve the October 3, 2019 Regular Meeting Minutes with noted correction. Motion seconded and unanimously approved

APPROVAL OF ACCOUNTS PAYABLE

CHECK#	VENDOR NAME	AMOUNT
82390	AMERIFLEX	\$ 121.60
82391	AT&T	\$ 127.28
82392	BAKERTON VOLUNTEER FIRE DEPARTMENT	\$ 82,500.00
82393	BLUE RIDGE MOUNTAIN VOLUNTEER FIRE COMPANY	\$ 82,500.00
82394	BOLAND TRANE SERVICES INC	\$ 310.00
82395	CAPITAL ELECTRIC	\$ 122.38
82396	DELTA DENTAL OF WV	\$ 6,641.51
82397	EPTA-EASTERN PANHANDLE TRANSIT AUTHORITY	\$ 5,000.00

82398	FIFTH THIRD BANK	\$ 178,800.82
82399	FRANKLIN & PROKOPIK P.C.	\$ 10,192.50
82400	G & TRIPLE T LLC	\$ 1,865.00
82401	GUTTMAN OIL CO	\$ 3,256.26
82402	HIGHMARK WV	\$ 208,521.67
82403	P/R DEDUCTIONS	\$ 3,250.00
82404	JUDICIAL DIALOG SYSTEMS	\$ 7,717.50
82405	LAURA STORM	\$ 363.81
82406	MATTHEW BENDER	\$ 165.10
82407	NATIONAL VISION ADMIN.	\$ 1,863.80
82408	P/R DEDUCTIONS	\$ 135.94
82409	RETIREE HEALTH BENEFIT TRUST	\$ 8,646.00
82410	THE HARTFORD	\$ 2,387.60
82411	THE HARTFORD	\$ 3,990.44
82412	TOWN OF BOLIVAR	\$ 1,164.79
82413	P/R DEDUCTIONS	\$ 462.07
82414	WV BUREAU OF EMPLOYMENT UNEMPLOYMENT COMP. DIV.	\$ 8,190.00
82415	WV REGIONAL JAIL & CORRECTION FACILITY AUTH	\$ 94,521.75
82416	WVCORP WV COUNTIES SELF INSURANCE RISK POOL	\$ 2,781.00
82417	XEROX CORPORATION	\$ 1,268.00
82418	JEFFERSON DAY REPORT CENTER	\$ 2,576.86
TOTAL		719,443.68

Motion by Mr. Compton to approve the Accounts Payable for October 11, 2019, in the amount of \$719,443.68. Motion seconded and unanimously approved.

CHECK #	VENDOR NAME	AMOUNT
82420	84 LUMBER	\$ 1,659.98
82421	ADVANCE PUBLIC SAFETY LLC	\$ 160.00
82422	P/R DEDUCTION	\$ 3,250.00
82423	BERKELEY PRINTING & DESIGN	\$ 306.00
82424	BOLAND TRANE SERVICES INC	\$ 1,493.00
82425	BUREAU OF CHILD SUPPORT	\$ 169.39
82426	CHARLES WISE	\$ 144.44
82427	CONTROL SYSTEMS INC	\$ 525.00
82428	DARYLL WIMER	\$ 9.85
82429	P/R DEDUCTION	\$ 197.76
82430	EFTPS IRS TAXES	\$ 97,941.52
82431	EMPOWER RETIREMENT	\$ 2,610.00
82432	GUTTMAN OIL CO	\$ 3,913.03

82433		INVESTIGATIVE SPECIALTY	\$ 650.00
82434		JEFFERSON COUNTY DEVELOPMENT AUTHORITY	\$ 96,250.00
82435		JEFFERSON SECURITY BANK	\$ 5,090.00
82436		JUANITA ZALESKI	\$ 52.98
82437		JUSTTECH LLC	\$ 79.97
82438		KONE INC	\$ 1,809.75
82439		MATTHEW HARVEY	\$ 308.56
82440		MOOREFIELD POLICE DE	\$ 922.34
82441		NATIONWIDE RETIREMENT SOLUTIONS	\$ 849.00
82442		PATRIOT FIRE AND SECURITY	\$ 170.00
82443		PAUL DAVID RESTORATIONS	\$ 3,294.34
82444		PROGRESSIVE PRINTING AND GRAPHICS	\$ 1,135.00
82445		R.E. MICHEL CO	\$ 889.03
82446		RICE TIRES CO	\$ 127.18
82447		RONALD DANTZIC	\$ 16.49
82448		THE OBSERVER	\$ 95.00
82449		TRACY P HERRON-RICE	\$ 112.00
82450		WHOLESALE TIRES INC.	\$ 14.00
82451		P/R DEDUCTION	\$ 3,250.00
82452		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$ 15,943.48
82453		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 44,455.68
82454		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 500.00
82455		WVCORP WV COUNTIES SELF INSURANCE RISK POOL	\$ 712.50
TOTAL			\$ 289,107.27

Motion by Ms. Tabb to approve the Accounts Payable for October 17, 2019, in the amount of \$289,107.27. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

11-Oct-19				
MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
670	HD/8	ATTENTI		\$ 3,344.00
751	AV/56	FIFTH THIRD BANK		\$ 586.80
750	AV/56	DLT SOLT. LLC		\$ 607.60
752	AV/56	GLOBAL SCIENCE & TECH		\$ 10,944.00
318	FP/57	JEFFERSON CO FARMLAND PROT.		\$ 63,656.57

1730	CO/246	TYLER TECH	\$ 1,275.00
1729	CO/246	MINGHINI'S	\$ 7,600.00
1205	IP/249	SHERIFF JEFFERSON CO -SCHOOL	\$ 105,132.95
1206	IP/249	SHERIFF JEFFERSON CO - LAW	\$ 2,146.04
1207	IP/249	SHERIFF JEFFERSON CO - PARKS	\$ 8,147.65
1208	IP/249	SHERIFF JEFFERSON CO - EMS	\$ 889.52
TOTAL			204,330.13

Motion by Ms. Noland to approve the Manual Checks for October 12, 2019 in the amount of \$204, 330.13. Motion seconded and unanimously approved.

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
671	HD/8	CDA		\$ 607.50

Motion by Mr. Compton to approve the Manual Checks for October 18, 2019 in the amount of \$607.50. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was made by the following individuals: David Tabb, Ed Hannon, Christine Wimer. Please refer to the archived meetings on the jeffersoncountywv.org website to listen to public comment.

PRESENTATIONS

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

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Joni Miller	PP	HFD	308460	\$115.96

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 308460 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
John C. Rawn	PP	CTC	306482	\$215.60

- **Motion by Ms. Tabb to approve the Exoneration for Ticket No. \$215.60 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Damiler Trust	PP	CTD	301426	\$442.97

- **Motion by Mr. Compton to approve the Exoneration for Ticket No. 301426 as presented. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Century Properties XXIV – Tractor Supply	RE	CTC	7850	\$4,936.00

- **Motion by Ms. Noland to approve the Exoneration for Ticket No. 7850 as presented. Motion seconded and unanimously approved.**

2. Pete Dougherty, Sheriff - Request to transfer \$10,000 from Home Confinement Account to salary line item to cover increasing personnel needs based on re-starting Juvenile Court

- The Sheriff provided the Commission and the audience with a discussion and update on the Home Confinement Program. No action was taken on this matter, as the Sheriff said he'd be working with the Financial Director to create a budget revision for this request.

3. Michelle Gordon, Finance Director

a. Review and Approval of FY2020 State Budget Revision 3 for Coal Severance Fund

- **Motion by Ms. Noland to accept FY State Budget Revision 3 for the Coal Severance Fund. Motion seconded and unanimously approved.**

- b. Review and Approval of FY2020 State Budget Revision 2 for the General County Fund
 - **Motion by Mr. Compton to accept FY20 State Budget Revision 2 for the General County Fund. Motion seconded and unanimously approved.**
- c. Approval of the FY19 Financial Statements
 - **Motion by Mr. Compton to approve the FY19 Financial Statements. Motion seconded and unanimously approved.**
4. Alexandra Beaulieu, Zoning Administrator – requested Commission decision regarding proposed text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA19-01
 - It was the consensus of the Commission to delay decision on this matter until the October 31, 2019 regularly scheduled County Commission meeting.
5. The Commission recessed for break at 7:30 pm.
The Commission reconvened at 7:45 pm.
6. Todd Cotgreave, Town Run Tap House and Brewery – requested the approval of a floor plan extension for a special event to be held at the Town Run Tap House and Brewery.
 - **Motion by Mr. Compton to approve the floor extension plan for Town Run Tap House and Brewery for Pickin’ on Rockwool II, a musical and fundraising event, on Saturday, November 9, 2019 from 11am-11:30pm. Motion seconded and unanimously approved.**
7. Steve Allen, Director, Jefferson County Homeland Security and Emergency Management
 - a. Approval and signature of Homeland Security Grant application for Boving Emergency Response Program training course
 - **Motion by Mr. Compton to approve the Homeland Security Grant for the Bovine Emergency Response Program and authorize the President of the Commission to sign the appropriate documents. Motion seconded and unanimously approved.**
 - b. Approval and signature of County Commission President on Memorandum of Understanding between the Jefferson County Board of Education and the Jefferson County Office of Homeland Security and Emergency Management for the use of Jefferson County Schools (18 school facilities) for emergency shelters, command centers, and points of distribution for emergency supplies

- **Motion by Ms. Tabb to approve the Memoranda of Understanding between the Jefferson County Board of Education and the Jefferson County Commission/ Jefferson County Office of Homeland Security and Emergency Management for the use of the Board of Education facilities for the uses specified within these Memoranda of Understanding and authorize the President of the Commission to sign the appropriate documents. Motion seconded and unanimously approved.**

8. Interviews and Appointments – Jefferson County Broadband Planning Team

- **Motion by Ms. Tabb to appoint Jim Bowen and Ev Ehrlich to the Jefferson County Broadband Planning Team. Motion seconded and unanimously approved.**
9. Nathan Cochran, Assistant Prosecuting Attorney
- Discussion of Jefferson County Civil Action #17-C-282
 - Discussion of Renewal of County Cable Franchise Agreement, resolution of franchise fee audit 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 #17-C-282
 - Discussion of Jefferson County Circuit Court Civil Action #19-C-96
 - Discussion of WV Supreme Court #19-0412 (from Jefferson County Circuit Court Civil Action #17-C-282)
- Mr. Cochran was absent with prior notice for this meeting. As such, none of the above items were discussed.

NEW BUSINESS

10. Discuss Net Neutrality Letter of Support

- It was the consensus of the Commission to continue discussion on this matter during the October 31, 2019 regularly scheduled County Commission meeting.

COUNTY ADMINISTRATOR REPORTS

- Discussion of JCFRA Appointees to the JCESA.
 - It was the consensus of the Commission to direct Ms. Grove to contact the Jefferson County Fire and Rescue Association regarding this matter.
- FMLA Policy Revision

- Ms. Grove provided the Commission with a revised version of the County's FMLA Policy and discussed the changes made. It was the consensus of the Commission to further discuss the policy changes during the October 31, 2019 regularly scheduled County Commission meeting.
 - Annual Roundtable with Legislative Delegation
 - The Commission provided unanimous consent to allow Johnathan Adler, executive director of the West Virginia Association of Counties, to discuss legislative priorities from around the state in order to help inform the legislative priorities for Jefferson County. The Commission discussed dates for their legislative forum and directed Ms. Grove to check the availability of the local delegation for Thursday, November 7th and Thursday, November 14th.
11. The Commission adjourned at 8:27pm on a motion by Mr. Compton. Motion was seconded and unanimously approved.

Patricia A. Noland, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

FOURTH QUARTER TERM: (Board of Assessment Appeals)

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

At a session of the Jefferson County Commission, sitting as Board of Assessment Appeals, continued and held at the Courthouse thereof on Tuesday, October 22, 2019, beginning at 10:00 a.m.

PRESENT: Jane Tabb, Commission Vice President
Caleb Hudson, Commissioner
Ralph Lorenzetti, Commissioner

STAFF: Angie Banks, Assessor
Stephanie Grove, County Administrator
Jessica Carroll, Recording Clerk

In re: 2019 Board of Assessment Appeals

Vice President Tabb opened the meeting at 10:00 am. Representatives from the State Tax Department were present to defend the appraisal of property owned by PE Hydro; however, after allowing a 15 minute grace period, the State Tax Department requested the record reflect the applicant failed to appear and present their case.

- **There being no further business, motion by Ms. Tabb to adjourn as a Board of Assessment Appeals at 10:17 am. Motion seconded and unanimously approved.**

Jane Tabb, COMMISSION VICE PRESIDENT

DESCRIPTION	Fund 001 CO.	Fund 003 Dog	Total
Gross Wages	\$ 406,158.97	\$ -	\$ 406,158.97
	\$ -		
6.2% Tax Payable OASDI	\$ 24,828.06	\$ -	\$ 24,828.06
1.45% Tax Payable HI	\$ 5,639.59	\$ -	\$ 5,639.59
Fed Withholding	\$ 37,208.04	\$ -	\$ 37,208.04
WV State Withholding	\$ 17,205.09	\$ -	\$ 17,205.09
PERS Retirement Deduct 4.5%	\$ 9,937.42	\$ -	\$ 9,937.42
PERS Retirement Deduct 6%	\$ 4,813.01		\$ 4,813.01
Hosp. Pre-Tax	\$ 14,852.98		\$ 14,852.98
Cancer/ICU Pre-Taxed	\$ 656.33		\$ 656.33
Cancer/ICU Not Pre-Taxed	\$ 950.20		\$ 950.20
Optional Life Not Pre-Taxed	\$ 1,974.46		\$ 1,974.46
Christmas Club	\$ 5,090.00		\$ 5,090.00
Wage Attach #1	\$ 169.39		\$ 169.39
Wage Attach #3	\$ 500.00		\$ 500.00
DSRS Retirement Deduct 8.5%	\$ 6,610.74		\$ 6,610.74
457 - Nationwide	\$ 849.00		\$ 849.00
457I - Empower	\$ 1,970.00		\$ 1,970.00
457R - Roth	\$ 640.00		\$ 640.00
MD State Tax	\$ 560.21		\$ 560.21
D/VF	\$ 1,716.47		\$ 1,716.47
VA. State Tax	\$ 158.68		\$ 158.68
COLONIAL(PLUS)	\$ 81.60		\$ 81.60
Total Deductions	\$ 136,411.27	\$ -	\$ 136,411.27
Void	\$ -		\$ -
Net Wages Total	\$ 269,747.70	\$ -	\$ 269,747.70
Payroll Date	17-Oct-2019		

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Pete Dougherty, Sheriff**

Department or Organization: **Jefferson County Sheriffs Office**

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

Date Requested – 1st Choice:

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

Date Requested **October 31st** – 2nd Choice: **November 7th**

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. Appointment to fill vacant deputy position**
- 2. Request to donate 2011 Ford Crowne Victoria to Calhoun County Sheriff's Office. This vehicle is a spare with more than 168,000 miles of use.**

Is this a funding request? Y/N

If so, how much

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

[Item 1] **I move that [deputy to be named] be approved as a deputy for the Jefferson County Sheriff's Office effective November 25, 2019 at starting salary of \$47,500.**

[Item 2] **I move that Jefferson County Commission transfer with no consideration a 2011 Ford Crowne Victoria [identified by last four numbers on VIN 9480] to the Sheriff of Calhoun County/Calhoun County Commission and that Sheriff Dougherty be authorized to sign needed papers need to effect the transfer.**

[Item 3]

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: Pete Dougherty, Sheriff

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jennifer Myers

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

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice:

*If a specific date is needed, please provide reason for specific date: **October 31, 2019***

Date Requested – 2nd Choice: November 7, 2019

Subject (*Wording to be placed on agenda*): Presentation of the Eugene M. Fuller Program Awards awarded to JCPRC for Let's Play! Mobile Recreation.

Please provide the County Commission with a description of your request or presentation, including any background information: Short slide-show presentation about Let's Play! Mobile Recreation and presentation of the Eugene M. Fuller Program Award Plaque that was awarded to JCPRC for Let's Play! Mobile Recreation at the WVRPA annual conference in October.

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*):

No motion needed.

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: Jennifer Myers

Email address: jmyers@jcprc.org

Phone Number: 304-728-3207

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Russell Burgess**

Department or Organization: **Department of Information Technology**

Estimation of amount of time needed for appointment: 20 minutes

Date Requested – 1st Choice:

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Approval of Part-Time Employee for Information Technology Support/Helpdesk with emphasis in Cybersecurity for Tyler Amick. Within the approved budget of Information Technology.**

Please provide the County Commission with a description of your request or presentation, including any background information:
-Mr. Tyler Amick has been working with the Information Technology Department as an intern to fulfill his degree requirements for an Associates Degree in Information Technology and Cybersecurity from Blue Ridge Community and Technical College.

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

- **Motion to approve the hiring of Part-Time employee Tyler Amick for Information Technology Support/Helpdesk with emphasis in Cybersecurity for a maximum of twenty hours per week at the rate of \$12.00 per hour.**

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: **Russell Burgess – Director of Information Technology**

Email address: rburgess@jeffersoncountywv.org

Phone Number: 304-728-5605

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



JEFFERSON COUNTY, WEST VIRGINIA

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

P.O. Box 716

Charles Town, WV25414

www.jeffersoncountyv.org

Email: planningdepartment@jeffersoncountyv.org

zoning@jeffersoncountyv.org

Phone: (304) 728-3228

Fax: (304) 728-8126

MEMO

TO: County Commission

FROM: Alexandra Beaulieu, Zoning Administrator

DATE: 10-31-19

RE: ZTA19-01, Special Event Facilities

Background

- 04-09-19: Planning Commission accepted Quintina Reddington's request to initiate a text amendment to create provisions to allow an event facility in the Rural zoning district (ZTA19-01).
- 07-09-19: Planning Commission held a Public Hearing on ZTA19-01.
- 08-13-19: 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 Comprehensive Plan and forwarded the revised draft text amendment to the County Commission for the purpose of scheduling a Public Hearing.
- 09-19-19: County Commission held a public hearing on ZTA19-01.
- 10-03-19: County Commission made additional revisions to the draft text in response to public comment received. Staff requested additional time to incorporate the recommended revisions.
- 10-31-19: County Commission will review the revised text and consider Staff's recommendations, with Legal Counsel's input.

Following the October 3 meeting, Staff met with Legal Counsel to review the County Commission's recommended revisions.

- The Commission (CC), in finding that the agricultural community is increasingly under financial pressure to remain viable, directed Staff to provide the farming community options which would allow other uses which may or may not be agricultural in nature (i.e. a commercial kitchen) as a means to support the agricultural operation.
 - ☑ Response: Staff created a new definition, "Alternative Farm Enterprise" and the new Section 8.15 Alternative Farm Enterprise.
- The Commission, in response to public input, directed Staff to remove the maximum number of attendees permitted to attend a Special Event.
 - ☑ Staff removed the maximum number of attendees from Section 8.14.

- The Commission directed Staff to remove the restriction from allowing Special Events to charge admission (e.g. to allow a prom to process under this provision).
 - ☑ Staff removed the restriction to allow events which charge admission.
 - ★ After consulting with Legal Counsel, Staff retained the restriction that performance events were not permitted under the definition of Special Event and clarified to specifically state that “No events which are primarily performance events (such as music festivals and concerts) are permitted under this provision.”
 - ★ Staff, in discussion with Legal Counsel, believes that since no public comment was received which addressed the need to incorporate provisions to allow music festivals and concerts, this land use should be addressed through a separate text amendment.
 - ★ If the Commission would like to incorporate text to allow music festivals and concerts, Staff recommends accepting some form of the current text amendment for Special Event Facilities and directing the Planning Commission to work on a separate text amendment to create provisions to allow music festivals and concerts.

With the addition of “Alternative Farm Enterprise”, which was incorporated to allow commercial land uses which may or may not be agricultural but would contribute to the viability of the agricultural land use, Staff felt it was necessary to incorporate some guidelines to ensure agricultural land remains primarily agricultural.

Therefore, Staff recommends allowing Agricultural Uses as defined in Article 2 (which includes Alternative Farm Enterprise) to construct a building with a footprint up to 10,000 square feet without processing a Site Plan. This would allow event facilities, farm breweries/distilleries/wineries, a commercial kitchen, etc. to be constructed on a farm without processing a site plan but would require that a larger facility (e.g. a processing plant or packaging facility, etc.) over 10,000 square feet process a site plan.

The revised text amendment reflects revisions to Section 2.2, Terms Defined; Section 4.5 Agricultural Uses Permitted Generally; Section 4.10 Site Plan Requirements; Section 8.14, Rural Reception/Event Facility [Proposed Special Event Facility]; [NEW] Section 8.15, Alternative Farm Enterprise; and Appendix C, Principal Permitted and Conditional Uses Table.

Attachments:

- Section 1.1 of the Zoning Ordinance
- Agricultural and Rural Economy Recommendations (Goal 8) from the Comprehensive Plan
- ZTA19-01, Special Event Facilities (revised changes from 10/0319 highlighted in yellow)

ARTICLE 1: PURPOSE, JURISDICTION, APPLICATION, INTERPRETATION AND SEVERABILITY

Section 1.0 Effective Date

This Ordinance shall become effective ninety (90) days after the date on which the County Commission acts to adopt it.

Section 1.1 Purpose

The purpose of this Ordinance is to:

- A. Protect and encourage the health, safety, and general welfare of the present and future population of Jefferson County.
- B. Help guide the future growth and development of Jefferson County in accordance with the adopted Comprehensive Plan.
- C. Encourage growth and development in areas where sewer, water, schools, and other public facilities are or will soon be available in order to provide services in the most cost effective manner.
- D. Insure that growth and development are both economically and environmentally sound.
- E. Encourage the maintenance of an agricultural base in the County at a level sufficient to insure the continued viability of farming.
- F. Encourage and support commercial, industrial, and agricultural activities while maintaining land use, order and compatibility.
- G. Encourage an improved appearance of Jefferson County with relationship to the use and development of land and structures.
- H. Encourage the conservation of natural resources.
- I. Provide a guide for public action in the orderly and efficient provision of public facilities and services. This includes the extension and improvement of public and private water and sewer services throughout the County based on sound engineering principles and where fiscally feasible.³²
- J. Provide a guide for private enterprise in developing and building a strong economic community.
- K. Encourage Historic Preservation.

Section 1.2 Jurisdiction

These regulations shall apply to all properties within Jefferson County, West Virginia; but shall not include the incorporated areas.²³

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).
	<ul style="list-style-type: none"> 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.
	<ul style="list-style-type: none"> 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:
	<ul style="list-style-type: none"> 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.
	<ul style="list-style-type: none"> 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>

	<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.</p>
	<p>c. Ensure that training and educational opportunities are available that would enable the success of such businesses.</p>
	<p>d. Establish and support an endowment for arts funding for rural crafted arts.</p>
10.	<p>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:</p>
	<p>a. link governmental, non-governmental, and regional organizations;</p>
	<p>b. link state and federal farm assistance programs to local farmers;</p>
	<p>c. receive and make grants;</p>
	<p>d. act as an advocacy group for rural issues; and</p>
	<p>e. promote activities that nurture the rural economy.</p>
11.	<p>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:</p>
	<p>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;</p>
	<p>b. A neighborhood based CSA or Development Supported Agriculture;</p>
	<p>c. A permanent, year-round farmers' market site;</p>
	<p>d. Sites for Industrial Agriculture such as Vertical Farming, Hydroponic Greenhouses, and Aquaponic Farming;</p>
	<p>e. Agriculture based training, research, and continuing education facilities created in conjunction with institutes of higher learning and research;</p>
	<p>f. Commercial aquaculture activities;</p>
	<p>g. A livestock auction facility;</p>
	<p>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</p>
	<p>i. Alternative Energy Production facilities, ranging from ethanol refining to algae production for biofuels.</p>
12.	<p>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.</p>
13	<p>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>

	<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>

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

21.22. Alternative Farm Enterprise

Alternative Farm Enterprise A commercial land use established to support the continuation of an existing agricultural operation. Such land use is not required to be directly affiliated with the agricultural operation (i.e. a commercial kitchen which produces goods from products not necessarily grown on the farm) but shall contribute to the overall success of the agricultural operation.

Rural Reception/Event Facility²⁶	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 - Small²⁶	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.
<u>Special Event</u>	<u>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 which are solely primarily performance events (such as music festivals and concerts) 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/property owner are not defined as a special event.</u>
<u>Special Event Facility</u>	<u>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.</u>
<u>Special Event Facility, Agricultural</u>	<u>A Special Event Facility located on a parcel which the Assessor's Office has classified as "farm use".</u>
<u>Use Agreement</u>	<u>Any contract, memorandum of understanding, or similar document which provides terms and conditions for use of a facility or land between the property owner(s) and an individual or group in exchange for a fee or other consideration.</u>

Section 4.5 Agricultural Uses Permitted Generally

~~Except for compliance with distance requirements for a building set forth in Section 4.6, n~~ 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 which have existed for five years at the time of application 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 when the square footage of the building footprint is less than 10,000 square feet. 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 Facility~~²⁴ 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 special event facility shall be submitted to ensure compliance with setbacks and parking. The sketch should delineate the property location, any existing or proposed buildings affiliated with the land use, the parking area, signs, 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

Section 8.15 Alternative Farm Enterprise

The purpose of this section is to support the farming community by allowing Alternative Farm Enterprises. An Alternative Farm Enterprise may be established on a parcel classified as “Farm Use” through the Assessor’s Office with an existing agricultural operation. For the purpose of this section, existing shall mean any agricultural use which has existed on a parcel of land for a period of two years.

Each Alternative Farm Enterprise shall process a Zoning Certificate application and required site sketch. The Zoning Administrator shall evaluate each application on its own merits. The applicant shall provide a brief summary of how the proposed land use will support the continuation of the existing agricultural operation. 75% of the acreage on record at the time of application shall remain in use by the agricultural operation, with 25% permitted to be developed for the purpose of establishing an Alternative Farm Enterprise.

If the Zoning Administrator determines the proposed use meets the intent of this section, an Alternative Farm Enterprise may comply with the provisions set forth in Section 4.10C. All site development is subject to a 75’ setback. Applicant shall submit to the Office of Planning and Zoning proof of application to the Health Department and Division of Highways.

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	

ZTA19-01 – Version 2 - Reflecting CC changes from 10/03/19
Yellow Highlights indicate changes from 10/03/19

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	PND¹	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	

ZTA19-01 – Version 2 - Reflecting CC changes from 10/03/19
Yellow Highlights indicate changes from 10/03/19

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	
<u>Alternative Farm Enterprise</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. 8.15</u>
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
- 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.
- OC Office / Commercial Mixed-Use
- R Rural
- RG Residential Growth District
- RLIC Residential-Light Industrial-Commercial District
- IC Industrial-Commercial District
- V Village District

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jessica Carroll

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **October 31, 2019**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Continued discussion regarding MARC Train funding – 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



Jim Justice
Governor of West Virginia

October 16, 2019

Dear Local Leaders:

In order to maintain MARC rail service at current levels, we have been informed by the state of Maryland that West Virginia needs to fund \$3.4 million toward its operation. Maryland has indicated that rail service will be reduced on November 4, 2019, if the necessary funding is not contributed.

The Legislature committed \$1.1 million toward this service in the current year's budget, so an additional \$2.3 million needs to be secured to maintain service.

It is our understanding that your leaders have proposed that a fair way to apportion a local share, totaling \$300,000 in the current fiscal year (and understanding that county and municipal governments are in the middle of a fiscal year and budgeting any amounts is difficult at this point) would be based upon the populations of the counties and municipalities that most directly benefit from having close access to the rail line.

Below is a list of the funding levels needed to be approved and contributed by each of the counties and municipalities, based upon your proposed apportionment by 2018 population numbers.

Distribution of MARC Funding Based on 2018 Census Population

County/Municipality	2018 Census Population Estimate	% of Total Group Population	Share of \$300,000 Contribution
Berkeley County	117,123	56.91%	\$170,723
Jefferson County	56,811	27.60%	\$82,810
Martinsburg	17,465	8.49%	\$25,458
Charles Town	6,064	2.95%	\$8,839
Ranson	5,182	2.52%	\$7,553
Harpers Ferry	281	0.14%	\$410
Bolivar	1,026	0.50%	\$1,496
Shepherdstown	<u>1,860</u>	<u>0.90%</u>	<u>\$2,711</u>
Total for Group	205,812	100.00%	\$300,000

If your local governments choose to support this service and contribute a minimum of \$300,000, the Governor will commit to identifying and providing the remaining funding for this current fiscal year,

October 16, 2019

and will work to secure a multi-year agreement with Maryland based upon reviewing Maryland's actual costs and other factors. The Governor has informed me that he will also commit to working with state and local leaders to identify sustainable methods of funding for this train service, including through potential fare increases and greater participation from local governments on a timeline that will allow for local budgets to account for a local share on a graduated basis. Further, the Governor has been working with Senate leadership to find a funding approach that will be sustainable long into the future as the area continues to grow and prosper, as well as working to increase tourist ridership on the trains from Maryland and the Washington DC metropolitan area to bring more people and more economic impact to the Eastern Panhandle and to West Virginia.

Because the state of Maryland will reduce rail service into the Eastern Panhandle on November 4, 2019, if the necessary funding is not contributed, we request that the local counties and municipalities identified above, that have not yet approved local funding, meet as soon as possible – including in special meetings as necessary – to consider and approve this funding and respond with their decision to this office, by email to Berkeley.Bentley@wv.gov, by October 29, 2019.

Sincerely,



Mike Hall
Chief of Staff



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **October 17, 2019** *October 31, 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*):

Discuss Net Neutrality Letter of Support - 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.](#)

Senator Joe Manchin

261 Aikens Center Ste. 305

Martinsburg, WV 25404

Senator Joe Manchin III,

As an elected official in one of West Virginia's fastest growing counties, I understand the delicate balance when developing public policy between adequately protecting consumers while avoiding unnecessary overregulation. That is why I ask you to work across the aisle in the United States Senate to find a common-sense, bipartisan solutions to address net neutrality and broadband internet regulation.

As it stands now, Congressional inaction on net neutrality has forced the Federal Communications Commission to try to step in. But without any clear statutory mandate, the FCC has been unable to find a stable, sustainable legal foundation for net neutrality rules. The result, for more than a decade, has been policies that change frequently due to court rulings or whenever a new administration takes over.

This constant uncertainty and shifting policies aren't helpful to our shared goal of spurring greater investment in broadband infrastructure projects in our state. Businesses will be less likely to make billion-dollar infrastructure investment decisions in such an uncertain regulatory environment.

Congress needs to pass a law that protects net neutrality but permanently prohibiting blocking, throttling, and unfair prioritization. These consumer protections shouldn't – and don't have to – come at the cost of unnecessary overregulation. The antiquated Title II utility framework designed to regulate telephone service in the 1930s is probably not the right answer; modern technology calls for modern regulations that will protect our citizens while spurring economic growth.

Broadband internet is a game changer for Jefferson County and the entire eastern panhandle. Increased investment will allow both current and new residents of our region to take advantage of remote work careers while enjoying the quality of life offered by the Mountain State. It will also facilitate the attraction of new employers in technology fields that rely on a strong broadband infrastructure. Federal legislation addressing net neutrality without Title II will help spur these opportunities. I hope you will work with your fellow Senators to solve these critical challenges on a Congressional level through bipartisan cooperation.

Sincerely,

Patricia Noland

Commission President



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **October 31, 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*):

Discuss letter received from the Jefferson County Fire & Rescue Association, Inc. - 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.](#)

JEFFERSON COUNTY FIRE & RESCUE ASSOCIATION, INC.



Organized 1959

October 3, 2019

Jefferson County Fire and Rescue Association
PO Box F
Shepherdstown, WV 25443

Jefferson County Commission
124 E Washington St,
Charles Town, WV 25414

Jefferson County Commissioners:

The collective membership of the Jefferson County Fire and Rescue Association (JCFRA) (composed of executive leadership from all seven departments and the JCESA) have continually discussed growing concerns with the operations and policies of the Jefferson County Emergency Communications Center (JCECC). Various members of our body have attempted, repeatedly, to come to resolutions with the JCECC on many issues, and have consulted with commissioners, and the County Administrator with no positive movement. We have established committees, reduced radio traffic, attempted to engage the JCECC on policy matters, and sent liaisons to the JCECC all with no action on the part of the JCECC or County Administrator. Despite our efforts, we continue to have growing concerns with the direction of the JCECC. Collectively, we make known to you some of the major concerns we have.

- **Reduce the processing time of dispatching a call.** We have proposed the following ideas, with no response:
 - JCFRA leadership proposed a Pre-Alert guideline that would almost immediately notify the “home” company of a call. While it would not be an full dispatch algorithm, it would alert responders of the call location and nature (medical vs. fire).
 - As soon as the call is received, drop single set of tones with a “*Company 6, Medical, Box Factory Rd.*” This allows Co. 6 members to ready themselves within 30 seconds of the call received. As more information is gathered, the complete algorithm can take place.
 - If the Pro QA program is the main reason for the delay in dispatching, discontinue its use, or develop a more efficient method of EMD – certificates of achievement in EMD should be secondary to the time it takes to actually send help.
 - Enable the Response Plan functionality in Spillman (also noted below).
- **Enact the proposed Tach Channel guideline.** According to the IAFF *Contributing Factors to Firefighter Line-Of-Duty Death In The United States*, and many other scholarly articles, communications is paramount in the life safety of emergency responders. It is so important to the integrity of the safety system on fire grounds that it is “clustered” with the very operational

JEFFERSON COUNTY FIRE & RESCUE ASSOCIATION, INC.



Organized 1959

- **Fire-EMS status checks** need to be done. They are currently “hit or miss”, and we request they be completed at 10 minutes into the call, and then every 20 minutes until a unit advises the check is no longer needed.
- **River Rescue Call alerts**, despite the water belonging to Maryland or Virginia, it is inefficient to transfer the call and have the mutual aid region later call Jefferson County back and request Boat 7 and team. JCECC should proactively start Jefferson County resources.
- **CAD MDC Mapping** has been inactive for months. Responders, for turn-by-turn directions, utilize this feature, and the JCECC has put no priority in having it fixed.
- **Failures to Dispatch Units.** Increasingly, it seems, no units are dispatched or improper units are dispatched. This is a danger to responders, and is not in the best interest of the public. Recently we have multiple examples where resources were not dispatched on a cardiac arrest, and fire crews were not dispatched to a MVA with power lines and an overturned bucket truck; the list goes on of failures of the JCECC.

This letter is to highlight some of the major concerns the JCFRA has with the current standards of the JCECC. While we respect the great work the men and women of the JCECC do every day, we also recognize that there are significant issues that require immediate attention and correction.

Please take these issues seriously, provide a plan for implementation of these items, and respond with how the JCECC will better work together with fire service leadership. Failure to adequately address these concerns will leave us no choice but to take our grievances back the WV State Fire Commission, and the general public.

Respectfully Signed,

A large, stylized handwritten signature in blue ink, appearing to read 'M Mood', written over the 'Respectfully Signed,' text.

Chief Michael Mood,
Chairman

The content of this letter was unanimously approved by our body on October 1, 2019. The signature of the chairman, above, is on behalf of all Jefferson County Fire and Rescue Association member companies.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Stephanie Grove

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **October 31, 2019**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **County Administrator Reports**

- 1. Approval of FMLA Policy amendments – Discussion/Action**
- 2. Discussion of Tax Office space/location – 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

<i>Jefferson County Policies & Procedures</i>			
Policy Name:	FMLA	Approved :	06/2016 Rev: 10/2019
Policy Number:	216	Author:	Grove
Associated:			

PURPOSE

To establish the conditions and criteria under which an employee may qualify for leave under the amended Family and Medical Leave Act of 1993 and rules for administering the Act. It is the policy of the County Commission of Jefferson County ("Jefferson County" or "the County") to grant up to 12 work weeks of family and medical leave (which may be extended for up to 26 work weeks in the case of Military Care Giver Leave) during any 12-month period to eligible employees. The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

PROVISIONS

- (A) Family/Medical leave of absence ("FMLA leave") is defined as an approved absence available to eligible employees for up to 12 work weeks of unpaid leave per each 12-month period for the following reasons:
- (1) Birth of the employee's child or placement of a child with the employee for adoption or foster care
 - (2) For the employee to care for an immediate family member (spouse, son, daughter or parent) with a serious health condition
 - (3) To take medical leave when the employee is unable to work because of his or her own serious health condition
 - (4) Because of a "qualifying exigency" arising out of the fact that an employee's spouse, son, daughter or parent is on active duty or called to active duty status as a member of the National Guard or Reserves. A "qualifying exigency" leave is also available to family members (spouse, son, daughter, or parent) of active duty military members who are or have been deployed to active duty in a foreign country. Qualifying exigencies may include:
 - (a) Short-notice deployment
 - (b) Military events and related activities
 - (c) Childcare and school activities
 - (d) Financial and legal arrangements

- (e) Counseling
- (f) Rest and recuperation
- (g) Post-deployment activities
- (h) Additional activities to address other events which arise out of the covered military member's active duty or call to active duty status.

(B) Eligibility: In order to qualify to take FMLA leave under this policy, the employee must meet all of the following conditions:

- (1) The employee must have worked for Jefferson County for at least 12 months. The twelve months need not have been consecutive. For the purposes of determining 12 months of employment, the prior seven years will be considered.
- (2) The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave, holidays or vacation as hours worked. Consequently, these hours of leave are not counted in determining the 1,250 hour eligibility test.
- (3) Jefferson County reserves the right to deny requests for a FMLA leave where such a denial would be appropriate and authorized under federal law and any applicable state law.

(C) Length of Leave: If eligible for FMLA leave, an employee may take up to 12 calendar work weeks of Family and Medical Leave within a 12-month period. The 12 work week period is based on the employee's authorized work week. The 12 work week maximum will be reduced by time spent on FMLA leave in the past 12-month period preceding the leave request. The 12-month period begins on the first day of approved FMLA Leave.

(D) Measurement Period: Jefferson County will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken under this policy and subtract it from the 12 work weeks of available leave. The balance represents the remaining time available under FMLA leave job protection.

- (E) Conditions for Taking Leave: An employee may take leave because of a serious health condition which is as defined as:
- (1) A condition which requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or
 - (2) A condition which requires continuing care by a licensed health care provider. This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition which, if left untreated, would result in a period of incapacity of more than three days, would be considered a serious health condition. Employees are required to provide a doctor's certification of the serious health condition. The certification process is outlined in the section below entitled "Procedures." If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests leave as provided under this policy, the County may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications. An eligible employee can take up to 12 work weeks of leave under this policy during any 12-month period.
- (F) Use of Paid or Unpaid Leave: Employees must first exhaust all sick leave and then exhaust any other accrued leave, including but not limited to all available vacation and compensatory time to cover any unpaid periods. The employee must use accrued leave before being eligible for unpaid leave for what remains of the FMLA entitlements. Leave for an employee's serious health condition including for the birth of a child and workers' compensation leave (to the extent that it qualifies), will run concurrently with FMLA leave.
- (G) Continuation of Benefits: Jefferson County will continue an employee's group health plan benefits during an approved FMLA leave at the same level and under the same conditions as if the employee was continuing to work. The employee is responsible for making timely payments of the employee's contribution toward his/her portion of benefit premiums. If the employee chooses not to return to work for reasons other than a continued serious health condition or other circumstances beyond the employee's control, the County will request the employee to reimburse the County the amount paid for the employer's share of the cost of the employee's group health plan benefits during the FMLA leave period.
- (H) Intermittent or Reduced Schedule Leave:
- (1) An employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the

year), or under certain circumstances may use the leave to reduce the work week or work day, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 work weeks over a 12-month period. If the leave is foreseeable based on planned medical treatment, including recovery from a serious health condition, the County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule. If an accommodation for an intermittent leave cannot be met, the County may require the employee to take the time as a continuous leave.

- (2) Eligible employees may take intermittent leave following the birth, adoption or foster care of a child under the following conditions:
 - (a) Leave must be taken within one (1) year of the birth or placement of the child. This leave may only be taken on a consistently applied schedule, consisting of continuous leave in segments of one (1) week or more (no more than three segments of time) to minimize disruptions to Jefferson County operations.
 - (b) While on leave, an employee may be permitted to attend classes or court appearances related to his/her job when the leave is not for the employee's own serious health condition and/or the employee's medical provider provides a medical release for the employee to attend.

- (l) Restoration to Former or Equivalent Position: Jefferson County will make no distinction as it relates to Key Employees as defined under the FMLA. All employees are granted equal job restoration rights, regardless of his/her position. Upon return to work from an approved leave, the County will make every effort to place an employee in his/her former position or a position of equivalent to the one held before the start of the leave, subject to any extenuating circumstances which may occur to the County's operations during the leave which would have affected the employee had he/she not been on leave. The position will be the same or one which is equivalent in terms of pay, benefits, and working conditions.

- (J) Military Care Giver Leave: An eligible employee who is a spouse, son, daughter, parent or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness that was incurred in the line of active duty may be granted up to 26 work weeks of unpaid leave, calculated on a rolling forward basis, during a single 12-month period to care for the service member. If both employee and spouse work for the County, both are entitled to a combined total of 26 work weeks.

Military Care Giver Leave applies to veterans on the temporary disability retired list who are undergoing medical treatment, recuperating, or are in therapy for a serious injury or illness incurred in the line of active duty, if the treatment, recuperation or therapy is occurring within 5 years of the veteran's military service. Serious injury or illness includes injuries or illnesses that existed prior to the military service, if they were aggravated by the service.

PROCEDURES

- (A) Applying for Family Medical Leave:
- (1) At least thirty (30) days prior to the requested FMLA (for a foreseeable leave) commencement date or as soon as practicable for an emergency request, the employee must contact the County Administrator's Office to request Family and Medical Leave. If an employee fails to provide 30 days advance notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date the employer receives notice if the need for the leave and the approximate date leave would be taken were clearly foreseeable to the employee 30 days in advance of the leave.
 - (2) The County Commission Office will provide the necessary forms and instructions to complete your FMLA request.
 - (3) Employees must complete the Request for Family and Medical Leave Form including the dates an employee expects to be absent and the reason for the FMLA request.
 - (4) An employee may request either intermittent or consecutive leave.
 - (5) After the completed FMLA request form is returned the County Administrator's Office, employees will be provided with an FMLA packet.
 - (6) The FMLA packet will include a Certification of Health Provider for

Serious Health Condition Form (“Certification Form”) for either the employee or family member depending on the reason leave is requested. For leave requested for the employee’s own illness, the Certification Form must be completed by the employee and employee’s attending physician, or in the case of leave requested for a family member, by the employee and family member’s attending physician. In all cases, it is the Employee’s responsibility to ensure that this form is completed and signed by the attending physician and returned to the County Administrator’s office within 15 calendar days. All Certification Forms must be received via facsimile directly from the attending physician to the County Administrator.

- (7) To support the need for Exigency Leave under the FMLA, the requesting employee must submit certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought. The appropriate documents may include, but are not limited to, a copy of the military member’s active duty orders. Failure to provide certification may result in a denial of continuation of leave.

(B) Return to Work Certification:

- (1) The FMLA packet will contain a Return to Work Form. If the leave is taken for the employee’s own serious health condition, the attending physician must complete the Return to Work Form – including any work restrictions necessary – and the employee or the physician must return the form to the County Administrator’s Office a minimum of two (2) days before the employee’s planned return to work date.
- (2) An employee is not authorized to return to work until the County Administrator has received the Return to Work Form.
- (3) Advanced notification to the County Administrator and the employee’s Department Head/Elected Official of the employee’s proposed return to work date is also important to avoid any delay in reinstating pay and benefits.

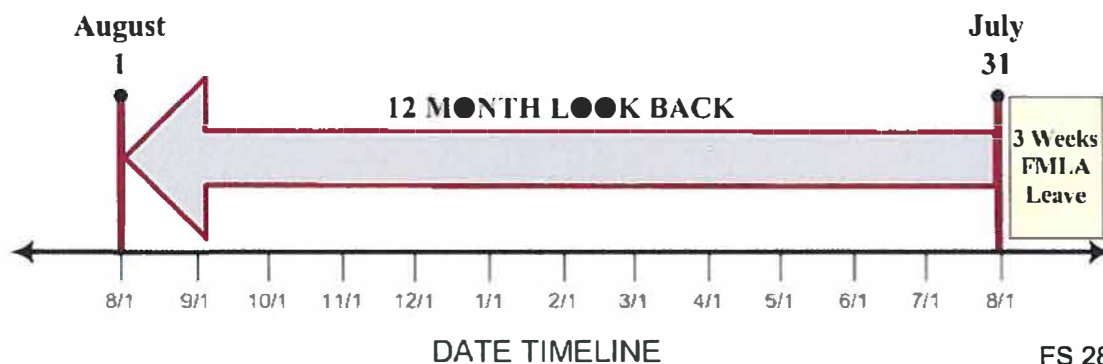
To the extent that any federal, state, or local law contains leave requirements that differ in any way from those stated in this policy, Jefferson County will satisfy the federal, state, or local requirements.

Fact Sheet #28H: 12-month period under the Family and Medical Leave Act (FMLA)

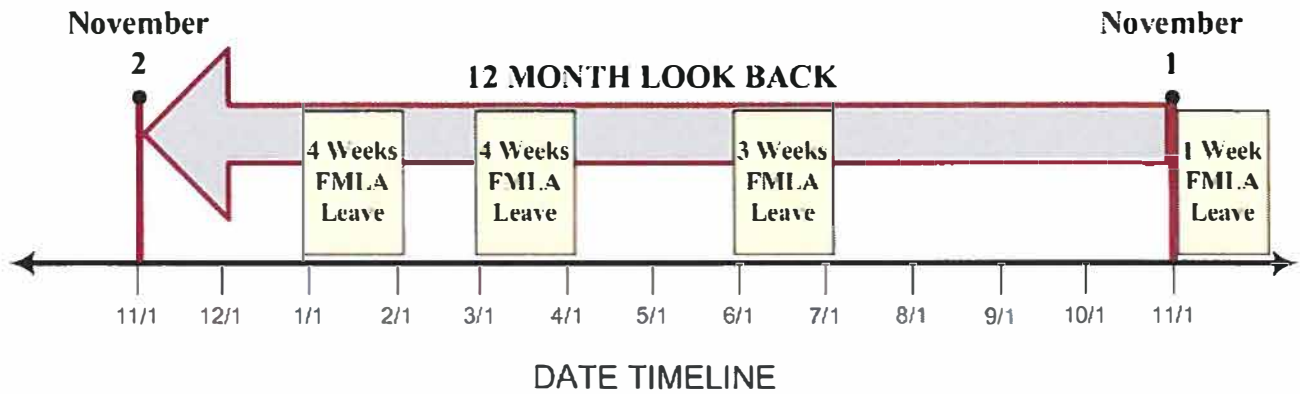
The FMLA entitles eligible employees who work for covered employers to take unpaid, job-protected leave in a defined 12-month period for specified family and medical reasons. Generally, employers may select one of four options to establish the 12-month period to be uniformly applied to all employees taking FMLA leave. This fact sheet does not address the “single 12-month period” applied to military caregiver leave, which differs from the employer determined 12-month period used for other FMLA leave reasons. See [Fact Sheets #28M\(a\), Military Caregiver Leave for a Current Servicemember under the FMLA](#) or [#28M\(b\), Military Caregiver Leave for a Veteran under the FMLA](#).

The employer may use any of the following methods to establish the 12-month period:

- (1) **the calendar year** – 12-month period that runs from January 1 through December 31;
- (2) **any fixed 12-months** – 12-month period such as a fiscal year (for example, October 1 through September 30), a year starting on an employee’s anniversary date (for example, September 22 through September 21), or a 12-month period required by state law;
- (3) **the 12-month period measured forward** – 12-month period measured forward from the first date an employee takes FMLA leave. The next 12-month period would begin the first time FMLA leave is taken after completion of the prior 12-month period; or
 - For example, Lucia’s FMLA leave begins on November 6, 2012 so her 12-month period is November 6, 2012 through November 5, 2013.
- (4) **a “rolling” 12-month period measured backward** – 12-month period measured backward from the date an employee uses any FMLA leave. Under the “rolling” 12-month period, each time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months.
 - *Example 1:* Michael requests three weeks of FMLA leave to begin on July 31st. The employer looks back 12 months (from July 31st back to the previous August 1st) to see if any FMLA leave had been used. Michael had not taken any previous FMLA leave, so he is entitled to the three weeks he requested and has nine more weeks available.



- *Example 2:* Patricia requests two weeks of FMLA leave to begin on November 1st. The employer looks back 12 months (from November 1st back to the previous November 2nd) and sees that Patricia had taken four weeks of FMLA leave beginning January 1st, four weeks beginning March 1st, and three weeks beginning June 1st. Patricia has taken 11 weeks of FMLA leave in the 12-month period and only has one week of FMLA-protected leave available. After Patricia takes the one week in November, she can next take FMLA leave beginning January 1st as the days of her previous January leave “roll off” the leave year.



Employers may select any one of the four methods to establish the 12-month period as long as the method is applied consistently and uniformly for all employees. The only exception is for a multi-state employer who has eligible employees in a state with a state family and medical leave statute that requires a specific method for determining the leave period. The employer may comply with the state provision for all employees within that state, and uniformly use one of the four methods described above for all other employees.

Before changing to a different method of calculating the 12-month period, an employer must first give all employees at least 60 days notice of the intended change; and the transition must take place in such a way that the employees retain the full benefit of their leave entitlement under whichever method affords the greatest benefit to the employee. If an employer fails to select one of the 12-month period methods discussed above, the employer must use the 12-month period method that is the most beneficial to the employee. Under no circumstances may an employer change the 12-month period to avoid the requirements of the FMLA.

ENFORCEMENT

It is unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to the FMLA. [See Fact Sheet 77B: Protections for Individuals under the FMLA](#) The Wage and Hour Division is responsible for administering and enforcing the FMLA for most employees. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress. If you believe that your rights under the FMLA have been violated, you may file a complaint with the Wage and Hour Division or file a private lawsuit against your employer in court.

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4-USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE
TTY: 1-866-487-9243
[Contact Us](#)



Jefferson County Homeland Security and Emergency Management
28 Industrial Blvd., Suite 101
Kearneysville, WV 25430

Quarterly Report to the Jefferson County Commission
First Quarter of FY-2020 – July-September, 2019

Jefferson County Commissioners:

Patsy Noland, President

Jane Tabb, Vice President

Joshua Compton

Caleb Hudson

Ralph Lorenzetti

**Jefferson County Homeland Security and
Emergency Management Steering Committee:**

**John Sherwood, Chair, Chamber of Commerce
Representative**

**Ed Smith, Vice Chair, Fire and Rescue
Representative**

Donald Grubb, Health Representative

Evan Workman, Mass Care Representative

**Paula Marrone-Reese, Non-Governmental
Organization Representative**

**Mason Carter, Jefferson County Department of
Engineering Representative**

**Jeffrey A. Polczynski, ENP, Jefferson County
Emergency Communications Center
Representative**

Jane Tabb, County Commission Representative

Kelly Parsons, Private Industry Representative

**Pete Dougherty, Sheriff, Law Enforcement
Representative**

Thomas Butcher, Utilities Representative

**Vacant, Jefferson County
Development Authority Representative**

**Sanford "Sandy" Green, Region 3 Homeland
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Projects Completed:

1. Staff finalized the 2019 Emergency Operations Plan update to specific ESF's and annexes, gained adoption from the Jefferson County Commission, and is in the process of distributing copies to all agencies.
2. The annual Hazard Mitigation Plan project meeting was held and the report will be sent to the State of WV, FEMA Region III, and the Community Rating Service (CRS) Insurance Services Office for their use.
3. JCHSEM staff and Jefferson County agencies participated in the WV Homeland Security Region 3 "Smoking Mountains" Tabletop Exercise held in Charles Town on August 6.
4. The Administrative Assistant/Public Information Officer/Volunteer Coordinator continues to provide the Disaster Ready Kids program. From July through September, she presented the program to 10 classes with 222 students and 21 adults.
5. The staff and volunteers from the LEPC participated in the Jefferson County Fair with a booth about preparedness in conjunction with the Jefferson County LEPC who paid for the booth space and the tickets for the volunteers.
6. Our department participated in the National Preparedness Month in September starting with the Jefferson County Commission proclamation. This included several press releases, and numerous posts on our Facebook and Twitter pages.
7. Staff participated in the 9/11 Remembrance Ceremony at Independent Fire Company on September 11.
8. Staff prepared and mailed over 400 FEMA-required annual letters to all property owners that are in or near a floodplain, as a part of the Community Rating System informing them of considerations for flood-proofing their buildings, buying flood insurance, etc.
9. Director attended the Science of Disasters course, Public Information and Warning course, and the annual State Emergency Response Commission Conference.



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10. The Deputy Director/Planner/Program Manager completed the Fundamentals of Emergency Management course, Science of Disasters course, Planning course, and Critical Decision-Making for Complex Coordinated Attacks course. He has applied for and been accepted to the CERT Program Manager and Train-the-Trainer courses in Emmitsburg Md. in November 2019. He has applied to attend the Public Information and Warning course in Emmitsburg Md. in December 2019. After completing the Public Information and Warning course he will be eligible to graduate from the Basic Emergency Managers Course.

He also continues to compile and distribute our "Morning Weather Briefing". This briefing includes power outages, road closures, weather forecast and hydrographs for the Shenandoah and Potomac Rivers as well as the Opequon Creek. By providing these reports, situational awareness has improved for local response agencies and other departments and agencies with interest in operational readiness for Jefferson County. With the number of flooding events which occurred starting in 2018, this information has improved our role of assisting the first responder community by giving them the most up-to-date information needed to anticipate the actions needed to ready their agencies for pending emergency situations relative to weather. New graphics and additional information continue to be added since its inception.

Additionally, he continues to join the morning tele-conference that the ESA holds every week day. Since he has been attending these meetings all who listen in on the conference (ESA staff, volunteer Chiefs etc.) are given information about the potential for weather, flooding, power outages and road closures. His efforts have been praised by ESA Director Keyser for our transparency, dedication and output of communication to the public and first responders.

11. The Administrative Assistant/Public Information Officer/Volunteer Coordinator has completed her 90-day probationary period and is well on her way to meeting the Emergency Management Performance Grant (EMPG) requirement for training courses. She has completed the Individual Study (IS) courses for her certification in the EM Professional Development Series, as well as Individual Study courses for the National Incident Management System (NIMS). We are awaiting a local offering of the classroom courses (NIMS 300 and 400) and she will have completed that requirement also.

She completed the Fundamentals of Emergency Management Public Information and Warning Course. Since no Basic PIO courses are scheduled in WV over this quarter, we have asked the WV Division of Homeland Security and Emergency Management Training Coordinator to be considered for hosting the Basic PIO course in Jefferson County. This course is one of the prerequisite courses for the Advanced PIO course. Once she has completed these two courses and she will have achieved the required initial training for the PIO position.

She also continues to work on compiling information for our monthly newsletter based on theme information from Ready.gov as well as press releases. In addition, during National Preparedness Month she posted to social media twice daily. Additionally, she worked in collaboration with the LEPC chair and co-chair to update our LEPC brochure.



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12. The Quarterly Partnership Luncheon was held at Charles Town Races and Slots on July 26th. The speaker was Roy McCallister the Threat Preparedness Response Officer with the WV Department of Agriculture. His discussion was centered on the “new” Emergency Support Function (ESF) 11 which addresses agriculture and natural resources functions during disasters or large scale emergencies.
13. HAM (Amateur) Radio testing nights were held at Jefferson EOC in August 1st and September 5th.
14. Participated in the Emergency Planning Committee (LEPC) meeting on August 21.
15. Staff conducted quarterly equipment testing to ensure operational reliability.

Ongoing Projects:

Exercises

Build-up to the WV Homeland Security Region 3 “Smoking Mountains” Functional Exercise on December 10 in Moorefield, WV. This will be followed by the After-Action Report and compilation of corrective measures and improvement planning meetings to complete the 2019 Exercise Series.

Things the County Commission Should be Aware of:

The next Quarterly Partnership Meeting will be held on October 25 at Noon at Epic Buffet at Charles Town Races and Slots. The subject matter will be how drought impacts our community, best management practices, and preparedness and response tactics. Our guest speakers will be various individuals from WV Rivers, the WV Bureau for Public Health, the Eastern Panhandle Conservation District, WVU Extension Service, and the USDA Farm Service Agency.

I anticipate meeting our commitment to request the salary increase for our Administrative Assistant/PIO/Volunteer Coordinator upon her achieving her 6-month employment date, which is October 22, 2019.

I will be attending the WV Emergency Management Council Conference in Bridgeport, WV starting on Tuesday, November 19 through Thursday, November 21.

During the week of January 27th through 31st January, 2020, I hope to be attending the Fundamentals of Emergency Management course at the Emergency Management Institute (EMI) in Emmitsburg, MD. This was one of the three open course dates available, and EMI assigns the students to the course. I had no control on the date. I know that it is near the budget preparation timeline. If the budget presentations take place during that week, I will reschedule the course to another time.

