

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**FOURTH QUARTERLY SESSION - OCTOBER - DECEMBER 2020**  
**THURSDAY, DECEMBER 3, 2020**  
**9:30 A.M.**

County Commission Meeting Room  
located at the Old Charles Town Library  
200 E. Washington Street, Charles Town, WV

*\*\*This meeting will NOT be a LIVE broadcast on our website. Instead, it will be accessible live through GoToWebinar. Invites will be posted on Facebook and email alerts.*

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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

- November 5, 2020 - Regular Meeting
- November 19, 2020 - Regular Meeting

**APPROVAL OF REQUISITIONS**

- December 3, 2020

**APPROVAL OF ACCOUNTS PAYABLE**

- November 26, 2020
- December 3, 2020

**APPROVAL OF MANUAL CHECKS**

- November 27, 2020
- December 4, 2020

**APPROVAL OF PAYROLL**

- November 25, 2020

**ANNOUNCEMENTS**

- Report if there are changes in the agenda if applicable

## **PUBLIC COMMENT**

**\*\*You may participate in public comment during the virtual meeting by raising your hand. Please submit comments via email to [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org). Your comments will be included in the minutes and agenda correspondence. Please include your name.**

## **PRESENTATIONS**

1. 9:45 a.m. Pete Dougherty, Sheriff  
- Part-time Bailiff Budget Adjustment - Discussion/Action
2. 10:00 a.m. Lynn Fields, Probate Office  
- Accept and approve the final paperwork on the estates of: Geraldine Bolyard, deceased and Gary Lee Taulton, deceased, and approve both estates to be closed - Discussion/Action
3. 10:15 a.m. Kelly Franklin, Jefferson County Day Report Center, Inc.  
- Follow-up from the Case Management Support Request Presented in October, 2020 - Discussion/Action
4. 10:30 a.m. Interview and Appointment to the Jefferson County Emergency Services Agency - one 3-year term ending June 30, 2023 - Discussion/Action
5. 10:45 a.m. Annette Gavin Bates, Jefferson County CVB  
- JCCVB presents Annual Report and request JCC to waive maintenance costs associated with Jefferson County WV Welcome Center - Discussion/Action
6. 11:00 a.m. Laura Kuhn, Maintenance Department  
- Request to begin advertising and application process to fill an upcoming vacancy of a custodial position within the Maintenance Department - Discussion/Action
7. 11:15 a.m. Dennis Jarvis, Jefferson County Development Authority  
- Approval of Resolution of Participation and Cooperation for Local Economic Development Grant Program - Discussion/Action
8. 11:30 a.m. Roger Goodwin, Director & Chief County Engineer and Michelle Mason, Impact Fee Program Specialist - Discussion/Action  
- Impact Fees 2020 Recalculation Study - Presentation of Results Discussion/Action

9. 12:15 p.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 EEOC Charge #533-2017-00706 and 533-2019-01397 - Discussion/Action
  - Discussion of Jefferson County Circuit Court Civil Action #19-P-69 - Discussion/Action
  - Discussion of WV Supreme Court #19-0412 (from Jefferson County Circuit Court Civil Action #17-C-282) - Discussion/Action
  - Discussion of WV Supreme Court #20-0012 (from Jefferson County Circuit Court Civil Action #19-AA-1) - Discussion/Action
  - Report by Counsel as previously assigned by Commission: creation of Jefferson County Fire Board, Jefferson County Emergency Ambulance Service Board, and organization of Jefferson County Emergency Services Agency; including potential structure, financial issues, and matters related thereto - Discussion/Action
  - Discussion of Jefferson County Circuit Court Civil Action #17-C-174 - Discussion/Action
  - Discussion of Jefferson County Circuit Court Civil Action #20-C-20 - Discussion/Action
  - Discussion of legal issues regarding proposed solar text amendment including bonding and related matters - Discussion/Action
  - Discussion of Department of Interior inquiry of Historic Landmarks Commission activity for docket number PCRNPS-04-20 - Discussion/Action
  - Discussion with Counsel regarding Charles Town City Council changes to Article 147 - Discussion/Action
  - Discussion of all aspects of case, issues, potential for resolution, and use of outside counsel regarding Jefferson County Circuit Court Civil Action #20-C-125 and #s20-C-132-137 - Discussion/Action
10. 1:30 p.m. **Public Hearing**
- Proposed text amendment to the Zoning Ordinance regarding Commercial Cemeteries File #ZTA20-01). The draft amendment proposes to allow Commercial Cemeteries to process as a Conditional Use in the Rural zoning district, and a Principal Permitted Use (by right) in the Residential-Light Industrial-Commercial and Industrial Commercial zoning districts. The text amendment proposes revisions to Article 2 Definitions; Article 8 Supplemental Use Regulations (creation of Section 8.21 Commercial Cemeteries); and Appendix C Principal Permitted and Conditional Uses Table.

11. 1:45 p.m. Public Hearing  
Proposed text amendment to the Zoning Ordinance regarding Drive Through Restaurants (ZTA20-02). The draft amendment proposes to change the classification for Drive-Through Restaurants in the Residential-Light Industrial-Commercial zoning district from Conditional Use (CU) to Permitted Use (P). The text amendment proposes revisions to Article 5 District Regulations; Section 5.8C.3 Residential-Light Industrial-Commercial (R-LI-C) District; and Appendix C Principal Permitted and Conditional Uses Table.
12. 2:00 p.m. Public Hearing  
Sheetz Zoning Map Amendment (rezoning): referral to Planning Commission to review zoning amendment request for the 5.4 acre property identified in Shepherdstown District (9), Map Number 8, Parcel 13, 15.2 and portions of 10.2 and 14.

#### **UNFINISHED BUSINESS**

13. Request to start the process to advertise for the position of JCDA Office Manager - Discussion/Action

#### **NEW BUSINESS**

14. Certification of the 2020 General Election Results for Federal and State elections - Discussion/Action
15. Approval of 2021 Holiday Schedule - Discussion/Action

#### **FINANCE DIRECTOR**

- Highmark One-time premium Credit Issued - Discuss options for the employee portion of the premium credit - Discussion/Action

#### **COUNTY ADMINISTRATOR REPORTS**

- Remote Work Policy - Discussion/Action
- COVID Quarantine and Return To Work Policy - Discussion/Action

#### **COUNTY COMMISSION REPORTS**

16. **ADJOURN**

#### **CORRESPONDENCE/INFORMATION**

County Commission meeting for December 31, 2020 is canceled.

**Public Comment for the December 3, 2020 meeting received from the League of Women Voters of Jefferson County.**

**Correspondence received from the West Virginia State Auditor regarding §7-7-7a Limit of Budget Expenditures.**

**Correspondence received from the Governor of West Virginia regarding Victims of Crime Act (VOCA) grant award.**

**Correspondence received from the Governor of West Virginia regarding Justice Assistance Grant (JAG) award of \$15,000.**

**Correspondence received from the Department of Health and Human Resources regarding Administrative Order EE-20-39 - Rock Spring Church.**

**Correspondence received from the Department of Health and Human Resources regarding Administrative Order EE-20-34 - Potomac Farms Water Co.**

**Correspondence received from Comcast regarding price changes.**

**Harpers Ferry/Bolivar PSD meeting minutes for October, 2020 were received.**

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



## Minutes

### Jefferson County Commission

Thursday, November 5, 2020

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A meeting of the Jefferson County Commission was held on Thursday, November 5, 2020 during the fourth quarterly session at 9:30 a.m. The meeting was held via GoToWebinar. Present were Commissioners Jane Tabb, President, Patricia Noland, Ralph Lorenzetti, Caleb Hudson, and Josh Compton. Also present were Stephanie Grove, County Administrator; and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, November 5, 2020 meeting is available on the Jefferson County Commission website.)

#### PLEDGE OF ALLEGIANCE

Commissioner Hudson led the Pledge of Allegiance.

#### APPROVAL OF MINUTES

**Motion by Ms. Noland to approve the October 15, 2020 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.**

#### APPROVAL OF REQUISITIONS

**Motion by Mr. Compton to approve the Requisitions for November 5, 2020 in the amount of \$20,178.70 to include Requisition No. 21017. Motion seconded and unanimously approved.**

#### APPROVAL OF ACCOUNTS PAYABLE

CHECK#	VENDOR NAME	AMOUNT
83956	AHA-ARTS & HUMANITIES ALLIANCE	650.11
83957	AMERICAN FAMILY LIFE INSURANCE COMPANY ICU	4,636.89
83958	COLONIAL LIFE	244.80
83959	DELTA DENTAL OF WV	6,617.34

83960		GUTTMAN OIL CO		2,150.98
83961		HIGHMARK WV		203,095.25
83962		JAMES P HAYDEN		79.63
83963		JANE JONES		415.24
83964		JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION		962.64
83965		JEFFERSON CO EMERGENCY SERVICES AGENCY		15,557.24
83966		JEFFERSON CO CONVENTION AND VISITORS BUREAU		16,252.64
83967		JEFF CO PARKS & RECREATION COMMISSION		14,639.89
83968		MILLENIUM INSURANCE GROUP		900.00
83969		NATIONAL VISION ADMIN.		1,771.68
83970		PATRICIA A NOLAND		169.09
83971		SHERIFF OF JEFFERSON COUNTY		2,478.15
83972		STEPHEN S ALLEN		3,250.00
83973		THE HARTFORD		3,621.86
83974		TOTAL ID SOLUTIONS INC.		4,935.00
83975		WVCORP WV COUNTIES SELF INSURANCE RISK POOL		5,000.00
83976	AM/053	AXION STAFFING		291.86
83977	AM/053	GLOBAL SCIENCE & TECH		1,800.00
83978	AM/053	TYLER TECH		1,500.00
83979	SG/010	JEFFERSON DAY REPORT		38,750.00
83980	CV/206	JEFFERSON HIGH SCHOOL		3,744.80
<b>TOTAL</b>				<b>333,515.09</b>

**Motion by Ms. Noland to approve the Accounts Payable for November 5, 2020 in the amount of \$333,515.09. Motion seconded and unanimously approved.**

**MANUAL CHECKS**

<b>MANUAL CHECKS</b>				
Check#	Fund	VENDOR		Amount
517	CS/2	EASTRIDGE HEALTH SYSTEM		\$ 1,600.00
839	AV/56	J.D. POWER & ASSOC		\$ 2,000.00
840	AV/56	PRINT-O-STAT		\$ 190.00
<b>TOTAL</b>				<b>3,790.00</b>

**Motion by Ms. Tabb to approve the Manual Checks for November 6, 2020 in the amount of \$3,790.00. Motion seconded and unanimously approved.**

## APPROVAL OF PAYROLL

**Motion by Mr. Compton to approve the Payroll for October 29, 2020 in the amount of \$293,030.18. Motion seconded and unanimously approved.**

## PUBLIC COMMENT

No public comment was presented at this meeting.

Please refer to the archived meetings on the jeffersoncountywv.org website to listen to public comment.

## PRESENTATIONS

1. Angela Banks, Assessor – requested leave donation approval for an employee in the Assessor’s Office.
  - **Motion by Ms. Noland to approve the sick leave donation from the Assessor’s sick leave bank to employee within the Assessor’s Office and direct the County Administrator to adjust the leave balances accordingly and work on a county-wide employee leave donation policy. Motion seconded and unanimously approved.**
  
2. Pete Dougherty, Sheriff
  - a. New Hires
    - **Motion by Mr. Compton to approve the hire of Charles VanGilder and Ryan Jenkins as probationary deputies, effective November 15, 2020. Motion seconded and unanimously approved.**
  
  - b. Vehicle Donation
    - **Motion by Ms. Noland to approve the vehicle donation to Paw Paw Police Department. Motion seconded and unanimously approved.**
  
  - c. Reserve Deputy
    - **Motion by Ms. Tabb to approve the addition of Anthony Vitale as a reserve deputy. Motion seconded and unanimously approved.**

3. Michelle Gordon, Finance Director – Discussion of Employee Performance Appraisal for a specific employee – this item was discussed in Executive Session after the Commission received updates from counsel.
4. Lynn Fields, Probate – requested the approval of the Fiduciary Commissioner’s report on the Estate of Geraldine Bolyard and approve and close the Estate of Mary Isabelle Burch Ebersole, deceased.
  - **Motion by Ms. Tabb to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
  - **Motion by Ms. Tabb to approve the Fiduciary Commissioner’s report for the Estate of Geraldine Bolyard, deceased, as presented. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to approve and close the Estate of Mary Isabelle Burch Ebersole as presented. Motion seconded and unanimously approved.**
  - **Motion by Mr. Lorenzetti to adjourn as a Fiduciary Review Board and reconvene as a County Commission. Motion seconded and unanimously approved.**
5. 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 EEOC Charge #533-2017-00706 & #533-2019-01397. Discussion/Action.
  - Discussion of Jefferson County Circuit Court Civil Action #19-P-69. Discussion/Action.
  - Discussion of WV Supreme Court #19-0412 (from Jefferson County Circuit Court Civil Action #17-C-282). Discussion/Action.
  - Discussion of WV Supreme Court #20-0012 (from Jefferson County Circuit Court Civil Action #19-AA-1). Discussion/Action.
  - Report by counsel as previously assigned by Commission: creation of Jefferson County Fire Board, Jefferson County Emergency Ambulance Service Board, and organization of Jefferson County Emergency Services Agency; including potential structure, financial issues and matters related thereto.
  - Discussion of Jefferson County Circuit Court Civil Action #17-C-174. Discussion/Action.
  - Discussion of Jefferson County Circuit Court Civil Action #20-C-20. Discussion/Action.
  - Discussion of Legal Issues regarding proposed solar text amendment including bonding and related matters.

- Discussion of Department of Interior inquiry of Historic Landmarks Commission activity for docket number PCRNPS-04-20
- Report by counsel on opioid case (Jefferson County Commission v. Perdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170)
  - **Motion by Ms. Tabb to enter into Executive Session to receive legal advice regarding issues concerning the Jefferson County Emergency Services Agency Board, Jefferson County Circuit Court Civil Action #20-C-20, employee performance and personnel matters, a report by counsel on the opioid case and a discussion of the Department of Interior inquiry of Historic Landmarks Commission activity for docket number PCRNPS-04-20. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**

### UNFINISHED BUSINESS

6. Jennifer Myers and David Hill, Jefferson County Parks and Recreation Commission – continued discussion on the update to the County Commission on the financial statue of JCPRC due to COVID-19.
  - **Motion by Mr. Compton to approve the JCPRC request for \$160,000.00 to assist with financial hardship during COVID-19 and also an additional \$25,000.00 from the CARES act monies for the construction of an additional pavilion at Sam Michael’s Park. Motion seconded and unanimously approved.**

### NEW BUSINESS

7. Discussion of County Commission meetings in December, 2020 due to holiday on Thursday, December 31, 2020 – the Commission provided unanimous consent to cancel the December 31, 2020 Jefferson County Commission meeting due to the New Year’s Eve holiday. The regular meeting schedule will resume on Thursday, January
8. Discuss format of County Meetings – Virtual or In-Person – it was the consensus of the Commission to continue to meet virtually until the new year, at which time they’d reassess the meeting format again.

## COUNTY ADMINISTRATOR REPORTS

- Revision of Policies 204 and 217 – Ms. Grove stated she would present the revisions at a future meeting.
  - Joint Meeting between JCFRA, JCESA, and the Commission – Ms. Grove stated the meeting between the Jefferson County Fire and Rescue Association, the Jefferson County Emergency Services Agency, and the Jefferson County Commission originally scheduled for November 12, 2020 had been canceled and would possibly be rescheduled in the new year.
9. The Commission adjourned at 12:32 p.m. on a motion by Mr. Compton. Motion was seconded and unanimously approved.

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Jane M. Tabb, PRESIDENT

Respectfully submitted  
Jessica Carroll  
Executive Administrative Assistant

## Minutes

### Jefferson County Commission

Thursday, November 19, 2020

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A meeting of the Jefferson County Commission was held on Thursday, November 19, 2020 during the fourth quarterly session at 6:00 p.m. The meeting was held via GoToWebinar. Present were Commissioners Jane Tabb, President, Ralph Lorenzetti, Caleb Hudson, and Josh Compton. Commissioner Noland was absent with prior notice. Also present were Stephanie Grove, County Administrator; Sandy McDonald, Deputy County Administrator, and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, November 19, 2020 meeting is available on the Jefferson County Commission website.)

#### PLEDGE OF ALLEGIANCE

Commissioner Tabb led the Pledge of Allegiance.

#### APPROVAL OF MINUTES

**Motion by Mr. Compton to approve the October 1, 2020 Regular Meeting Minutes as amended. Motion seconded and unanimously approved.**

#### APPROVAL OF ACCOUNTS PAYABLE

CHECK#	VENDOR NAME	AMOUNT
83983	AMERIFLEX	\$ 128.00
83984	ASBURY UNITED METHODIST CHURCH	\$ 200.00
83985	B&M PAINTING INC.	\$ 8,684.58
83986	BETHEL METHODIST CHURCH	\$ 100.00
83987	BLUE RIDGE MOUNTAIN FIRE HALL	\$ 100.00
83988	BOLAND TRANE SERVICES INC	\$ 1,771.00
83989	BUREAU OF CHILD SUPPORT	\$ 248.31
83990	CACH LLC	\$ 276.76

83991		CHARLES TOWN BAPTIST CHURCH	\$	100.00
83992		CITIZEN FIRE CO	\$	150.00
83993		COVENANT BAPTIST CHURCH	\$	100.00
83994		CROSSPOINT CHURCH	\$	200.00
83995		DARYLL WIMER	\$	3.31
83996		EFTPS IRS TAXES	\$	97,698.05
83997		EMPOWER RETIREMENT	\$	5,259.99
83998		ESS ELECTION SYSTEMS & SOFTWARE	\$	4,208.70
83999		FELLOWSHIP BIBLE CHURCH	\$	200.00
84000		FIFTH THIRD BANK	\$	101,760.65
84001		FIRST BAPTIST CHURCH	\$	100.00
84002		FRANKLIN & PROKOPIK P.C.	\$	1,845.00
84003		GUTTMAN OIL CO	\$	1,995.75
84004		INVESTIGATIVE SPECIALTY SERVICES LLC	\$	825.00
84005		JEFFERSON COUNTY COUNCIL ON AGING	\$	100.00
84006		JEANNA HOLLER	\$	12.42
84007		JEFF CO PARKS & RECREATION COMMISSION	\$	160,000.00
84008		JEFFERSON SECURITY BANK	\$	4,674.00
84009		JUDICIAL DIALOG SYSTEMS	\$	8,103.38
84010		LANGUAGE LINE SERVICES	\$	228.50
84011		LEETOWN METHODIST CHURCH	\$	100.00
84012		MARGARET GAINNEY	\$	432.07
84013		MILLENIUM INSURANCE GROUP	\$	250.00
84014		NATIONWIDE RETIREMENT SOLUTIONS	\$	849.00
84015		OAKLAND METHODIST CHURCH	\$	100.00
84016		OLD CHARLES TOWN LIBRARY	\$	1,500.00
84017		RETIREE HEALTH BENEFIT TRUST	\$	8,392.00
84018		RICE TIRES CO	\$	1,045.92
84019		ROGER GOODWIN	\$	197.41
84020		RONALD DANTZIC	\$	9.95
84021		SHI INTERNAIONAL CORP	\$	244.04
84022		SUMMIT PT BAPTIST CHURCH	\$	100.00
84023		TEK ADVISORS LLC	\$	8,400.00
84024		THE HARTFORD	\$	2,368.55
84025		TRINITY EPISCOPAL CHURCH	\$	100.00
84026		W B MASON CO. INC	\$	75.63
84027		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$	15,565.70
84028		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$	46,242.46
84029		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$	166.49
84030		WV REGIONAL JAIL & CORRECTION FACILITY AUTH	\$	74,932.25
84031		WVCORP WV COUNTIES SELF INSURANCE RISK POOL	\$	712.50
84032		XEROX CORPORATION	\$	2,334.50

84033	AM/053	AXION STAFFING	\$ 1,027.10
84034	CV/206	JEFFERSON COUNTY COUNCIL ON AGING	\$ 2,379.92
<b>TOTAL</b>			<b>\$ 566,598.89</b>

**Motion by Mr. Compton to approve the Accounts Payable for November 12, 2020 in the amount of \$566,598.89. Motion seconded and unanimously approved.**

CHECK#		VENDOR NAME	AMOUNT
84035		CAPITAL ELECTRIC	378.49
84036		CRYSTAL SPRING	76.59
84037		DODSON SEPTIC SERVICE LLC	285.00
84038		FEDEX	83.77
84039		GUTTMAN OIL CO	2,253.33
84040		NICHOLAS DERRICK	100.00
84041		SHENTEL	1,832.48
84042		SOFTWARE SYSTEMS INC	1,176.00
84043		WV STATE TAX DEPARTMENT	10,520.98
84044		XEROX CORPORATION	1,082.43
84045	053/AM	AXION STAFFING GROUP	408.98
<b>TOTAL</b>			<b>18,198.05</b>

**Motion by Mr. Compton to approve the Accounts Payable for November 19, 2020 in the amount of \$18,198.05. Motion seconded and unanimously approved.**

**APPROVAL OF MANUAL CHECKS**

<b>MANUAL CHECKS</b>			
Check#	Fund	VENDOR	Amount
712	HD/8	ATTENTI	\$ 2,908.80
713	HD/8	FIFTH THIRD BANK	\$ 57.60
714	HD/8	SELEX	\$ 10,625.00
841	AV/56	FIFTH THIRD BANK	\$ 816.35
842	AV/56	JUSTTECH	\$ 165.54
843	AV/56	SEGRA	\$ 616.00
<b>TOTAL</b>			<b>\$ 15,189.29</b>

**Motion by Mr. Compton to approve the Manual Checks for November 13, 2020 in the amount of \$15,189.29. Motion seconded and unanimously approved.**

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
331	FP/57	JEFFERSON CO FARMLAND PROT.		\$ 107,726.17
135	PAR-IP/249	TISCHLERBISE INC		660.00
111	LAW-IP/249	TISCHLERBISE INC		540.00
120	SCH-IP/249	TISCHLERBISE INC		1,010.00
142	EMS-IP/249	TISCHLERBISE INC		485.00
1257	IP/249	SHERIFF JEFFERSON CO -SCHOOL		\$ 658,396.52
1258	IP/249	SHERIFF JEFFERSON CO - LAW		\$ 1,586.52
1259	IP/249	SHERIFF JEFFERSON CO - PARKS		\$ 54,482.66
1260	IP/249	SHERIFF JEFFERSON CO - EMS		\$ 6,182.52
<b>TOTAL</b>				<b>831,069.39</b>

**Motion by Mr. Compton to approve the Manual Checks for November 20, 2020 in the amount of \$831,069.39. Motion seconded and unanimously approved.**

**PAYROLL APPROVAL**

**Motion by Mr. Compton to approve the Payroll for November 12, 2020 in the amount of \$279,073.37. Motion seconded and unanimously approved.**

**PUBLIC COMMENT**

No public comment was received during this meeting.

Please refer to the archived meetings on the jeffersoncountywv.org website to listen to public comment.

**PRESENTATIONS**

1. Peter Dougherty, Sheriff – requested a discussion regarding Deputy Annual Leave Accrual Maximums

- **Motion by Mr. Compton to approve the increase of deputy maximum leave accruals to 300 hours. Motion seconded and**
  
- 2. Daniel P. Lutz, Citizen – requested a discussion regarding the Commission’s interest in the 2022 Centennial of the Miners’ Trials
  
- 3. Dennis Jarvis, Director, Jefferson County Development Authority – requested approval of the process of advertising the position of Administrative Assistant within the Development Authority Office due to retirement.
  - It was the consensus of the Commission to continue the discussion of this matter during the December 3, 2020 regularly scheduled County Commission meeting.
  
- 4. 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 EEOC Charge #533-2017-00706 & #533-2019-01397. Discussion/Action.
  - Discussion of Jefferson County Circuit Court Civil Action #19-P-69. Discussion/Action.
  - Discussion of WV Supreme Court #19-0412 (from Jefferson County Circuit Court Civil Action #17-C-282). Discussion/Action.
  - Discussion of WV Supreme Court #20-0012 (from Jefferson County Circuit Court Civil Action #19-AA-1). Discussion/Action.
  - Report by counsel as previously assigned by Commission: creation of Jefferson County Fire Board, Jefferson County Emergency Ambulance Service Board, and organization of Jefferson County Emergency Services Agency; including potential structure, financial issues and matters related thereto.
  - Discussion of Jefferson County Circuit Court Civil Action #17-C-174. Discussion/Action.
  - Discussion of Jefferson County Circuit Court Civil Action #20-C-20. Discussion/Action.
  - Discussion of legal issues regarding proposed solar text amendment including bonding and related matters – Discussion/Action
  - Discussion of legal issues regarding proposed solar text amendment including bonding and related matters – Discussion/Action
  - Discussion of Department of Interior inquiry of Historic Landmarks Commission activity for docket no. PCRNPS-04-20 – Discussion/Action
  - Discussion with Counsel regarding Charles Town Council changed to Article 147 – Discussion/Action
  - Discussion of Jefferson County Circuit Court Civil Action #20-C-125 – Discussion/Action

- **Motion by Mr. Compton to enter into Executive Session to receive legal counsel regarding Jefferson County Circuit Court Civil Action 20-C-1 and amendments made to Article 147 by the City of Charles Town. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to adjourn from Executive Session and resume regular session and allow staff to proceed as directed during Executive Session. Motion seconded and unanimously approved.**

## **NEW BUSINESS**

5. Acknowledgement of the “Assessor’s Additional Duties” as delineated in WV Code 7-7-6b
  - **Motion by Ms. Tabb to acknowledge Assessor’s Additional Duties and approve the compensation as delineated in WV Code 7-7-6b. Motion seconded and unanimously approved.**
6. Certification of the 2020 General Election Results – Local Races
  - **Motion by Ms. Tabb to certify the 2020 General Election Results for the school bond and levy, US House of Representatives, State Senators, Delegates, Surveyor, Assessor, Sheriff, and County Commissioners. Motion seconded and unanimously approved.**

## **COUNTY ADMINISTRATOR REPORTS**

- Discuss Governor’s Order 77-20 – Ms. Grove stated the Governor issued an order requiring masks indoors when social distancing isn’t an option.
- Discuss expansion of telework in response to increase of COVID cases – it was the consensus of the Commission to permit department heads and elected officials to allow employees to telework when possible and to determine whether their offices would be open to the public by appointment only in light of the increase in COVID-19 cases in the Eastern Panhandle and beyond.
- Discuss Task Force letter to Governor regarding COVID funding for small businesses – it was the consensus of the Commission to allow Ms. Grove to work with the municipalities to draft a letter to the Governor regarding COVID funding for small, local businesses.

7. The Commission adjourned at 8:22 p.m. on a motion by Mr. Compton. Motion was seconded and unanimously approved.

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Jane M. Tabb, PRESIDENT

Respectfully submitted  
Jessica Carroll  
Executive Administrative Assistant



**REQUISITIONS TO BE APPROVED**

**December 3, 2020**

DEPARTMENT	P.O. NUMBER	AMOUNT	VENDOR	DESCRIPTION
IT/DATA PROCESSING	21019	\$ 5,870.00	ProSupport	License/Annual Fees
CO CLERK/ELECTIONS	21020	\$ 20,360.00	Compiled Technologies	Contracted Services
	21021	\$ 12,689.23	ExpressVote	Materials/Supplies for 2020 General
	21022	\$ 5,865.43	Casto & Harris	Envelopes for 2020 General
<b>GRAND TOTAL</b>		<b>\$ 44,784.66</b>		



# Requisitions



- Back
- Add
- Excel
- Mass Allocate
- Duplicate
- Custom Interface
- Notes
- Actions/Approvers
- Release
- Activate
- My Approvals
- Attach

Requisition: 2021/21019  
Released, Vivian Fields, 11/16/2020

Total Cost: \$5,870.00

▼ Requisition

Vendor Quotes (0) General Notes (0)

Fiscal Year*	Requisition Number*	Created Date*	Type
2021	21019	11/16/2020	(N) NORMAL
Department*			Purchase order
(42B) IT DATA PROCESSING ... View			Review
Commodity			Needed by
... View			PO Expiration
Description			
HARDWARE SUPPORT			
Buyer			
...			

- Project Accounts Applied
  - Notify Originator When Converted or Rejected
  - Notify Originator of Overages
  - Receive by Amount
  - Three Way Match Required
  - Inspection Required
- by

▼ Items (1)

Add Item

Line	Description	Qty	UOM	Unit Price	Line Total	GL Account
1	PROSUPPORT - HARDWARE SUPPORT	1.00	EACH	\$5,870.00000	\$5,870.00	E (001428-435600) LICENSE AND ANNUAL FEES

# storage networks

270 Littleton Road Building 25  
Westford, MA 01886

Phone: 855-NET-STOR x901  
Fax: 978-878-9492  
Tax ID: 452729348 DUNS: 969742084  
E-mail: andrew.malns@storagenetworks.com

## Quotation

Connecting People to Data

**To: Russell Burgess**  
**Jefferson County Commission**  
**124 E. Washington Street**  
**Charles Town, WV 25414**

**Date:** 2-Nov-2020  
**Quotation #:** JEFF-201102-1  
**Expiration:** 20-Dec-2020  
**Terms:** NET30

[rburgess@jeffersoncountywv.org](mailto:rburgess@jeffersoncountywv.org)

Qty	Description	Unit Price	Line Total
1	PROSUPPORT W/NBD-HARDWARE SUPPORT UNITY SYSPACK 4X1.8TB 10K SAS 25X2.5 01-JAN-21 thru 31-DEC-21		\$ 465.00
1	PROSUPPORT W/NBD-HARDWARE SUPPORT UNITY 300 2U DPE 25X2.5 DRIVE FLD RCK		\$ 870.00
34	PROSUPPORT W/NBD-HARDWARE SUPPORT UNITY 1.8TB 10K SAS 25X2.5 DRIVE		\$ 3,965.00
1	PROSUPPORT W/NBD-HARDWARE SUPPORT UNITY 2U 25X2.5 DRIVE DAE FLD RCK		\$ 215.00
3	PROSUPPORT W/NBD-HARDWARE SUPPORT UNITY 200GB FAST CACHE 25X2.5 DRIVE		\$ 355.00
1	PROSUPPORT W/NBD-HARDWARE SUPPORT UNITY 4X10GB SFP ISCSI/ETH CONNECTION		\$ -
1	PROSUPPORT W/NBD-SOFTWARE SUPPORT RP4VM.ESSENTIAL SW FOR UNITY=IB		\$ -
1	PROSUPPORT W/NBD-SOFTWARE SUPPORT RP BASIC LOC FOR UNITY =IC		\$ -
1	PROSUPPORT W/NBD-SOFTWARE SUPPORT RP BASIC REM FOR UNITY =IC		\$ -
1	PROSUPPORT W/NBD-SOFTWARE SUPPORT UNITY 300 BASE SOFTWARE + D RE=IC		\$ -
1	PROSUPPORT W/NBD-SOFTWARE SUPPORT RP BASIC FOR UNITY 300/300F/350F =IC		\$ -
1	PROSUPPORT W/NBD-SOFTWARE SUPPORT APPSYNC BSC FOR UNITY 300/380=IC		\$ -

Subtotal	\$ 5,870.00
Sales Tax	\$ -
Shipping	\$ -

Thank you for considering EMC & Storage Networks !

**TOTAL: \$ 5,870.00**

# Requisitions



- Back
- Add
- Excel
- Mass Allocate
- Duplicate
- Custom Interface
- Notes
- Actions/Approvers
- Release
- Activate
- My Approvals
- (1) Attach

**Requisition: 2021/21020**  
Released, Nikki Painter, 11/18/2020

**Total Cost: \$20,360.00**

▼ Requisition

Vendor Quotes (0) General Notes (0)

Fiscal Year\* 2021  
 Requisition Number\* 21020  
 Created Date\* 11/18/2020

Department\* (402) COUNTY CLERK ... View

Commodity ... View

Description YEARLY MAINTENANCE & SUPPORT AGREEMENT

Buyer (vfields) Vivian Fields ...

Type (N) NORMAL

Purchase order

Review

Needed by 11/30/2020

PO Expiration

- Project Accounts Applied
  - Notify Originator When Converted or Rejected
  - Notify Originator of Overages
  - Receive by Amount
  - Three Way Match Required
  - Inspection Required
- by  ...

▼ Items (1)

Add Item

Line	Description	Qty	UOM	Unit Price	Line Total	GL Account
1	YEARLY SOFTWARE SUPPORT AND MAINTENANCE AGREEMENT	1.00	EACH	\$20,360.00000	\$20,360.00	E (001402-423000) CONTRACTED SERVICES

Compiled Technologies  
PO Box 121  
Davisville, WV 26142 US  
(304) 916-3088  
chris@compiled-technologies.com  
<http://www.compiled-technologies.com>



## INVOICE

### BILL TO

Jacqueline C Shadle  
Jefferson County Clerk's  
Office  
100 E Washington Street  
Charles Town, West Virginia  
25414 USA

INVOICE # 1452

DATE 10/01/2020

DUE DATE 10/31/2020

TERMS Net 30

---

DESCRIPTION	QTY	RATE	AMOUNT
Support-SFT Consulting Services & Software Support Services (24/7 365 days a year)	1	18,480.00	18,480.00
MicroFocus Runtime(100 user) Maintenance Micro Focus (1-100) Maintenance	1	1,310.00	1,310.00
Micro Focus Relativity(50 user) Maintenance Micro Focus Relativity(50 user) Maintenance	1	570.00	570.00

---

BALANCE DUE

**\$20,360.00**

# Requisitions

- Back
- Add
- Excel
- Duplicate
- Max
- Allocate
- Custom Interface
- Notes
- Approvers
- Release
- Activate
- My Approvals
- Attach

Requisition: 2021/21021  
Released, Nikki Painter, 11/18/2020

Total Cost: \$12,689.23

## Vendor Quotes (0) General Notes (0)

Fiscal Year*	2021	Requisition Number*	21021	Created Date*	11/18/2020
Department*	(413) COUNTY CLERK ELECTIONS ... View				
Commodity	Purchase order				
Description	GENERAL ELECTION BALLOTS				
Buyer	...				

Project Accounts Applied  
 Notify Originator When Converted or Rejected  
 Notify Originator of Overages  
 Receive by Amount  
 Three Way Match Required  
 Inspection Required

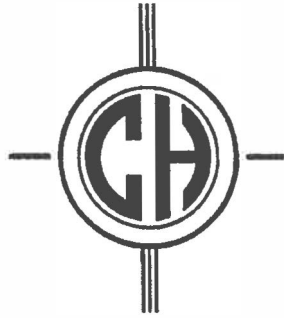
by

## Items (1)

Line	Description	Qty	UOM	Unit Price	Line Total	GL Account
1	GENERAL ELECTION BALLOTS - ABSENTEE AND EXPRESSVOT	1.00	EACH	\$12,689.23000	\$12,689.23	E (001413-434100) MATERIALS AND SUPPLIES

**Casto & Harris of WV, LLC**

109 Market Street  
 Spencer, WV 25276  
 800-678-8683  
 chi@casto-harris.com

**Invoice**

Date	Invoice #
11/13/2020	112072

JEFFERSON CO CLERK  
 100 E WASHINGTON STREET  
 PO BOX 208  
 CHARLES TOWN, WV 25414

JEFFERSON CO CLERK  
 100 E WASHINGTON STREET  
 PO BOX 208  
 CHARLES TOWN, WV 25414

Order Number	Terms	Ship	Via	PO Number
22518-20	Net 30	11/13/2020		

Quantity	Item Code	Description	Price Each	Amount
1	ESBP	GENERAL ELECTION NOVEMBER 3, 2020 Ballots 24840 ABSENTEES 320 SAMPLES TESTING BALLOTS	10,062.00	10,062.00
1	ESBPEX	11000 Express Vote Ballots	2,420.00	2,420.00
1	FRT	Shipping and Handling	207.23	207.23

**We accept Visa, Mastercard and Discover.**

**Total**

**\$12,689.23**

# Requisitions



- Back
- Add
- Excel
- Mass Allocate
- Duplicate
- Custom Interface
- Notes
- Actions/Approvers
- Release
- Activate
- My Approvals
- Attach <sup>(1)</sup>

**Requisition: 2021/21022**  
Released, Nikki Painter, 11/18/2020

**Total Cost: \$5,865.43**

▼ Requisition

Vendor Quotes (0) General Notes (0)

Fiscal Year*	Requisition Number*	Created Date*	Type
2021	21022	11/18/2020	(N) NORMAL
Department*			Purchase order
(413) COUNTY CLERK ELECTIONS ... View			Review
Commodity			Needed by
... View			by
Description			PO Expiration
ABSENTEE/PROVISIONAL/BALLOT STUB/SPOILED E			
Buyer			
...			

- Project Accounts Applied
- Notify Originator When Converted or Rejected
- Notify Originator of Overages
- Receive by Amount
- Three Way Match Required
- Inspection Required

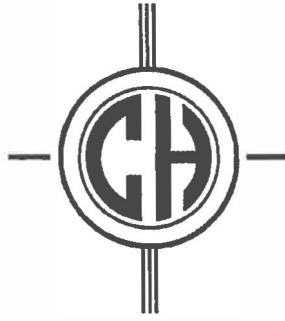
▼ Items (1)

Add Item

Line	Description	Qty	UOM	Unit Price	Line Total	GL Account
1	ABSENTEE/PROVISIONAL/BALLOT STUB/SPOILED ENVELOPES	1.00	EACH	\$5,865.43000	\$5,865.43	E (001413-434100) MATERIALS AND SUPPLIES

# Casto & Harris of WV, LLC

109 Market Street  
Spencer, WV 25276  
800-678-8683  
chi@casto-harris.com



# Invoice

Date	Invoice #
11/4/2020	112005

JEFFERSON CO CLERK  
100 E WASHINGTON STREET  
PO BOX 208  
CHARLES TOWN, WV 25414

JEFFERSON CO CLERK  
100 E WASHINGTON STREET  
PO BOX 208  
CHARLES TOWN, WV 25414

Order Number	Terms	Ship	Via	PO Number
ELE2020G	Net 30	11/4/2020		

Quantity	Item Code	Description	Price Each	Amount
7,000	ESMS	1976 REG ENVELOPES Election Supplies	0.35	2,450.00
7,000	ESMS	1977 REG ENVELOPES Election Supplies	0.20	1,400.00
7,000	ESMS	1978 REG ENVELOPES Election Supplies	0.25	1,750.00
40	ESMS	PROVISIONAL BALLOT ENVELOPES Election Supplies	0.85	34.00
40	ESMS	BALLOT STUB ENVELOPES Election Supplies	0.85	34.00
40	ESMS	SPOILED BALLOT ENVELOPES Election Supplies	0.85	34.00
1	FRT	Shipping and Handling	163.43	163.43
<b>We accept Visa, Mastercard and Discover.</b>			<b>Total</b>	<b>\$5,865.43</b>

DESCRIPTION	FUND 001 CO.		TOTAL
Gross Wages	\$425,278.44		\$425,278.44
6.2% Tax Payable OASDI	\$25,169.37		\$25,169.37
1.45% Tax Payable HI	\$5,886.35		\$5,886.35
Fed Withholding	\$40,164.64		\$40,164.64
WV State Withholding	\$18,006.44		\$18,006.44
PERS Retirement Deduct 4.5%	\$10,888.38		\$10,888.38
PERS Retirement Deduct 6%	\$4,841.29		\$4,841.29
Hosp. Pre-Taxed	\$16,696.00		\$16,696.00
Cancer/ICU Pre-Taxed	\$605.87		\$605.87
Cancer/ICU Not Pre-Taxed	\$939.76		\$939.76
Optional Life Not Pre Taxed	\$1,804.50		\$1,804.50
Christmas Club	\$4,674.00		\$4,674.00
Wage Attach #1	\$248.31		\$248.31
Wage Attach #2	\$276.76		\$276.76
Wage Attach #3			\$0.00
DSRS Retirement Deduct 8.5%	\$6,613.80		\$6,613.80
457 - Nationwide	\$849.00		\$849.00
457I - Empower	\$4,602.27		\$4,602.27
457R - Roth	\$705.00		\$705.00
MD State Tax	\$838.34		\$838.34
D/VF	\$2,019.30		\$2,019.30
VA State Tax	\$92.14		\$92.14
Colonial(Plus)	\$81.60		\$81.60
Uniforms			\$0.00
Total Deductions	\$146,003.12	\$0.00	\$146,003.12
Net Wages Total	\$279,275.32	\$0.00	\$279,275.32
Payroll Date	November 25, 2020		



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



Name: Pete Dougherty

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

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice next meeting

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

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

Subject (*Wording to be placed on agenda*): Part-time Bailiff Budget Adjustment

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

Due to staffing demands created by COVID-19, I am requesting an increase of \$30,000 in the part-time Bailiff line item.

Is this a funding request? Y/N

If so, how much? \$

Provide exact financial impact/request: \$30,000

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

I move to approve the increase of \$30,000 to the part-time Bailiff line item.

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

If not attached, explain:

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

Contact information:

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

Phone Number: 304-728-3205

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

not applicable



AGENDA REQUEST FORM

[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

NAME: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

ESTIMATION OF TIME NEEDED FOR APPT.: 10-15 MINUTES

DATE REQUESTED: 1<sup>ST</sup> CHOICE December 3<sup>rd</sup>, 2020

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

SUBJECT: Accept and approve the final paperwork on the estates of:  
Geraldine Bolyard, deceased and Gary Lee Taulton, deceased, and approve both  
estates to be closed.

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

These two estates were not able to be closed during the regularly scheduled session.

ARE DOCUMENTS ATTACHED: To follow

IS A PROJECTOR NEEDED?: NO

[lfields@jeffersoncountywv.org](mailto:lfields@jeffersoncountywv.org) (304) 728-3210



## REPORT OF FIDUCIARY COMMISSIONER

To: The County Commission of Jefferson County, West Virginia,  
and its Clerk, the Honorable Jacqueline C. Shadle

Re: The Estate of Gary Lee Taulton, deceased

BE IT KNOWN THAT Deborah Sirbaugh, as Administratrix of the Estate of Gary Lee Taulton, deceased, did exhibit before the undersigned Fiduciary Commissioner the attached Second & Final Accounting (the "Account"), in accordance with the law, and that the Account is asked to be read as part of this motion.

That the undersigned Fiduciary Commissioner caused to be published in *The Spirit of Jefferson-Advocate*, a newspaper of general circulation within Jefferson County, West Virginia, a notice of the filing with the undersigned Fiduciary Commissioner of the Account on October 7 and on October 14, 2020, and that a copy of the Account was furnished to all interested parties by the undersigned by letter dated October 1, 2020.

Hence, the undersigned Fiduciary Commissioner respectfully submits the attached Account and moves this Honorable County Commission to approve the same.


The undersigned Fiduciary Commissioner attests that he has mailed a copy of this Report to the following interested parties:

Patrick G. Henry, III  
222 W. John Street  
Martinsburg, WV 25401

Henry W. Morrow, Jr.  
P.O. Box 459  
Charles Town, WV 25414

by United States first class mail, postage prepaid and securely affixed, on the 26<sup>th</sup> day of October, 2020.

Respectfully submitted, this 25<sup>th</sup> day  
of October, 2020, by:

  
\_\_\_\_\_  
D. Frank Hill, III  
Fiduciary Commissioner for Jefferson  
County, West Virginia

This Report of Fiduciary Commissioner and the Account of Deborah Sirbaugh, as Administratrix of the Estate of Gary Lee Taulton, deceased, attached thereto, was this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, presented to the Commission for review and consideration, and it appearing to the Commission that this Estate was referred to said Fiduciary Commissioner, that said Report after its completion remained in his office for at least ten (10) days for exceptions and no exceptions were taken thereto, and the Commission perceiving no just grounds for exceptions, the said report of settlement is EXAMINED, APPROVED, CONFIRMED and ORDERED recorded.

\_\_\_\_\_  
President of the County Commission of  
Jefferson County, West Virginia

R

## SECOND & FINAL ACCOUNTING FEBRUARY 6, 2020 - PRESENT THE ESTATE OF GARY LEE TAULTON DEBORAH SIRBAUGH, ADMINISTRATRIX

### ASSETS & RECEIPTS

Balance Brought Forward from February 6, 2020 First Interim Accounting .....	\$	21,440.81
Contribution by Deborah Sirbaugh to Settle Estate .....		<u>2,672.73</u>
Total Assets & Receipts .....	\$	24,113.54

### DISBURSEMENTS

#### CLASS ONE ADMINISTRATION EXPENSES

Administratrix Commissions per <i>West Virginia Code: § 44-4-12a</i>	\$	2,940.74
County Clerk Fees		22.00
Fiduciary Commissioner fees		646.32
Attorney's Fees		<u>6,517.00</u>
Total Administration Expenses	10,126.06 .....	\$ 10,126.06

#### CLASS TWO FUNERAL EXPENSES

Eckles, Spencer & Norton Funeral Home - Balance Due .....		2,027.12
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#### CLASS SEVEN DEBTS OF DECEDENT AND OTHER EXPENSES

DCM Services - Discover Bank		3,257.00 <sup>1</sup>
DCM Services - Dell Financial Services for WebBank		1,995.00 <sup>2</sup>
Capital One Bank - Credit Card		3,837.93
Capital One Kohls Credit Card		<u>2,870.43</u>
Total Debts of Decedent	11,960.36 .....	<u>11,960.36</u>

Total Disbursements .....	\$	24,113.54
---------------------------	----	-----------

### SUMMARY

Estate Assets & Receipts .....	\$	24,113.54
Less Estate Disbursements .....		<u>-24,113.54</u>
Distributable Estate .....	\$	-0-

<sup>1</sup> This amount represents an agreed settlement of the claim of DCM Services for the Discover Card Claim.

<sup>2</sup> This amount represents an agreed settlement of the claim of DCM Services for the Dell Financial Claim.

STATE OF WEST VIRGINIA,

COUNTY OF JEFFERSON, to-wit:

I, Deborah Sirbaugh, Administratrix of the Estate of Gary L. Taulton, do hereby certify that the foregoing accounting is a true and accurate record of the receipts, disbursements and transactions made by me in the course of administration of the aforementioned estate, and that all debts, claims, taxes and expenses of administration, known and presented to me, for the period of February 6, 2020 to the date stated below, have been paid in full.

Given under my hand this 28<sup>th</sup> day of September, 2020.

  
DEBORAH SIRBAUGH, Administratrix

Taken, subscribed and sworn to before me, the undersigned notary public, by DEBORAH SIRBAUGH, this

28<sup>th</sup> day of September, 2020.

AFFIX NOTARIAL SEAL



  
NOTARY PUBLIC  
My commission expires: January 20, 2023

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN THE MATTER OF THE ESTATE OF:

GERALDINE W. BOLYARD, DECEASED

Jefferson County  
Jacqueline C Shadle, Clerk  
Instrument: 202000015482  
11/12/2020 @ 04:20:45 PM  
WAIVER FINAL SETTLEMENT  
Book 158 @ Page 385  
Pages Recorded 1  
Recording Cost \$ 11.00

WAIVER OF FINAL SETTLEMENT

STATE OF WEST VIRGINIA,

COUNTY OF JEFFERSON, *to wit:*

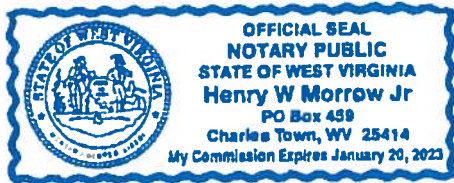
Barry R. Bolyard, being first duly sworn, deposes and says that:

- (1) I am the duly appointed and acting personal representative of the above-referenced estate.
- (2) A certificate of Non-liability and Release of Lien for Estate Tax (if required) has been filed with the Clerk of the County Commission of Jefferson County, West Virginia.
- (3) More than ninety (90) days have elapsed since the filing of any notice required by Section 1, Article 2, Chapter 44, of the West Virginia Code as amended.
- (4) The time for filing claims against the estate has expired.
- (5) No known and unpaid claims exist against the estate.
- (6) I am the sole heir, beneficiary and distributee and do hereby waive final settlement of the estate.

*B R Bolyard*  
BARRY R. BOLYARD,  
EXECUTOR

Taken, subscribed and sworn to before the undersigned authority by Barry R. Bolyard in said state and county this 10<sup>th</sup> day of November, 2020.

AFFIX NOTARIAL SEAL



*[Signature]*  
NOTARY PUBLIC

My Commission Expires: January 20, 2023



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



Name: Kelly Franklin

Department or Organization: **Jefferson Day Report Center, Inc.**

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: December 3, 2020

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

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

Subject (*Wording to be placed on agenda*): Follow-up from the Case Management Support Request Presented in October 2020

Please provide the County Commission with a description of your request or presentation, including any background information: Commission member's requested to readdress this request. The Jefferson Day Report Center remained open and operational from the start of the pandemic closures in March 2020 until present. COVID-19 impacted access to care in Jefferson County. The JDRC staff worked hard to ensure no disruption in services were experienced however; the number of referrals and case management services increased rapidly and remains elevated. (See attached charts and letter of support).

Is this a funding request? Y/N Yes

If so, how much? \$ 50,000

Provide exact financial impact/request: The JDRC would like to request an additional \$50,000 (includes benefits) to fund an additional Case Manager due to increased needs as a direct result of COVID-19.

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

N/A

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: Kelly Franklin

Email address: [kfranklin@jeffersondrc.com](mailto:kfranklin@jeffersondrc.com)

Phone Number: [\(304\) 728-3527](tel:3047283527)

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



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



Name: Jessica Carroll

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: December 3, 2020

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

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

Subject (*Wording to be placed on agenda*): Interview and Appointment to the Jefferson County Emergency Services Agency – one three-year term ending June 30, 2023 – Discusson/Action

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

Is this a funding request? Y/N NO

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



Jefferson County Commission  
Application for Boards, Committees or Commissions

Please type or print information

Name: STEPHEN M. HARRIS

Home Telephone Number: 681-252-3287

Work Address: RETIRED

Work Phone Number: N/A

Mobile Phone Number: 304-261-6600

E-mail Address: sharris4253@gmail.com

Party Affiliation: (Building Commission and Health Department applicants)

REPUBLICAN

Occupation: RETIRED LAW ENFORCEMENT OFFICER

Education: High School YES - WASHINGTON IRVING

College YES - UNIV OF MD

Trade/Business School BALTIMORE POLICE ACADEMY  
YES - PRINCE GEORGES COUNTY MD POLICE ACADEMY

Are you a United States citizen? Yes  No

Are you a West Virginia resident? Yes  No

Are you a resident of Jefferson County? Yes  No

Are you able to produce verification of residency? Yes  No

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

Address:

19 RED BIRD LANE  
HARPERS FERRY, WV  
25425

Magisterial District: HARPOUS FERRY

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

I HAVE OVER 40 YEARS OF PUBLIC SAFETY EXPERIENCE, I ALSO HAVE BEEN THE DIRECTOR OF A PUBLIC SAFETY DEPT. AND ATTENDED FEMA CLASSES ON WEATHER DISASTER AND EVACUATIONS.

Organization Memberships and Positions Held: MOOSE / AMERICAN LEGION / VFW / BLUE KNIGHTS / FRATERNAL ORDER OF POLICE

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

Date:	Offense:

Statement: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

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

Signature: Stephen M. Harris Date: 11-19-2020

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

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



Name: Annette Gavin Bates

Department or Organization: Jefferson County CVB

Estimation of amount of time needed for appointment: 20 minutes

Date Requested – 1<sup>st</sup> Choice: **December 3, 2020**

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

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

Subject (*Wording to be placed on agenda*): JCCVB presents Annual Report and request JCC to waive maintenance costs associated with Jefferson County WV Welcome Center

Please provide the County Commission with a description of your request or presentation, including any background information: Attached is the 2019 Annual Report and a breakdown from the Interim Maintenance Director, Laura Kuhn, regarding costs of in-kind labor and materials to date on the project.

Is this a funding request? Y/N **yes**  
If so, how much? \$53,860.68 to date  
Provide exact financial impact/request: attached

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): JCC moves to waive the maintenance costs associated with the Jefferson County WV Welcome Center.

Attach supporting documents for request, or request may be denied. See attached sheet of Maintenance breakdown.  
If not attached, explain:

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

Contact information: Annette Gavin Bates  
Email address: [Annette.gavin@jccvb.com](mailto:Annette.gavin@jccvb.com)

Phone Number: 304-279-3637

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

not applicable






# ANNUAL REPORT


2019



JEFFERSON COUNTY  
CONVENTION & VISITORS BUREAU

[discoveritalwv.com](http://discoveritalwv.com)

 [@jeffersoncountywv](https://www.instagram.com/jeffersoncountywv)

 [@visitjeffersoncountywv](https://www.facebook.com/visitjeffersoncountywv)



# A Word from our CEO

The Jefferson County Convention & Visitors Bureau (JCCVB) and the Board of Directors is proud to present our 2019 Annual Report. The JCCVB is thrilled to continue our mission of promoting Jefferson County as an incredible destination.



As we continue to invest in a diversified marketing strategy, over \$214,000 a year, we are constantly analyzing our spend and our opportunities.

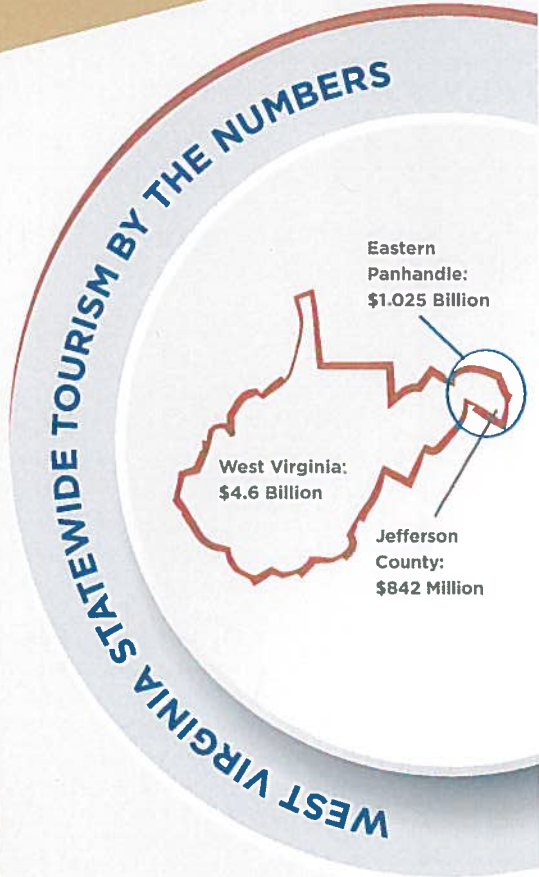
We teamed up with the Eastern Panhandle CVB's working with Narrative by New South Media to create the first ever Eastern Panhandle Visitor Guide. This guide continued our strategy of insertions in the Sunday section of the Washington Post and earned the JCCVB and our partners an Almost Heaven Award at the Governors' Conference on Tourism.

Tourism is growing in Jefferson County and the JCCVB continues to work with our partners to create more jobs, increase the tax base, and bring more dollars into our state. We are fortunate to have such diversified assets and iconic small towns offering the visitor a wealth of unique experiences.

Annette Gavin Bates  
CEO, Jefferson County CVB

Tourism is one of West Virginia's best kept secrets, and thanks to partners like the Jefferson County CVB, we're finally starting to tell our story and position West Virginia as a world-class tourism destination. The Eastern Panhandle is home to what so many travelers seek: history, small town charm and stunning views everywhere you look. The Jefferson County CVB has done a great job adapting to travel trends and finding ways to promote their area as a responsible travel destination.

— Chelsea Ruby, WV  
Tourism Commissioner



Resource: West Virginia Tourism Office and 2018 Dean Runyan Associates, "West Virginia Travel Impacts" Report



The Jefferson County CVB is accredited by the West Virginia Association of Convention and Visitors Bureaus. This designation is only given to a CVB that completes the rigorous application process and meets very specific criteria.

The program was created by the WVACVB to ensure its members operate to the highest standard of ethics and transparency. In 2016, Annette was elected Vice President of the WVACVB.

# Financial Statement

Year end Dec. 2019

## Income

WV Tourism Reimbursement & Co-Ops	\$52,992
Occupancy Tax Revenue	\$452,812
Welcome Center Construction Grant	\$158,000
Welcome Center & Other	<u>\$10,852</u>
<b>TOTAL INCOME</b>	<b>\$674,656</b>

## Operating Expenditures

Marketing & Promotion	\$213,817
Salaries, Wages & Payroll Taxes	\$182,510
Interest Expense	\$16,158
Operating Expenses	<u>\$37,618</u>
<b>Total Operating Expenditures</b>	<b>\$450,104</b>

## Jefferson County by the numbers:

<b>7,616</b>	Facebook Page likes
<b>588</b>	Twitter followers
<b>1096</b>	Instagram followers
<b>3,537</b>	Newsletter subscribers
<b>70,000</b>	Travel Guides

## Discoveritallwv.com statistics:

<b>20,504</b>	sessions
<b>35,207</b>	page views
<b>13.7%</b>	traffic from DC market
<b>50%</b>	mobile
<b>38%</b>	desktop
<b>12%</b>	tablet



## Board Members

July 2019-Spring 2020

**Christian Asam** Bavarian Inn, President  
**Carol Asam** Emeritus Member  
**Wayne Bishop** Mayor, Harpers Ferry  
**Liz Cook** Charles Town Coordinator  
**Helen Dettmer** Mayor, Bolivar  
**Tyrone Brandyburg** HF Superintendent  
**Dennis Frye** Emeritus Member  
**Holly Morgan Frye** Shepherd University  
**Lyn Goodwin** Jefferson County Development Authority  
**Ebonee Helmick** CATF  
**Matt Knott** Harpers Ferry Clarion, Secretary  
**Anna Lesko** Inn at Charles Town  
**Joy Lewis** At-Large  
**Tripp Lowe** Clarion Shepherdstown, Treasurer  
**Duane Marcus** Turf Motel  
**Ronnie Marcus** Emeritus Member  
**W. Curt McGee** B&B Owner  
**Heather Morgan McIntyre** Jeff. Co. Chamber  
**Patsy Noland** JCC, Vice President  
**Peggy Smith** Emeritus Member  
**Tyler Tummolo** River Riders Family Adv.  
**Meredith Wait** Retailer, At-Large  
**Kareem Washington** Hollywood Casino



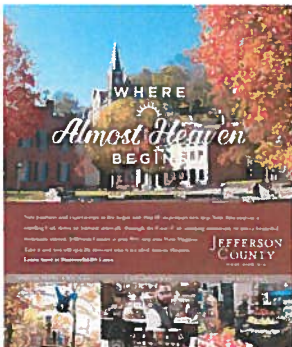
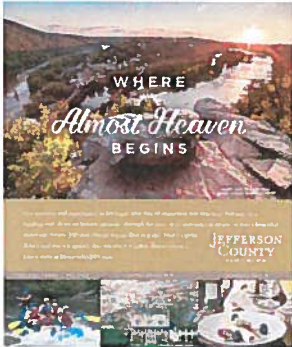
Matt Knott, owner of River Riders Family Adventure Resort was honored by the West Virginia Hospitality & Travel Association at the Hospitality University conference held at the Greenbrier. Knott was recognized for "Excellence in Tourism Entrepreneurship" at the annual awards luncheon.

Partnering with other Eastern Panhandle CVB's and the WV Tourism Office, we developed the first regional travel guide that was distributed in the Washington Post hitting our #1 market for visitors. These and other progressive initiatives have resulted in positive returns for our resort and the county.  
— *Christian Asam, President, JCCVB Board of Directors, and Bavarian Inn Resort & Brewing Company*

# Marketing Initiatives

We continued our combination of print, digital and social media campaigns focused on the DC, Northern Virginia and West Virginia markets.

The four CVB's in the Eastern Panhandle of West Virginia partnered together to produce a travel guide to the Eastern Panhandle of West Virginia. The 36 page piece is full of amazing photos, inspirational stories and interesting information about all the things to see and do in the area. The guide was honored September 2019 for "Best Layout and Design" in the Stars of the Industry Awards by the West Virginia Tourism Office. The presentation was made at the Governor's Conference on Tourism at Snowshoe Mountain Resort.



## Jefferson County, WV Welcome Center

Serving as the gateway to the Eastern Panhandle of West Virginia, the Jefferson County Convention & Visitors Bureau (JCCVB) has a vision of developing a unique visitor's experience in our new Welcome Center located in Harpers Ferry.

The new welcome center will be an important asset to the county and state welcoming visitors to almost heaven and educating them about all the amazing things available in Jefferson County and throughout West Virginia.

2020 is a year none of us will forget. It's been packed with hardships for everyone, but through it all, the CVB has forged forward to get things done. The completion of the new Welcome Center has been a challenge during the pandemic; however, it will be so exciting to welcome visitors from around the world to a beautiful, new building that we can all be proud of. When travel picks up again, Jefferson County will be ready.

—Patsy Noland,  
Jefferson County Commissioner



CVB Project Expenditures		
Vendor	Description	Amount
The Home Depot	Materials & supplies	\$66.05
The Home Depot	Materials & supplies	\$30.53
The Home Depot	Materials & supplies	\$123.02
The Home Depot	Materials & supplies	\$177.38
The Home Depot	Materials & supplies	\$173.22
The Home Depot	Materials & supplies	\$170.84
The Home Depot	Materials & supplies (return)	-\$55.86
84 Lumber	Materials & supplies	\$264.74
84 Lumber	Materials & supplies	\$9.24
84 Lumber	Materials & supplies	\$103.11
84 Lumber	Materials & supplies	\$89.72
84 Lumber	Materials & supplies	\$46.69
Jefferson Rentals	saw blade	\$89.99
Thos Somerville Co	plumbing & restroom materials	\$2,825.54
RE Michel	Flex Duct	\$106.74
RE Michel	HVAC Supplies	\$146.53
84 Lumber	Materials & Supplies	\$29.14
Capital Electric	Electrical Supplies	\$245.33
Home Depot	Materials & Supplies	\$26.11
Home Depot	Materials & Supplies	\$11.13
RE Michel	HVAC Supplies	\$45.06
Home Depot	Materials & Supplies	\$103.99
Home Depot	Materials & Supplies	\$19.97
Home Depot	Materials & Supplies	\$7.97
RE Michel	HVAC Supplies	\$1,157.83
84 Lumber	Materials & Supplies	\$373.36
84 Lumber	Materials & Supplies	\$34.14
84 Lumber	Materials & Supplies	\$73.75
Home Depot	Materials & Supplies	\$63.21
Goodman	HVAC Supplies	\$3,435.23
Home Depot	Materials & Supplies	\$21.20
Home Depot	Materials & Supplies	\$34.98
Home Depot	Materials & Supplies	\$51.63
Home Depot	Materials & Supplies	\$74.98
Home Depot	Materials & Supplies	\$18.00
Home Depot	Materials & Supplies	\$32.14
Home Depot	Materials & Supplies	\$9.77
Home Depot	Materials & Supplies	\$23.94
Home Depot	Materials & Supplies	\$47.04
Home Depot	Materials & Supplies	\$5.92
Capital Electric	Electrical Supplies	\$442.30
Capital Electric	Electrical Supplies (Credit)	-\$1,279.35
Capital Electric	Electrical Supplies	\$1,668.95
RE Michel	HVAC Supplies	\$146.53
RE Michel	HVAC Supplies	\$106.74
RE Michel	HVAC Supplies	\$1,059.16

RE Michel	HVAC Supplies	\$146.28
RE Michel	HVAC Supplies	\$139.88
RE Michel	HVAC Supplies	\$85.84
RE Michel	HVAC Supplies	\$433.55
RE Michel	HVAC Supplies	\$33.27
RE Michel	HVAC Supplies	\$206.68
RE Michel	HVAC Supplies	\$81.63
RE Michel	HVAC Supplies	\$133.90
84 Lumber	Materials & Supplies	\$56.61
84 Lumber	Materials & Supplies	\$169.60
84 Lumber	Materials & Supplies	\$742.76
84 Lumber	Materials & Supplies	\$57.11
84 Lumber	Materials & Supplies	\$42.77
84 Lumber	Materials & Supplies	\$36.50
84 Lumber	Materials & Supplies	\$860.61
Thos Somerville Co	plumbing & restroom materials	\$1,105.27
Thos Somerville Co	plumbing & restroom materials	\$5.55
Thos Somerville Co	plumbing & restroom materials	\$592.86
Thos Somerville Co	plumbing & restroom materials	\$300.67
Thos Somerville Co	plumbing & restroom materials (credit)	-\$1,058.57
Thos Somerville Co	plumbing & restroom materials	\$52.54
Thos Somerville Co	plumbing & restroom materials	\$209.68
Thos Somerville Co	plumbing & restroom materials	\$71.22
84 Lumber	Materials & Supplies	\$123.01
84 Lumber	Materials and Supplies	\$34.68
84 Lumber	Materials and Supplies	\$936.98
84 Lumber	Materials and Supplies	\$15.69
RE Michel	HVAC Supplies	\$446.76
Home Depot	Materials and Supplies	\$12.95
Goodman	HVAC Supplies	\$246.99
Goodman	HVAC Supplies	\$72.80
84 Lumber	Materials & Supplies	\$124.86
84 Lumber	Materials & Supplies	\$62.35
84 Lumber	Materials & Supplies	\$56.19
Thos Somerville Co	plumbing & restroom materials	\$339.53
Thos Somerville Co	plumbing & restroom materials (credit)	-\$201.96
RE Michel	HVAC Supplies	\$428.61
RE Michel	HVAC Supplies	\$72.03
RE Michel	HVAC Supplies	\$331.52
RE Michel	HVAC Supplies	\$30.63
RE Michel	HVAC Supplies (credit)	-\$336.95
Home Depot	Materials and Supplies	\$64.40
Home Depot	Materials and Supplies	\$92.09
Home Depot	Materials and Supplies	\$42.39
Sherwin Williams	Paint Supplies	\$10.30
Sherwin Williams	Paint Supplies	\$402.07
Sherwin Williams	Paint Supplies	\$98.17
LTBP Drywall	Drywall Finisher	\$3,520.00
Home Depot	Materials and Supplies	\$71.09

Home Depot	Materials and Supplies	\$36.07
Home Depot	Materials and Supplies	\$101.96
Home Depot	Materials and Supplies	\$36.37
Home Depot	Materials and Supplies	\$45.90
G&Triple T, LLC	Install lights	\$1,147.00
Jefferson Rentals	Scaffold Rental	\$282.66
RE Michel	HVAC Supplies	\$61.72
RE Michel	HVAC Supplies (credit)	-\$118.51
RE Michel	HVAC Supplies	\$199.18
RE Michel	HVAC Supplies	\$99.12
RE Michel	HVAC Supplies	\$110.35
RE Michel	HVAC Supplies	\$52.19
RE Michel	HVAC Supplies	\$33.60
84 Lumber	Materials and Supplies	\$159.75
84 Lumber	Materials and Supplies	\$73.20
84 Lumber	Materials and Supplies	\$33.48
84 LUMBER	SUPPLIES FOR VISITORS PROJECT	617.70
84 LUMBER	ACCOUNT CREDIT	-124.86
JEFFERSON RENTAL	SCAFFOLDING RENTAL	696.84
BERKELEY GLASS INC	FURNISH AND INSTALL GLASS	606.92
SHERWIN-WILLIAMS	PAINT FOR VISITORS CENTER PROJ	10.30
JEFFERSON RENTAL	SCAFFOLDING RENTAL	433.81
SHERWIN-WILLIAMS	SUPPLIES FOR VISITORS PROJECT	48.92
THE HOME DEPOT	SUPPLIES FOR VISITORS CENTER	66.93
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	71.57
THE HOME DEPOT	SUPPLIES FOR THE VISITORS PROJ	56.75
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	21.96
G & TRIPLE T LLC	LABOR TO INSTALL LIGHTS & RECE	720.00
JEFFERSON RENTAL	SCAFFOLDING RENTAL	282.66
84 LUMBER	MATERIALS FOR VISITORS PROJECT	647.70
84 LUMBER	MATERIALS FOR VISITORS PROJECT	274.32
84 LUMBER	SUPPLIES FOR VISITORS PROJECT	57.92
SHERWIN-WILLIAMS	PAINT SUPPLIES FOR VISITORS PR	42.69
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	53.85
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	167.98
THE HOME DEPOT	COVE WALL BASE AND CAULK	11.14
THE HOME DEPOT	PINE BOARDS FOR VISITORS PROJE	27.44
JEFFERSON RENTAL	SCAFFOLDING RENTAL	545.70
84 LUMBER	SUPPLIES FOR VISITORS PROJECT	364.02
84 LUMBER	SUPPLIES FOR VISITORS PROJECT	479.22
SHENANDOAH PLANNING MILL	WOOD PLANKS FOR CEILING - VISI	485.00
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	27.56
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	46.40
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	36.98
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	21.96
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	43.03
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	9.73
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT	190.32

THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT		88.68
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT		15.18
84 LUMBER	SUPPLIES FOR VISITORS PROJECT		1,197.58
SHERWIN-WILLIAMS	DUSTWORK PAINT FOR VISITOR CEN		60.49
CAPITAL LIGHTING & SUPPLIES L	FAN DOWNRODS FOR VISITOR PROJE		217.15
84 LUMBER	WINDOWS VISITORS PROJECT		617.31
84 LUMBER	MATERIALS FOR VISITORS PROJECT		122.76
SHERWIN-WILLIAMS	PAINT FOR VISITORS PROJECT		109.19
SHERWIN-WILLIAMS	PAINT FOR VISITORS PROJECT		19.98
SHERWIN-WILLIAMS	PAINT FOR VISITORS PROJECT		69.64
SHERWIN-WILLIAMS	PAINT FOR VISITORS PROJECT		10.99
SHERWIN-WILLIAMS	PAINT FOR VISITORS PROJECT		10.30
SHERWIN-WILLIAMS	PAINT FOR VISITORS PROJECT		36.13
SHERWIN-WILLIAMS	PAINT FOR VISITORS PROJECT		10.30
SHERWIN-WILLIAMS	PAINTING SUPPLIE FOR VISITORS		19.99
CAPITAL LIGHTING & SUPPLIES L	SUPPLIES FOR VISITORS CENTER		277.67
CAPITAL LIGHTING & SUPPLIES L	SUPPLIES FOR VISITORS CENTER		41.91
THOS SOMERVILLE	Plumbing Supplies		557.23
THOS SOMERVILLE	Plumbing Supplies		4,450.00
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT		17.84
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT		6.74
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT		61.18
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT		23.98
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT		37.98
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT		46.07
84 LUMBER	SUPPLIES FOR VISITORS PROJECT		162.02
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT		63.58
THE HOME DEPOT	SUPPLIES FOR VISITORS PROJECT		5.16
G & TRIPLE T LLC	ELECTRICIAN LABOR FOR VISITOR		5,670.00
B&M Painting	Interior Prep & Painting		8,684.58
Home Depot	SUPPLIES FOR VISITORS PROJECT		27.96
Home Depot	SUPPLIES FOR VISITORS PROJECT		25.09
Home Depot	SUPPLIES FOR VISITORS PROJECT		36.69
Thos Somerville	plumbing supplies		94.06
Thos Somerville	plumbing supplies		218.61
Thos Somerville	Plumbing supplies		693.15
SHERWIN-WILLIAMS	PAINT FOR VISITORS PROJECT		40.23
Home Depot	SUPPLIES FOR VISITORS PROJECT		28.40
Home Depot	SUPPLIES FOR VISITORS PROJECT		44.10
Home Depot	SUPPLIES FOR VISITORS PROJECT		146.00
Home Depot	SUPPLIES FOR VISITORS PROJECT		126.76
Home Depot	SUPPLIES FOR VISITORS PROJECT		46.91
<b>Materials and supplies Sub-total to date:</b>			<b>\$57,697.09</b>
<b>Labor</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Labor - Mechanic/Carpenter	1441.5	\$50.00	\$72,075.00
Labor - Helper	250	\$40.00	\$10,000.00
Total			\$82,075.00
Less In-Kind Discount (50%)			\$41,037.50

Less Plumbing Labor (105 hours @ \$50 per hour less 50% In-Kind Discount	\$2,625.00
Labor Sub-total to date:	\$38,412.50

<b>MATERIALS AND LABOR EXPENDITURES INCURRED AS OF 11/17/2020</b>	<b>\$96,109.59</b>
First Draw	-40,000
Payment Received 2/18/20 (Check #1007)	-2248.91
<b>TOTAL DUE AS OF 11/17/2020</b>	<b>\$53,860.68</b>



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



Name: **Laura Kuhn**

Department or Organization: **Maintenance Department**

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

Date Requested – 1<sup>st</sup> Choice: **December 3, 2020**

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

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

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

Please provide the County Commission with a description of your request or presentation, including any background information:  
**I am requesting to begin the advertising and application process to fill an upcoming vacancy of a custodial position within the Maintenance Department.**

Is this a funding request?    Y/N No

If so, how much?                \$

Provide exact financial impact/request:

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

**Move to approve the hire of a custodial position within the Maintenance Department when the position becomes vacant and to begin the advertising and application process immediately.**

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:    **lkuhn@jeffersoncountywv.org**

Phone Number:            **304-728-3355**

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable





**The County Commission of Jefferson County  
Maintenance Department  
128 Industrial Blvd.  
Kearneysville, WV 25430  
304-728-3355 • 304-728-3376 (f)**

---

TO: Jefferson County Commission  
FROM: Laura Kuhn, Interim Maintenance Director  
DATE: November 24, 2020  
RE: Request to Fill Vacant Custodial Position

Sometime around January 1, 2021, a custodial employee will likely be transferring to the 911 Department as a dispatcher. Mr. Polczynski has kept me updated on this possibility when the employee passed the first phase of the interview process. He has recently let me know that he will likely be extending an offer of employment to the employee to start sometime shortly after the first of the year.

The Maintenance Department currently has 4 custodial employees that cover cleaning for all of the county buildings. In light of the COVID-19 pandemic, cleaning and disinfecting are of the utmost importance right now and losing just one custodian would significantly reduce our ability to provide adequate coverage to clean and disinfect the buildings properly. Even during a normal year, we would not be able to keep up adequately with the extended loss of one of these positions.

Therefore I am requesting to fill the custodial position, when it becomes vacant, at a Grade 2, 80-hour position with a starting salary of \$31,559. If approved, I would like to begin the advertising and application process immediately in order to have someone be able to start when the position becomes vacant.

Thank you for your consideration.



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



Name: **Dennis Jarvis**

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

Estimation of amount of time needed for appointment: **5 minutes**

Date Requested – 1<sup>st</sup> Choice: **December 3, 2020**

If a specific date is needed, please provide reason for specific date: **This date is needed to meet the deadline for submitting the LED grant application.**

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

Subject (*Wording to be placed on agenda*): **Approval of Resolution of Participation and Cooperation for Local Economic Development Grant Program – Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information: **The Jefferson County Development Authority (JCDA) is applying for a Local Economic Development (LED) grant of \$22,727 from the West Virginia Development Office. The JCDA is eligible for this grant annually.**

**With approval of this resolution, the Jefferson County Commission (JCC) is assuring that matching funds are available from the County. This document needs to be on official JCC letterhead, presented to the JCC for a vote, and signed by the President of the JCC and Jefferson County Clerk.**

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 Resolution of Participation and Cooperation for the JCDA's application for the Local Economic Development (LED) Grant of \$22,727 from the West Virginia Development Office.**

Attach supporting documents for request, or request may be denied. **Resolution of Participation and Cooperation attached.**  
If not attached, explain:

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

Contact information: **Dennis Jarvis**

Email address: **djarvis@jcda.net**

Phone Number: **304-728-3255**

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





# JEFFERSON COUNTY COMMISSION

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

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

Web: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

PRESIDENT

*Jane M. Tabb*

VICE PRESIDENT

*Ralph Lorenzetti*

COMMISSIONER

*Caleb Wayne Hudson*

COMMISSIONER

*Josh Compton*

COMMISSIONER

*Patricia A. Noland*

## WEST VIRGINIA CERTIFIED DEVELOPMENT COMMUNITY (CDC) PROGRAM RESOLUTION OF PARTICIPATION AND COOPERATION

Whereas, the governing body of Jefferson County is interested in the economic well-being of its citizenry and the community at-large; and,

Whereas, the governing body is prepared to support appropriate efforts within the community to promote economic development; and,

Whereas, the West Virginia Chamber of Commerce and the West Virginia Development Office sponsor a program that is specifically designed to help West Virginia communities become better prepared for economic development; and,

Whereas, The County Commission has consistently funded the Jefferson County Development Authority since 1980, and this year's budgeted amount well exceeds the required \$22,727.00 match; and,

Whereas, it is a requirement of the Local Economic Development (LED) Grant Program to provide evidence of local match;

**THEREFORE, BE IT RESOLVED** that the County Commission of Jefferson County wishes to continue its participation in the Certified Development Community Program, and that the leadership of the community fully realizes this program requires dedicated effort; and,

**BE IT FURTHER RESOLVED** that the program requires the existence of a Local Economic Development Organization, and this governing body designates the Jefferson County Development Authority as representing our community for the purpose of participating in this program.

**BE IT FURTHER RESOLVED** that evidence is hereby provided to the West Virginia Development Office that more than sufficient matching funds have been provided to the Jefferson County Development Authority by the Jefferson County Commission.

This resolution is in full effect upon its adoption this 3<sup>rd</sup> day of December, 2020.

\_\_\_\_\_  
Signed: Jane M. Tabb, President

\_\_\_\_\_  
Attested: Jacqueline C. Shadle, County Clerk



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



Name: **Roger Goodwin, Director & Chief County Engineer**  
**Michelle Mason, Impact Fees Program Specialist**

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

Estimation of amount of time needed for appointment: **45 minutes**

Date Requested – 1<sup>st</sup> Choice: **December 3, 2020**

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

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

Subject (*Wording to be placed on agenda*): **Impact Fees 2020 Recalculation Study – Presentation of Results**

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

**Impact Fees are typically recalculated on a 5-year cycle. In May, 2020, the County Commission hired the consulting firm TischlerBise to perform the recalculation of the impact fees. This involves gathering the data from each of the impact fee entities, analyzing the data, determining the levels of service, and recalculating the impact fee amounts for each of the impact fee entities:**

- **Jefferson County Schools**
- **Law Enforcement (Sheriff)**
- **Emergency Services Agency (EMS)**
- **Jefferson County Parks & Recreation**
- **Jefferson County Administrative Facilities**

**The draft September 30, 2020, Impact Fee Study is attached. TischlerBise will make a PowerPoint presentation of the recalculation methodology and the results at this meeting.**

**The following table is a summary of the 2015 Residential impact fee amounts versus the proposed 2020 Residential impact fee amounts:**

Current vs. Proposed Residential Impact Fees			
Housing Unit Type	2015 Current Fee @70%	2020 Proposed Fee	Net Change
Single-family & Mobile Home	\$6,700	\$12,203	\$5,503
Townhome	\$7,457	\$12,203	\$4,746
Duplex	\$7,270	\$12,203	\$4,933
Multi-Family (Apartments & Condos)	\$4,707	\$5,486	\$779

In 2015, the County Commission adopted the 2015 Residential impact fee amounts at 70% of the 2015 total calculated amounts. The 2015 amounts shown in the table above are the 70% rates. The proposed 2020 Residential impact fee amounts shown are at 100% of the calculated amount.

Commercial and Industrial projects only pay EMS and Law Enforcement portions of the impact fees. Commercial/Industrial impact fees vary based on the type of use and the size of the building to be constructed. Since Commercial/Industrial impact fees are not assessed at a flat rate, like Residential impact fees, they have to be compared based on their unit cost.

In 2013, the County Commission reduced the Commercial/Industrial impact fees to 0.5% of the full-calculated amount. The result is that the current fees assessed are miniscule amounts. This was done to see if a reduction in impact fees would promote more economic development. Staff cannot identify any correlation between the reduction in the commercial/industrial impact fees and the level of economic development that has occurred since 2013. If the County Commission decides to rescind the 0.5% rate, staff will need to present an ordinance amendment that rescinds the 0.5% rate and sets the new rate.

A summary of both the Residential and the Commercial/Industrial (Non-Residential) impact fees are shown in the Executive Summary of the September 30, 2020 draft report. The 2020 proposed impact fees are shown in Figure 2, page 5. The current 2015 impact fees are shown in Figure 3, page 6; and the difference between the proposed and current impact fee amounts are shown in Figure 4, page 6.

Finally, I want to note that this meeting is not a public hearing. The purpose of the meeting is to present the results of the study and for discussion. Although a public hearing is not required, the County Commission may schedule a public hearing at a later date. In the past, any public comment was limited to the assumptions and methodology used in the study.

Once the County Commission is satisfied with the study, they should move to accept the study. Then the County Commission has several options with regard to actions/motions on the study:

1. Adopt the impact fees as presented.
2. Adopt the impact fees at a reduced rate.
3. Have some of the assets removed from the calculation (which will remove capital funding for those assets) and then recalculate the fees. This will result in lower fees.
4. Keep impact fees at the current rate.
5. Table any action on the study until public comment is received.

If the County Commission takes any action that results in a change in the current impact fee amounts, staff will then need to present to the County Commission an ordinance amendment, for each impact fee entity, that rescinds the current impact fee amount and sets the new rate. Staff will recommend that the new impact fee rate be effective 30 days from the adoption of the ordinance amendments.

Is this a funding request?    Y/N **No**    If so, how much?                    \$    **N/A**

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

1. Move to accept the 2020 Impact Fees Study.

Attach supporting documents for request, or request may be denied. **See attached Impact Fee Study report**  
If not attached, explain:

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

Contact information:

Email address: [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org) Phone Number: 304-728-3257

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



**DRAFT**  
**Impact Fee Study**

**Prepared for:**  
**Jefferson County, West Virginia**

**September 30, 2020**



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## EXECUTIVE SUMMARY

Jefferson County, West Virginia, contracted with TischlerBise to recalibrate the County's impact fees using current level-of-service standards. Impact fees are one-time payments used to construct system improvements needed to accommodate future development. The fee represents future development's proportionate share of infrastructure costs. Impact fees may be used for infrastructure improvements or debt service for growth-related infrastructure. In contrast to general taxes, impact fees may not be used for operations, maintenance, replacement, or correcting existing deficiencies. This update of Jefferson County's impact fees includes the following capital facilities:

1. County Administration
2. EMS
3. Law Enforcement
4. Parks and Recreation
5. School

## GENERAL LEGAL FRAMEWORK

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Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. Land use regulations, development exactions, and impact fees are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is in the protection of public health, safety, and welfare by ensuring that development is not detrimental to the quality of essential public services. The means to this end are also important, requiring both procedural and substantive due process. The process followed to receive community input, with stakeholder meetings, work sessions, and public hearings provide opportunity for comments and refinements to the impact fees.

There is little federal case law specifically dealing with impact fees, although other rulings on other types of exactions (e.g., land dedication requirements) are relevant. In one of the most important exaction cases, the U. S. Supreme Court found that a government agency imposing exactions on development must demonstrate an "essential nexus" between the exaction and the interest being protected (see *Nollan v. California Coastal Commission*, 1987). In a more recent case (*Dolan v. City of Tigard, OR*, 1994), the Court ruled that an exaction also must be "roughly proportional" to the burden created by development. However, the *Dolan* decision appeared to set a higher standard of review for mandatory dedications of land than for monetary exactions such as impact fees.

There are three reasonable relationship requirements for impact fees that are closely related to "rational nexus" or "reasonable relationship" requirements enunciated by a number of state courts. Although the term "dual rational nexus" is often used to characterize the standard by which courts evaluate the validity of impact fees under the U.S. Constitution, we prefer a more rigorous formulation that recognizes three elements: need, benefit, and proportionality. The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S.

Supreme Court in the *Dolan* case. Individual elements of the nexus standard are discussed further in the following paragraphs.

All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the capacity of facilities is not increased to satisfy that additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of growth-related facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on infrastructure needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific facilities, based on applicable level-of-service standards.

The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the *Dolan* case (although the relevance of that decision to impact fees has been debated) and is logically necessary to establish a proper nexus. Proportionality is established through the procedures used to identify growth-related facility costs, and in the methods used to calculate impact fees for various types of facilities and categories of development. The demand for facilities is measured in terms of relevant and measurable attributes of development (e.g. a typical housing unit's average weekday vehicle trips).

A sufficient benefit relationship requires that impact fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Impact fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. However, nothing in the U.S. Constitution or the state enabling legislation requires that facilities funded with fee revenues be available *exclusively* to development paying the fees. In other words, benefit may extend to a general area including multiple real estate developments. All of these procedural, as well as substantive, issues are intended to ensure that new development benefits from the impact fees they are required to pay. The authority and procedures to implement impact fees is separate from and complementary to the authority to require improvements as part of subdivision or zoning review.

### **CONCEPTUAL IMPACT FEE CALCULATION**

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In contrast to project-level improvements, impact fees fund growth-related infrastructure that will benefit multiple development projects, or the entire service area (usually referred to as system improvements). The first step is to determine an appropriate demand indicator for the particular type of infrastructure. The demand indicator measures the number of service units for each unit of development. For example, an appropriate indicator of the demand for parks is population growth and the increase in population can be estimated from the average number of persons per housing unit. The second step in the impact fee formula is to determine infrastructure units per service unit, typically called level-of-service (LOS) standards. In keeping with the park example, a common LOS standard is improved park acres per thousand people. The third step in the impact fee formula is the cost of various infrastructure units. To complete the park example, this part of the formula would establish a cost per acre for land acquisition and/or park improvements.

## **METHODOLOGY**

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Impact fees for the capital facilities made necessary by future development must be based on the same level of service (LOS) provided to existing development in the service area. There are three basic methodologies used to calculate impact fees. They examine the past, present, and future status of infrastructure. Each methodology has advantages and disadvantages in a particular situation and can be used simultaneously for different cost components. Reduced to its simplest terms, the process of calculating impact fees involves two main steps: (1) determining the cost of growth-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities within the designated service area. The following paragraphs discuss basic methodologies for calculating impact fees and how those methodologies can be applied.

- **Cost Recovery** (past improvements) - The rationale for recoupment, often called cost recovery, is that new development is paying for its share of the useful life and remaining capacity of facilities already built, or land already purchased, from which new growth will benefit. This methodology is often used for utility systems that must provide adequate capacity before new development can take place.
- **Incremental Expansion** (concurrent improvements) - The incremental expansion methodology documents current LOS standards for each type of public facility, using both quantitative and qualitative measures. This approach assumes there are no existing infrastructure deficiencies or surplus capacity in infrastructure. New development is only paying its proportionate share for growth-related infrastructure. Revenue will be used to expand or provide additional facilities, as needed, to accommodate new development. An incremental expansion cost method is best suited for public facilities that will be expanded in regular increments to keep pace with development.
- **Plan-Based** (future improvements) - The plan-based methodology allocates costs for a specified set of improvements to a specified amount of development. Improvements are typically identified in a long-range facility plan and development potential is identified by a land use plan. There are two basic options for determining the cost per demand unit: (1) total cost of a public facility can be divided by total demand units (average cost), or (2) the growth-share of the public facility cost can be divided by the net increase in demand units over the planning timeframe (marginal cost).

## **EVALUATION OF CREDITS**

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There are two types of credits that should be addressed in impact fee studies and ordinances. The first type of credit is a revenue credit due to possible double payment situations, which could occur when other revenues may contribute to the capital costs of infrastructure covered by the impact fee. This type of credit is integrated into the fee calculation, thus reducing the fee amount.

The second type of credit is a site-specific credit, or developer reimbursement, for dedication of land or construction of system improvements. This type of credit is addressed in the administration and implementation of the impact fee program. For ease of administration, TischlerBise normally recommends developer reimbursements for system improvements.

**IMPACT FEE SUMMARY**

**IMPACT FEE COMPONENTS**

Shown below, Figure 1 summarizes service areas, methodologies, and capital facilities for each infrastructure category.

**Figure 1: Proposed Impact Fee Service Areas, Methodologies, and Capital Facilities**

Infrastructure Category	Service Area	Cost Recovery	Incremental Expansion	Plan-Based	Cost Allocation
County Administration	Jefferson County	Court Facilities	N/A	Administrative Facilities, Impact Fee Report	Population, Jobs
EMS	Jefferson County	EMS Facilities	EMS Vehicles and Equipment	Impact Fee Report	Population, Jobs
Law Enforcement	Unincorporated Jefferson County	N/A	Sheriff Facilities, Sheriff Vehicles, Law Enforcement Equipment, Animal Control Facilities, Animal Control Vehicles	Impact Fee Report	Population, Vehicle Trips
Parks and Recreation	Jefferson County	N/A	Park Land, Park Improvements, Park Facilities, Park Vehicles and Equipment	Impact Fee Report	Population
School	Jefferson County	N/A	School Facilities, Land, Sports Facilities, Administrative Facilities, Vehicles and Equipment	Impact Fee Report	Students

**PROPOSED IMPACT FEES**

Proposed impact fees for residential development will be assessed per dwelling unit, based on the type of unit. Nonresidential impact fees will be assessed per 1,000 square feet of floor area, based on the type of development. Proposed impact fees are shown below in Figure 2.

Fees shown below represent the maximum allowable fees. Jefferson County may adopt fees that are less than the amounts shown; however, a reduction in impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital improvements and/or a decrease in Jefferson County’s level-of-service standards. All costs are in current dollars with no assumed inflation rate over time. If cost estimates change significantly over time, impact fees should be recalibrated.

**Figure 2: Proposed Impact Fees**

Residential Development		Fees per Unit				
Development Type	County Admin	EMS	Law Enforcement	Parks and Recreation	School	Total
Single Family	\$204	\$100	\$531	\$944	\$10,425	\$12,203
Multi-Family	\$146	\$71	\$380	\$676	\$4,212	\$5,486

Nonresidential Development		Fees per 1,000 Square Feet				
Development Type	County Admin	EMS	Law Enforcement	Parks and Recreation	School	Total
Light Industrial	\$122	\$60	\$148	\$0	\$0	\$330
Business Park	\$231	\$113	\$371	\$0	\$0	\$715
Manufacturing	\$119	\$59	\$117	\$0	\$0	\$295
Warehousing	\$26	\$13	\$52	\$0	\$0	\$90
Commercial/Shopping Center	\$176	\$86	\$743	\$0	\$0	\$1,005
Office/Institutional	\$223	\$109	\$290	\$0	\$0	\$622
Hotel (per room)	\$10	\$5	\$100	\$0	\$0	\$115
Nursing Home (per bed)	\$79	\$39	\$91	\$0	\$0	\$209

### CURRENT IMPACT FEES

Current impact fees for residential development are assessed per dwelling unit, based on the type of unit. During the 2015 adoption, the Jefferson County Commission adopted residential fees at 70 percent of the maximum allowable fees. Nonresidential impact fees are assessed per 1,000 square feet of floor area, based on the type of development. In 2013, the Jefferson County Commission amended the impact fee ordinance to assess nonresidential fees at one-half of one percent of the adopted fees. Current impact fees shown below in Figure 3 represent the adopted fees.

**Figure 3: Current Impact Fees**

Residential Development		Fees per Unit				
Development Type	County Admin	EMS	Law Enforcement	Parks and Recreation	School	Total
Single Family Detached	\$0	\$52	\$176	\$481	\$5,991	\$6,700
Multi-Family	\$0	\$39	\$129	\$354	\$4,185	\$4,707

Nonresidential Development		Fees per 1,000 Square Feet				
Development Type	County Admin	EMS	Law Enforcement	Parks and Recreation	School	Total
Light Industrial	\$0	\$65	\$75	\$0	\$0	\$140
Business Park	\$0	\$87	\$134	\$0	\$0	\$221
Manufacturing	\$0	\$50	\$40	\$0	\$0	\$90
Warehousing	\$0	\$26	\$38	\$0	\$0	\$64
Commercial/Shopping Center	\$0	\$57	\$304	\$0	\$0	\$361
Office/Institutional	\$0	\$93	\$118	\$0	\$0	\$211

Nonresidential fees assessed at one-half of one percent of adopted fee amount based on 2013 ordinance amendment

### DIFFERENCE BETWEEN PROPOSED AND CURRENT IMPACT FEES

The differences between proposed and current impact fees are displayed in Figure 4.

**Figure 4: Difference Between Proposed and Current Impact Fees**

Residential Development		Fees per Unit				
Development Type	County Admin	EMS	Law Enforcement	Parks and Recreation	School	Total
Single Family	\$204	\$48	\$355	\$463	\$4,434	\$5,503
Multi-Family	\$146	\$32	\$251	\$322	\$27	\$779

Nonresidential Development		Fees per 1,000 Square Feet				
Development Type	County Admin	EMS	Law Enforcement	Parks and Recreation	School	Total
Industrial	\$122	(\$5)	\$73	\$0	\$0	\$190
Business Park	\$231	\$26	\$237	\$0	\$0	\$494
Manufacturing	\$119	\$9	\$77	\$0	\$0	\$205
Warehousing	\$26	(\$13)	\$14	\$0	\$0	\$26
Commercial	\$176	\$29	\$439	\$0	\$0	\$644
Office & Institutional	\$223	\$16	\$172	\$0	\$0	\$411

## COUNTY ADMINISTRATION IMPACT FEES

### METHODODOLOGY

The County Administration impact fees include components for administrative facilities, court facilities, and the cost of preparing the Impact Fee Study. A plan-based methodology is used for administrative facilities and the Impact Fee Study. The cost recovery methodology is used for court facilities.

### PROPORTIONATE SHARE

Impact fees should not exceed a proportionate share of the capital cost needed to provide capital facilities to the development. The County Administration impact fees allocate the cost of capital facilities between residential and nonresidential development using functional population. Based on 2017 estimates from the U.S. Census Bureau’s OnTheMap web application, residential development accounts for approximately 78 percent of functional population and nonresidential development is responsible for the remaining 22 percent.

**Figure CA1: Proportionate Share**

Demand Units in 2017				
<b>Residential</b>				
Population	58,195			
		↙	Demand Hours/Day	Person Hours
Residents Not Working	33,271		20	665,417
Employed Residents	24,924	↘		
Employed in Jefferson County, WV			7,194	100,716
Employed outside Jefferson County, WV			17,730	248,220
			14	100,716
			14	248,220
			Residential Subtotal	1,014,353
			<b>Residential Share</b>	<b>78%</b>
<b>Nonresidential</b>				
Non-working Residents	33,271		4	133,083
Jobs Located in Jefferson County, WV	15,660	↘		
Residents Employed in Jefferson County, WV			7,194	71,940
Non-Resident Workers (inflow commuters)			8,466	84,660
			10	71,940
			10	84,660
			Nonresidential Subtotal	289,683
			<b>Nonresidential Share</b>	<b>22%</b>
			Total	1,304,036

Source: TischlerBise calculation (population); U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics (employment).

### SERVICE AREA

Jefferson County government provides administrative services throughout Jefferson County; therefore, there is a single service area for the County Administration impact fees.

**IMPACT FEE COMPONENTS**

**Administrative Facilities – Plan-Based**

**Existing Level of Service**

Jefferson County government currently provides 22,535 square feet of administrative facilities to serve existing development in Jefferson County. The existing administrative facilities are outdated and do not provide enough capacity.

This analysis uses functional population to allocate the proportionate share of demand to residential and nonresidential development. The existing level of service for residential development is 0.2882 square feet per person (22,535 square feet X 78 percent residential share / 60,997 persons). The existing nonresidential level of service is 0.2655 square feet per job (22,535 square feet X 22 percent nonresidential share / 18,675 jobs).

**Figure CA2: Existing Level of Service**

Description	Square Feet
County Commision's Office (Hunter House)	3,737
Mason Building (Engineering, Planning, Zoning, IT)	7,737
Commision of Jefferson County (Assessor / Probation)	8,050
County Courthouse (County Clerk, 1st Floor)	3,011
<b>Total</b>	<b>22,535</b>

Level-of-Service (LOS) Standards	
Existing Square Feet	22,535
Residential	
Residential Share	78%
2020 Population	60,997
Square Feet per Person	0.2882
Nonresidential	
Nonresidential Share	22%
2020 Jobs	18,675
Square Feet per Job	0.2655

Source: Department of Engineering, Planning, & Zoning

### Planned Level of Service

To adequately serve existing development, Jefferson County will replace and expand its existing administrative facilities with a planned Courthouse annex. The planned facility will provide 25,000 square feet of administrative facilities at a cost of \$5,000,000. Since Jefferson County plans to construct the Courthouse annex to adequately serve existing development, this analysis uses the planned 25,000 square feet of administrative facilities to calculate the planned level of service. Jefferson County will not use impact fees to construct the planned Courthouse annex, but it will use impact fees to expand the planned facility to serve future development.

Functional population is used to allocate the proportionate share of demand to residential and nonresidential development. The planned level of service for residential development is 0.3197 square feet per person (25,000 square feet X 78 percent residential share / 60,997 persons). The planned nonresidential level of service is 0.2945 square feet per job (25,000 square feet X 22 percent nonresidential share / 18,675 jobs). Based on a construction cost of \$200 per square foot, the administrative facilities cost is \$63.94 per person (0.3197 square feet per person X \$200 per square foot) and \$58.90 per job (0.2945 square feet per job X \$200 per square foot).

**Figure CA3: Planned Level of Service and Cost Allocation**

Cost Factors	
Planned Courthouse Annex Cost	\$5,000,000
Planned Square Feet	25,000
Cost per Square Foot	\$200

Level-of-Service (LOS) Standards	
Planned Square Feet	25,000
Residential	
Residential Share	78%
2020 Population	60,997
Square Feet per Person	0.3197
Cost per Person	\$63.94
Nonresidential	
Nonresidential Share	22%
2020 Jobs	18,675
Square Feet per Job	0.2945
Cost per Job	\$58.90

Source: Department of Engineering, Planning, & Zoning

**Court Facilities – Cost Recovery**

Jefferson County currently provides 11,361 square feet of court facilities and plans to repay itself for costs related to excess capacity in these facilities. Shown below, Jefferson County recently acquired the Circuit Court facility and the Prosecutor’s office at a cost of \$1,453,473. Based on discussions with staff, these facilities have enough capacity to serve future development in 2030.

This analysis uses functional population to allocate the proportionate share of demand to residential and nonresidential development. The planned level of service for residential development is 0.1279 square feet per person (11,361 square feet X 78 percent residential share / 69,282 persons). The planned nonresidential level of service is 0.1178 square feet per job (11,361 square feet X 22 percent nonresidential share / 21,212 jobs). Based on the acquisition cost and the court facilities square footage, the cost is \$128 per square foot (\$1,453,473 acquisition cost / 11,361 square feet). This court facilities cost is \$16.36 per person (0.1279 square feet per person X \$128 per square foot) and \$15.07 per job (0.1178 square feet per job X \$128 per square foot).

**Figure CA4: Level of Service and Cost Allocation**

Description	Square Feet
Circuit Court	6,569
Prosecutor's Office	4,792
<b>Total</b>	<b>11,361</b>

Cost Factors	
Existing Facility Cost	\$1,453,473
Existing Facility Square Feet	11,361
Cost per Square Foot	\$128

Level-of-Service (LOS) Standards	
Existing Square Feet	11,361
<b>Residential</b>	
Residential Share	78%
2030 Population	69,282
Square Feet per Person	0.1279
<b>Cost per Person</b>	<b>\$16.36</b>
<b>Nonresidential</b>	
Nonresidential Share	22%
2030 Jobs	21,212
Square Feet per Job	0.1178
<b>Cost per Job</b>	<b>\$15.07</b>

Source: Department of Engineering, Planning, & Zoning

### Impact Fee Study – Plan-Based

The cost to prepare the County Administration impact fees equals \$6,400, and Jefferson County plans to update its impact fees every five years. Based on this cost, proportionate share, and five-year projections of future residential and nonresidential development, the cost is \$1.17 per person and \$1.07 per job.

**Figure CA5: Impact Fee Study**

Infrastructure Category	Cost	Proportionate Share		Service Unit	5-Year Change	Cost per Service Unit
County Administration	\$6,400	Residential	78%	Population	4,265	\$1.17
		Nonresidential	22%	Jobs	1,314	\$1.07

### PROJECTED DEMAND

#### Administrative Facilities – Plan-Based

Based on a projected population increase of 8,285 persons from 2020 to 2030, future residential development demands approximately 2,649 square feet (8,285 additional persons X 0.3197 square feet per person). With projected employment growth of 2,537 jobs from 2020 to 2030, future nonresidential development demands approximately 747 square feet (2,537 additional jobs X 0.2945 square feet per job). Future development demands approximately 3,396 square feet of administrative facilities at a cost of \$679,178 (3,395.9 square feet X \$200 per square foot).

**Figure CA6: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Sq Ft
Administrative Facilities	0.3197 Square Feet	per Person	\$200
	0.2945 Square Feet	per Job	

Demand for Administrative Facilities					
Year	Population	Jobs	Square Feet		
			Residential	Nonresidential	Total
2020	60,997	18,675	19,500.0	5,500.0	25,000.0
2021	61,850	18,938	19,772.7	5,577.4	25,350.1
2022	62,702	19,201	20,045.4	5,654.8	25,700.2
2023	63,555	19,463	20,318.0	5,732.2	26,050.2
2024	64,408	19,726	20,590.7	5,809.6	26,400.3
2025	65,261	19,989	20,863.4	5,887.0	26,750.4
2026	66,065	20,234	21,120.5	5,959.0	27,079.5
2027	66,869	20,478	21,377.5	6,031.1	27,408.6
2028	67,674	20,723	21,634.6	6,103.1	27,737.7
2029	68,478	20,967	21,891.6	6,175.1	28,066.8
2030	69,282	21,212	22,148.7	6,247.2	28,395.9
10-Yr Increase	8,285	2,537	2,648.7	747.2	3,395.9

Growth-Related Expenditures	\$529,743	\$149,435	\$679,178
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**Court Facilities – Cost Recovery**

Based on a projected population increase of 8,285 persons from 2020 to 2030, future residential development demands approximately 1,060 square feet (8,285 additional persons X 0.1279 square feet per person) of the existing court facilities. With projected employment growth of 2,537 jobs from 2020 to 2030, future nonresidential development demands approximately 299 square feet (2,537 additional jobs X 0.1178 square feet per job) of the existing court facilities. Future development demands approximately 1,359 square feet of the existing court facilities at a cost of \$173,822 (1,358.7 square feet X \$128 per square foot).

**Figure CA7: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Sq Ft
Court Facilities	0.1279 Square Feet	per Person	\$128
	0.1178 Square Feet	per Job	

Demand for Court Facilities					
Year	Population	Jobs	Square Feet		
			Residential	Nonresidential	Total
2020	60,997	18,675	7,801.8	2,200.5	10,002.3
2021	61,850	18,938	7,910.9	2,231.4	10,142.4
2022	62,702	19,201	8,020.0	2,262.4	10,282.5
2023	63,555	19,463	8,129.1	2,293.4	10,422.5
2024	64,408	19,726	8,238.2	2,324.3	10,562.6
2025	65,261	19,989	8,347.3	2,355.3	10,702.6
2026	66,065	20,234	8,450.2	2,384.1	10,834.3
2027	66,869	20,478	8,553.0	2,413.0	10,966.0
2028	67,674	20,723	8,655.9	2,441.8	11,097.7
2029	68,478	20,967	8,758.7	2,470.6	11,229.3
2030	69,282	21,212	8,861.6	2,499.4	11,361.0
10-Yr Increase	8,285	2,537	1,059.7	298.9	1,358.7

<b>Growth-Related Expenditures</b>	<b>\$135,578</b>	<b>\$38,244</b>	<b>\$173,822</b>
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## PROPOSED COUNTY ADMINISTRATION IMPACT FEES

Infrastructure components and cost factors for County Administration impact fees are summarized in the upper portion of Figure CA8. For County Administration impact fees, the capital cost is \$81.47 per person and \$75.04 per job.

County Administration impact fees for residential development are assessed according to the number of persons per housing unit. The single-family fee of \$204 is calculated using a cost of \$81.47 per person multiplied by a demand unit of 2.50 persons per housing unit.

Nonresidential impact fees are assessed according to the number of jobs per 1,000 square feet of floor area. The commercial/shopping center fee of \$176 per 1,000 square feet of floor area is derived from a cost of \$75.04 per job multiplied by a demand unit of 2.34 jobs per 1,000 square feet.

**Figure CA8: Proposed Impact Fees**

Fee Component	Cost per Person	Cost per Job
Administrative Facilities	\$63.94	\$58.90
Court Facilities	\$16.36	\$15.07
Impact Fee Report	\$1.17	\$1.07
<b>Total</b>	<b>\$81.47</b>	<b>\$75.04</b>

Residential Development	Fees per Unit			
Development Type	Persons per Housing Unit <sup>1</sup>	Proposed Fees	Current Fees	Increase / Decrease
Single Family	2.50	\$204	\$0	\$204
Multi-Family	1.79	\$146	\$0	\$146

Nonresidential Development	Fees per 1,000 Square Feet			
Development Type	Jobs per 1,000 Sq Ft <sup>1</sup>	Proposed Fees	Current Fees	Increase / Decrease
Light Industrial	1.63	\$122	\$0	\$122
Business Park	3.08	\$231	\$0	\$231
Manufacturing	1.59	\$119	\$0	\$119
Warehousing	0.34	\$26	\$0	\$26
Commercial/Shopping Center	2.34	\$176	\$0	\$176
Office/Institutional	2.97	\$223	\$0	\$223
Hotel (per room)	0.13	\$10	n/a	n/a
Nursing Home (per bed)	1.05	\$79	n/a	n/a

1. See Land Use Assumptions

**PROJECTED COUNTY ADMINISTRATION IMPACT FEE REVENUE**

Projected fee revenue shown below is based on the development projections, shown in Appendix A, and the proposed County Administration impact fees shown in Figure CA8. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase and impact fee revenue will increase at a corresponding rate. If development occurs at a slower rate than is projected, the demand for infrastructure will also decrease, along with impact fee revenue. Projected impact fee revenue equals \$859,439 and projected expenditures equal \$5,859,400. Jefferson County may not use impact fee revenue to fund existing development’s share of the planned Courthouse Annex.

**Figure CA9: Projected Impact Fee Revenue**

Fee Component	Growth Share	Existing Share	Total
Administrative Facilities	\$679,178	\$5,000,000	\$5,679,178
Court Facilities	\$173,822	\$0	\$173,822
Impact Fee Report	\$6,400	\$0	\$6,400
<b>Total</b>	<b>\$859,400</b>	<b>\$5,000,000</b>	<b>\$5,859,400</b>

		Single Family \$204 per unit	Multi-Family \$146 per unit	Industrial \$122 per 1,000 sq ft	Comm/Shop \$176 per 1,000 sq ft	Office/Inst \$223 per 1,000 sq ft
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF
Base	2019	21,209	4,455	1,599	3,044	3,015
Year 1	2020	21,506	4,517	1,622	3,087	3,057
Year 2	2021	21,802	4,579	1,644	3,130	3,100
Year 3	2022	22,099	4,641	1,667	3,172	3,142
Year 4	2023	22,396	4,704	1,689	3,215	3,185
Year 5	2024	22,692	4,766	1,712	3,258	3,227
Year 6	2025	22,972	4,825	1,733	3,298	3,266
Year 7	2026	23,251	4,883	1,754	3,338	3,306
Year 8	2027	23,531	4,942	1,775	3,378	3,345
Year 9	2028	23,810	5,001	1,795	3,418	3,385
Year 10	2029	24,090	5,060	1,816	3,457	3,424
10-Year Increase		2,881	605	217	414	410
Projected Revenue		\$582,675	\$87,613	\$26,299	\$72,213	\$90,638

Projected Fee Revenue	\$859,439
Total Expenditures	\$5,859,400
Existing Development Share	\$4,999,961

## EMS IMPACT FEES

### METHODODOLOGY

The EMS impact fees include components for EMS vehicles and equipment, EMS facilities, and the cost of preparing the Impact Fee Study. The incremental expansion methodology is used for EMS vehicles and equipment, and the cost recovery methodology is used for repayment of debt related to EMS facilities. The plan-based methodology is used for the Impact Fee Study.

### PROPORTIONATE SHARE

Impact fees should not exceed a proportionate share of the capital cost needed to provide capital facilities to the development. The EMS impact fees allocate the cost of capital facilities between residential and nonresidential development using functional population. Based on 2017 estimates from the U.S. Census Bureau’s OnTheMap web application, residential development accounts for approximately 78 percent of functional population and nonresidential development is responsible for the remaining 22 percent.

**Figure E1: Proportionate Share**

Demand Units in 2017				
<b>Residential</b>			Demand Hours/Day	Person Hours
Population	58,195	↙		
Residents Not Working	33,271		20	665,417
Employed Residents	24,924	↘		
Employed in Jefferson County, WV	7,194		14	100,716
Employed outside Jefferson County, WV	17,730		14	248,220
Residential Subtotal				1,014,353
<b>Residential Share</b>				<b>78%</b>
<b>Nonresidential</b>				
Non-working Residents	33,271		4	133,083
Jobs Located in Jefferson County, WV	15,660	↘		
Residents Employed in Jefferson County, WV	7,194		10	71,940
Non-Resident Workers (inflow commuters)	8,466		10	84,660
Nonresidential Subtotal				289,683
<b>Nonresidential Share</b>				<b>22%</b>
Total				1,304,036

Source: TischlerBise calculation (population); U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics (employment).

### SERVICE AREA

Jefferson County provides EMS services throughout Jefferson County; therefore, there is a single service area for the EMS impact fees.

**IMPACT FEE COMPONENTS**

**EMS Vehicles and Equipment – Incremental Expansion**

Jefferson County plans to expand its current inventory of EMS vehicles and equipment to serve future development. The current inventory includes 116 units with a total cost of \$1,062,000, so this analysis uses the average cost of \$9,155 per unit.

This analysis uses functional population to allocate the proportionate share of demand to residential and nonresidential development. The existing level of service for residential development is 0.0015 units per person (116 units X 78 percent residential share / 60,997 persons). The existing nonresidential level of service is 0.0014 units per job (116 units X 22 percent nonresidential share / 18,675 jobs). Using the average cost of \$9,155 per unit, the EMS vehicles and equipment cost is \$13.58 per person (0.0015 units per person X \$9,155 per unit) and \$12.51 per job (0.0014 units per job X \$9,155 per unit).

**Figure E2: Level of Service and Cost Allocation**

Description	Units	Unit Cost	Total Cost
3-Body Mortuary Refrigerator	1	\$10,000	\$10,000
CAD Tablets	10	\$1,500	\$15,000
Deceased Transport Van	1	\$40,000	\$40,000
Field Chase Vehicles	4	\$65,000	\$260,000
JCESA Owned Mobile Radios	4	\$5,000	\$20,000
JCESA Owned Portable Radios	8	\$5,000	\$40,000
Lifepak 15 Cardiac Monitor	4	\$35,000	\$140,000
LUCAS CPR Device	4	\$18,000	\$72,000
Reserve Vehicles	2	\$45,000	\$90,000
Staff Vehicles	3	\$50,000	\$150,000
Structural Fire Turnout PPE	75	\$3,000	\$225,000
<b>Total</b>	<b>116</b>	<b>\$9,155</b>	<b>\$1,062,000</b>

Cost Factors	
Average Cost per Unit	\$9,155

Level-of-Service (LOS) Standards	
Existing Units	116
Residential	
Residential Share	78%
2020 Population	60,997
Units per Person	0.0015
<b>Cost per Person</b>	<b>\$13.58</b>
Nonresidential	
Nonresidential Share	22%
2020 Jobs	18,675
Units per Job	0.0014
<b>Cost per Job</b>	<b>\$12.51</b>

Source: Jefferson County EMS Department

### EMS Facilities – Cost Recovery

Jefferson County plans to repay itself for costs related to excess capacity in existing EMS facilities. Shown below, total principal and interest related to Jefferson County’s 2009 USDA loan equals \$2,428,920. Based on discussions with staff, EMS facilities have enough capacity to serve all development in 2039 – the year of the final debt payment. For this analysis, total principal and interest costs are allocated to total projected development in 2039.

This analysis uses functional population to allocate the proportionate share of demand to residential and nonresidential development in 2039. For residential development, the cost is \$24.86 per person (\$2,428,920 total cost X 78 percent residential share / 76,199 persons). For nonresidential development, the cost is \$22.90 per job (\$2,428,920 total cost X 22 percent nonresidential share / 23,331 jobs).

**Figure E3: Level of Service and Cost Allocation**

Cost Factors	
2009 USDA Loan	\$2,428,920

Level-of-Service (LOS) Standards	
Residential	
Residential Share	78%
2039 Population	76,199
Cost per Person	\$24.86
Nonresidential	
Nonresidential Share	22%
2039 Jobs	23,331
Cost per Job	\$22.90

Source: Jefferson County EMS Department

### Impact Fee Study – Plan-Based

The cost to prepare the EMS impact fees equals \$8,100, and Jefferson County plans to update its impact fees every five years. Based on this cost, proportionate share, and five-year projections of future residential and nonresidential development, the cost is \$1.48 per person and \$1.36 per job.

**Figure E4: Impact Fee Study**

Infrastructure Category	Cost	Proportionate Share		Service Unit	5-Year Change	Cost per Service Unit
EMS	\$8,100	Residential	78%	Population	4,265	\$1.48
		Nonresidential	22%	Jobs	1,314	\$1.36

**PROJECTED DEMAND**

**EMS Vehicles and Equipment – Incremental Expansion**

Based on a projected population increase of 8,285 persons over the next 10 years, future residential development demands an additional 12.3 units (8,285 additional persons X 0.0015 units per person). With projected employment growth of 2,537 jobs over the next 10 years, future nonresidential development demands an additional 3.5 units (2,537 additional jobs X 0.0014 units per job). Future development demands an additional 15.8 units of EMS vehicles and equipment at a cost of \$144,257 (15.8 units X \$9,155 per unit).

**Figure E5: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
EMS Vehichles and Equipment	0.0015 Units	per Person	\$9,155
	0.0014 Units	per Job	

Demand for EMS Vehichles and Equipment					
Year	Population	Jobs	Units		
			Residential	Nonresidential	Total
2020	60,997	18,675	90.5	25.5	116.0
2021	61,850	18,938	91.7	25.9	117.6
2022	62,702	19,201	93.0	26.2	119.2
2023	63,555	19,463	94.3	26.6	120.9
2024	64,408	19,726	95.5	27.0	122.5
2025	65,261	19,989	96.8	27.3	124.1
2026	66,065	20,234	98.0	27.6	125.6
2027	66,869	20,478	99.2	28.0	127.2
2028	67,674	20,723	100.4	28.3	128.7
2029	68,478	20,967	101.6	28.7	130.2
2030	69,282	21,212	102.8	29.0	131.8
10-Yr Increase	8,285	2,537	12.3	3.5	15.8

<b>Growth-Related Expenditures</b>	<b>\$112,517</b>	<b>\$31,740</b>	<b>\$144,257</b>
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### EMS Facilities – Cost Recovery

Based on a projected population increase of 15,202 persons over the life of the 2009 USDA loan, future residential development’s share of EMS facilities costs is \$377,983 (15,202 additional persons X \$24.86 per person). With projected employment growth of 4,656 jobs over the life of the 2009 USDA loan, future nonresidential development’s share of EMS facilities costs is \$106,635 (4,656 additional jobs \$22.90 per job). Future development’s share of EMS facilities costs is \$484,618. As shown below, future development’s share is \$264,106 over the next 10 years and \$220,512 beyond 10 years (\$484,618 total growth cost). Existing development’s share of \$1,944,302 (\$2,428,920 total cost - \$484,618 growth cost) must use non-development funds for repayment.

**Figure E6: Projected Demand**

Type of Infrastructure	Cost Allocation	Demand Unit	Total Cost
EMS Facilities	\$24.86	per Person	\$2,428,920
	\$22.90	per Job	

Demand for EMS Facilities					
Year	Population	Jobs	Cost		
			Residential	Nonresidential	Total
2020	60,997	18,675	\$1,516,575	\$427,727	\$1,944,302
2021	61,850	18,938	\$1,537,782	\$433,746	\$1,971,528
2022	62,702	19,201	\$1,558,989	\$439,765	\$1,998,755
2023	63,555	19,463	\$1,580,196	\$445,785	\$2,025,981
2024	64,408	19,726	\$1,601,403	\$451,804	\$2,053,207
2025	65,261	19,989	\$1,622,610	\$457,823	\$2,080,433
2026	66,065	20,234	\$1,642,603	\$463,425	\$2,106,028
2027	66,869	20,478	\$1,662,596	\$469,027	\$2,131,623
2028	67,674	20,723	\$1,682,588	\$474,629	\$2,157,218
2029	68,478	20,967	\$1,702,581	\$480,232	\$2,182,813
2030	69,282	21,212	\$1,722,574	\$485,834	\$2,208,408
2031	70,079	21,456	\$1,742,397	\$491,432	\$2,233,829
2032	70,876	21,701	\$1,762,220	\$497,029	\$2,259,249
2033	71,674	21,945	\$1,782,043	\$502,627	\$2,284,670
2034	72,471	22,190	\$1,801,867	\$508,225	\$2,310,091
2035	73,268	22,434	\$1,821,690	\$513,822	\$2,335,512
2036	74,001	22,658	\$1,839,907	\$518,957	\$2,358,864
2037	74,734	22,882	\$1,858,124	\$524,092	\$2,382,216
2038	75,466	23,107	\$1,876,341	\$529,227	\$2,405,568
2039	76,199	23,331	\$1,894,558	\$534,362	\$2,428,920
19-Yr Increase	15,202	4,656	\$377,983	\$106,635	\$484,618

Growth-Related Expenditures: 10 Years	\$205,999	\$58,107	\$264,106
Growth-Related Expenditures: 10 Years+	\$171,984	\$48,528	\$220,512
Existing Development Share	\$1,516,575	\$427,727	\$1,944,302
<b>Total</b>	<b>\$1,894,558</b>	<b>\$534,362</b>	<b>\$2,428,920</b>

## PROPOSED EMS IMPACT FEES

Infrastructure components and cost factors for EMS impact fees are summarized in the upper portion of Figure E7. For EMS impact fees, the capital cost is \$39.93 per person and \$36.77 per job.

EMS impact fees for residential development are assessed according to the number of persons per housing unit. The single-family fee of \$100 is calculated using a cost of \$39.93 per person multiplied by a demand unit of 2.50 persons per housing unit.

Nonresidential impact fees are assessed according to the number of jobs per 1,000 square feet of floor area. The commercial/shopping center fee of \$86 per 1,000 square feet of floor area is derived from a cost of \$36.77 per job multiplied by a demand unit of 2.34 jobs per 1,000 square feet.

**Figure E7: Proposed Impact Fees**

Fee Component	Cost per Person	Cost per Job
EMS Vehicles and Equipment	\$13.58	\$12.51
EMS Facilities	\$24.86	\$22.90
Impact Fee Report	\$1.48	\$1.36
<b>Total</b>	<b>\$39.93</b>	<b>\$36.77</b>

Residential Development		Fees per Unit		
Development Type	Persons per Housing Unit <sup>1</sup>	Proposed Fees	Current Fees	Increase / Decrease
Single Family	2.50	\$100	\$52	\$48
Multi-Family	1.79	\$71	\$39	\$32

Nonresidential Development		Fees per 1,000 Square Feet		
Development Type	Jobs per 1,000 Sq Ft <sup>1</sup>	Proposed Fees	Current Fees	Increase / Decrease
Light Industrial	1.63	\$60	\$65	(\$5)
Business Park	3.08	\$113	\$87	\$26
Manufacturing	1.59	\$59	\$50	\$9
Warehousing	0.34	\$13	\$26	(\$13)
Commercial/Shopping Center	2.34	\$86	\$57	\$29
Office/Institutional	2.97	\$109	\$93	\$16
Hotel (per room)	0.13	\$5	n/a	n/a
Nursing Home (per bed)	1.05	\$39	n/a	n/a

1. See Land Use Assumptions

**PROJECTED EMS IMPACT FEE REVENUE**

Projected fee revenue shown below is based on the development projections, shown in Appendix A, and the proposed EMS impact fees shown in Figure E7. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase and impact fee revenue will increase at a corresponding rate. If development occurs at a slower rate than is projected, the demand for infrastructure will also decrease, along with impact fee revenue. Projected impact fee revenue over the next 10 years equals \$416,450 and total projected expenditures equal \$2,581,277. Cost recovery related to EMS facilities beyond the 10-year projection timeline shown below equals \$220,512. Existing development’s share equals \$1,944,302 of the 2009 USDA loan and must use non-development funds for repayment.

**Figure E8: Projected Impact Fee Revenue**

Fee Component	Growth Share	Existing Share	Total
EMS Vehicles and Equipment	\$144,257	\$0	\$144,257
EMS Facilities	\$484,618	\$1,944,302	\$2,428,920
Impact Fee Report	\$8,100	\$0	\$8,100
<b>Total</b>	<b>\$636,975</b>	<b>\$1,944,302</b>	<b>\$2,581,277</b>

		Single Family \$100 per unit	Multi-Family \$71 per unit	Industrial \$60 per 1,000 sq ft	Comm/Shop \$86 per 1,000 sq ft	Office/Inst \$109 per 1,000 sq ft
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF
Base	2020	21,209	4,455	1,599	3,044	3,015
Year 1	2021	21,506	4,517	1,622	3,087	3,057
Year 2	2022	21,802	4,579	1,644	3,130	3,100
Year 3	2023	22,099	4,641	1,667	3,172	3,142
Year 4	2024	22,396	4,704	1,689	3,215	3,185
Year 5	2025	22,692	4,766	1,712	3,258	3,227
Year 6	2026	22,972	4,825	1,733	3,298	3,266
Year 7	2027	23,251	4,883	1,754	3,338	3,306
Year 8	2028	23,531	4,942	1,775	3,378	3,345
Year 9	2029	23,810	5,001	1,795	3,418	3,385
Year 10	2030	24,090	5,060	1,816	3,457	3,424
10-Year Increase		2,881	605	217	414	410
Projected Revenue		\$282,371	\$42,459	\$12,746	\$34,949	\$43,926

Projected Fee Revenue	\$416,450
Total Expenditures	\$2,581,277
Existing Development Share	\$1,944,302

**LAW ENFORCEMENT IMPACT FEES**

**METHODOLOGY**

The Law Enforcement impact fees include components for sheriff facilities, sheriff vehicles, law enforcement equipment, animal control facilities, animal control vehicles, and the cost of preparing the Impact Fee Study. The incremental expansion methodology is used for sheriff facilities, sheriff vehicles, law enforcement equipment, animal control facilities, and animal control vehicles. A plan-based methodology is used for the Impact Fee Study.

**PROPORTIONATE SHARE**

Impact fees should not exceed a proportionate share of the capital cost needed to provide capital facilities to the development. The Law Enforcement impact fees allocate the cost of capital facilities between residential and nonresidential development using functional population. Based on 2017 estimates from the U.S. Census Bureau’s OnTheMap web application, residential development accounts for approximately 78 percent of functional population and nonresidential development is responsible for the remaining 22 percent. Animal control components will be assessed only to residential development.

**Figure L1: Proportionate Share**

Demand Units in 2017				
			Demand Hours/Day	Person Hours
<b>Residential</b>	Population	58,195		
	Residents Not Working	33,271	20	665,417
	Employed Residents	24,924		
	Employed in Jefferson County, WV	7,194	14	100,716
	Employed outside Jefferson County, WV	17,730	14	248,220
	<b>Residential Subtotal</b>			<b>1,014,353</b>
			<b>Residential Share</b>	<b>78%</b>
<b>Nonresidential</b>	Non-working Residents	33,271	4	133,083
	Jobs Located in Jefferson County, WV	15,660		
	Residents Employed in Jefferson County, WV	7,194	10	71,940
	Non-Resident Workers (inflow commuters)	8,466	10	84,660
	<b>Nonresidential Subtotal</b>			<b>289,683</b>
			<b>Nonresidential Share</b>	<b>22%</b>
	<b>Total</b>			<b>1,304,036</b>

Source: TischlerBise calculation (population); U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics (employment).

**SERVICE AREA**

Jefferson County provides law enforcement services in unincorporated areas of Jefferson County; therefore, there is a single service area for the Law Enforcement impact fees (unincorporated areas only).

## IMPACT FEE COMPONENTS

### Sheriff Facilities – Incremental Expansion

Jefferson County plans to expand its current inventory of sheriff facilities to serve future development. The current inventory includes 16,000 square feet. This analysis uses a construction cost of \$251 per square foot – calculated in the 2015 Jefferson County Impact Fee Study.

This analysis uses functional population to allocate the proportionate share of demand to residential and nonresidential development. The existing level of service for residential development is 0.4171 square feet per person (16,000 square feet X 78 percent residential share / 29,917 persons). The existing nonresidential level of service is 0.1251 square feet per vehicle trip (16,000 square feet X 22 percent nonresidential share / 28,143 vehicle trips). Using a construction cost of \$251 per square foot, the sheriff facilities cost is \$104.70 per person (0.4171 square feet per person X \$251 per square foot) and \$31.39 per vehicle trip (0.1251 square feet per vehicle trip X \$251 per square foot).

**Figure L2: Level of Service and Cost Allocation**

Description	Square Feet
Sheriff's Building	15,000
Blue Ridge Community Facility	1,000
<b>Total</b>	<b>16,000</b>

Cost Factors	
Cost per Square Foot <sup>1</sup>	\$251

Level-of-Service (LOS) Standards	
Existing Square Feet	16,000
<b>Residential</b>	
Residential Share	78%
2020 Population - Unincorporated	29,917
Square Feet per Person	0.4171
<b>Cost per Person</b>	<b>\$104.70</b>
<b>Nonresidential</b>	
Nonresidential Share	22%
2020 Veh. Trips - Unincorporated	28,143
Square Feet per Vehicle Trip	0.1251
<b>Cost per Vehicle Trip</b>	<b>\$31.39</b>

Source: Jefferson County Sheriff's Office

1. 2015 Jefferson County Impact Fee Study

**Sheriff Vehicles – Incremental Expansion**

Jefferson County plans to expand its current inventory of sheriff vehicles to serve future development. The current inventory includes 43 units with a total cost of \$2,724,000, so this analysis uses the average cost of \$63,349 per unit.

This analysis uses functional population to allocate the proportionate share of demand to residential and nonresidential development. The existing level of service for residential development is 0.0011 units per person (43 units X 78 percent residential share / 29,917 persons). The existing nonresidential level of service is 0.0003 units per vehicle trip (43 units X 22 percent nonresidential share / 28,143 vehicle trips). Using the average cost of \$63,349 per unit, the sheriff vehicles cost is \$71.02 per person (0.0011 units per person X \$63,349 per unit) and \$21.29 per vehicle trip (0.0003 units per vehicle trip X \$63,349 per unit).

**Figure L3: Level of Service and Cost Allocation**

Description	Units	Unit Cost	Total Cost
CanAm Spyder	1	\$18,000	\$18,000
Chevrolet Tahoe	1	\$68,000	\$68,000
Chevy Equinox	1	\$30,000	\$30,000
Dodge Ram	1	\$40,000	\$40,000
Ford Crown Victoria	3	\$68,000	\$204,000
Ford E350 Van	1	\$35,000	\$35,000
Ford Expedition	1	\$68,000	\$68,000
Ford Explorer	30	\$68,000	\$2,040,000
GMC Van	1	\$35,000	\$35,000
Jeep Cherokee	2	\$68,000	\$136,000
Jeep Patriot	1	\$50,000	\$50,000
<b>Total</b>	<b>43</b>	<b>\$63,349</b>	<b>\$2,724,000</b>

Cost Factors	
Average Cost per Unit	\$63,349

Level-of-Service (LOS) Standards	
Existing Units	43
Residential	
Residential Share	78%
2020 Population - Unincorporated	29,917
Units per Person	0.0011
<b>Cost per Person</b>	<b>\$71.02</b>
Nonresidential	
Nonresidential Share	22%
2020 Veh. Trips - Unincorporated	28,143
Units per Vehicle Trip	0.0003
<b>Cost per Vehicle Trip</b>	<b>\$21.29</b>

Source: Jefferson County Sheriff's Office

### Law Enforcement Equipment – Incremental Expansion

Jefferson County plans to expand its current inventory of law enforcement equipment to serve future development in unincorporated areas of Jefferson County. Shown below, the current inventory includes 364 units with a total cost of \$758,323. This analysis uses the average cost of \$2,083 per unit.

**Figure L4: Existing Inventory**

Description	Units	Unit Cost	Total Cost
Chemical Munitions Launcher	2	\$1,200	\$2,400
IR laser	31	\$2,795	\$86,645
License Plate Readers	6	\$16,820	\$100,920
Mobile Data Terminals	35	\$2,150	\$75,250
Night Vision Goggles	10	\$7,916	\$79,164
Patrol Rifle	31	\$1,000	\$31,000
Pistol	39	\$425	\$16,575
Pistol Light	31	\$411	\$12,741
Radios	40	\$1,245	\$49,784
Rifle Sights	32	\$725	\$23,200
Shotgun	28	\$1,250	\$35,000
Simmunition Pistol	10	\$450	\$4,500
Sniper Rifle w/ Scope	2	\$2,600	\$5,200
SRT Communication Equipment	10	\$850	\$8,500
SRT Helmet w/ mount	10	\$1,200	\$12,000
Tactical Vest	10	\$3,094	\$30,940
Taser	31	\$1,113	\$34,503
Traffic Monitoring Camera	6	\$25,000	\$150,000
<b>Total</b>	<b>364</b>	<b>\$2,083</b>	<b>\$758,323</b>

This analysis uses functional population to allocate the proportionate share of demand to residential and nonresidential development. The existing level of service for residential development is 0.0095 units per person (364 units X 78 percent residential share / 29,917 persons). The existing nonresidential level of service is 0.0028 units per vehicle trip (364 units X 22 percent nonresidential share / 28,143 vehicle trips). Based on \$2,083 per unit, the law enforcement equipment cost is \$19.77 per person (0.0095 units per person X \$2,083 per unit) and \$5.93 per vehicle trip (0.0028 per vehicle trip X \$2,083 per unit).

**Figure L5: Level of Service and Cost Allocation**

Cost Factors	
Average Cost per Unit	\$2,083

Level-of-Service (LOS) Standards	
Existing Units	364
Residential	
Residential Share	78%
2020 Population - Unincorporated	29,917
Units per Person	0.0095
Cost per Person	\$19.77
Nonresidential	
Nonresidential Share	22%
2020 Veh. Trips - Unincorporated	28,143
Units per Vehicle Trip	0.0028
Cost per Vehicle Trip	\$5.93

Source: Jefferson County Sheriff's Office

### Animal Control Facilities – Incremental Expansion

Jefferson County plans to expand its current inventory of Animal Control facilities to serve future development. The current inventory includes 22 kennels.

This analysis allocates 100 percent of demand to residential development. The existing level of service for residential development is 0.0007 kennels per person (22 kennels X 100 percent residential share / 29,917 persons). Using an average cost of \$10,000 per kennel, the animal control facilities cost is \$7.35 per person (0.0007 kennels per person X \$10,000 per kennel). Animal Control facilities were not included in the previous study.

**Figure L6: Level of Service and Cost Allocation**

Description	Kennels
Poor Farm House	22

Cost Factors	
Cost per Kennel	\$10,000

Level-of-Service (LOS) Standards	
Existing Kennels	22
Residential	
Residential Share	100%
2020 Population - Unincorporated	29,917
Kennels per Person	0.0007
<b>Cost per Person</b>	<b>\$7.35</b>
Nonresidential	
Nonresidential Share	0%
2020 Veh. Trips - Unincorporated	28,143
Kennels per Vehicle Trip	0.0000
<b>Cost per Vehicle Trip</b>	<b>\$0.00</b>

**Animal Control Vehicles – Incremental Expansion**

Jefferson County plans to expand its current inventory of Animal Control vehicles to serve future development. The current inventory includes four units with a total cost of \$192,000, so this analysis uses the average cost of \$48,000 per unit.

This analysis allocates 100 percent of demand to residential development. The existing level of service for residential development is 0.0001 units per person (four units X 100 percent residential share / 29,917 persons). Using the average cost of \$48,000 per unit, the animal control vehicle cost is \$6.42 per person (0.0001 units per person X \$48,000 per unit). Animal Control vehicles were not included in the previous study.

**Figure L7: Level of Service and Cost Allocation**

Description	Units	Unit Cost	Total Cost
Ford F250 Super Duty	1	\$48,000	\$48,000
Ford Ranger	1	\$48,000	\$48,000
GMC Canyon	2	\$48,000	\$96,000
<b>Total</b>	<b>4</b>	<b>\$48,000</b>	<b>\$192,000</b>

Cost Factors	
Average Cost per Unit	\$48,000

Level-of-Service (LOS) Standards	
Existing Units	4
Residential	
Residential Share	100%
2020 Population - Unincorporated	29,917
Units per Person	0.0001
<b>Cost per Person</b>	<b>\$6.42</b>
Nonresidential	
Nonresidential Share	0%
2020 Veh. Trips - Unincorporated	28,143
Units per Vehicle Trip	0.0000
<b>Cost per Vehicle Trip</b>	<b>\$0.00</b>

Source: Jefferson County Sheriff's Office

### Impact Fee Study – Plan Based

The cost to prepare the Law Enforcement impact fees equals \$9,200, and Jefferson County plans to update its impact fees every five years. Based on this cost, proportionate share, and five-year projections of future residential and nonresidential development, the cost is \$2.96 per person and \$1.01 per vehicle trip.

**Figure L8: Impact Fee Study**

Infrastructure Category	Cost	Proportionate Share		Service Unit	5-Year Change	Cost per Service Unit
Law Enforcement	\$9,200	Residential	78%	Population	2,424	\$2.96
		Nonresidential	22%	Vehicle Trips	1,996	\$1.01

### PROJECTED DEMAND

#### Sheriff Facilities – Incremental Expansion

Based on a 10-year projected population increase of 4,708 persons in unincorporated areas, future residential development demands an additional 1,964 square feet of sheriff facilities (4,708 additional persons X 0.4171 square feet per person). With projected growth of 3,838 vehicle trips in unincorporated areas, future nonresidential development demands an additional 480 square feet (3,838 additional vehicle trips X 0.1251 square feet per vehicle trip). Future development in unincorporated areas demands an additional 2,444 square feet of sheriff facilities at a cost of \$613,478 (2,444 square feet X \$251 per square foot).

**Figure L9: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Sq Ft
Sheriff Facilities	0.4171 Square Feet	per Person	\$251
	0.1251 Square Feet	per Vehicle Trip	

Demand for Sheriff Facilities					
Year	Population	Vehicle Trips	Square Feet		
			Residential	Nonresidential	Total
2020	29,917	28,143	12,480	3,520	16,000
2021	30,402	28,542	12,682	3,570	16,252
2022	30,887	28,942	12,884	3,620	16,504
2023	31,372	29,341	13,087	3,670	16,756
2024	31,856	29,740	13,289	3,720	17,009
2025	32,341	30,139	13,491	3,770	17,261
2026	32,798	30,508	13,682	3,816	17,497
2027	33,255	30,876	13,872	3,862	17,734
2028	33,712	31,244	14,063	3,908	17,971
2029	34,169	31,613	14,254	3,954	18,207
2030	34,626	31,981	14,444	4,000	18,444
10-Yr Increase	4,708	3,838	1,964	480	2,444

Growth-Related Expenditures	\$492,993	\$120,484	\$613,478
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**Sheriff Vehicles – Incremental Expansion**

Based on a projected population increase of 4,708 persons in unincorporated areas between 2020 and 2030, future residential development demands an additional 5.3 units (4,708 additional persons X 0.0011 units per person). With projected growth of 3,838 vehicle trips in unincorporated areas between 2020 and 2030, future nonresidential development demands an additional 1.3 units (3,838 additional vehicle trips X 0.0003 units per vehicle trip). Future development in unincorporated areas demands an additional 6.6 units of sheriff vehicles at a cost of \$416,114 (6.6 units X \$63,349 per unit).

**Figure L10: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Sheriff Vehicles	0.0011 Units	per Person	\$63,349
	0.0003 Units	per Vehicle Trip	

Demand for Sheriff Vehicles					
Year	Population	Vehicle Trips	Units		
			Residential	Nonresidential	Total
2020	29,917	28,143	33.5	9.5	43.0
2021	30,402	28,542	34.1	9.6	43.7
2022	30,887	28,942	34.6	9.7	44.4
2023	31,372	29,341	35.2	9.9	45.0
2024	31,856	29,740	35.7	10.0	45.7
2025	32,341	30,139	36.3	10.1	46.4
2026	32,798	30,508	36.8	10.3	47.0
2027	33,255	30,876	37.3	10.4	47.7
2028	33,712	31,244	37.8	10.5	48.3
2029	34,169	31,613	38.3	10.6	48.9
2030	34,626	31,981	38.8	10.8	49.6
10-Yr Increase	4,708	3,838	5.3	1.3	6.6

<b>Growth-Related Expenditures</b>	<b>\$334,391</b>	<b>\$81,723</b>	<b>\$416,114</b>
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### Law Enforcement Equipment – Incremental Expansion

Based on a projected population increase of 4,708 persons in unincorporated areas between 2020 and 2030, future residential development demands an additional 44.7 units of equipment (4,708 additional persons X 0.0095 units per person). With projected growth of 3,838 vehicle trips in unincorporated areas between 2020 and 2030, future nonresidential development demands an additional 10.9 units (3,838 additional vehicle trips X 0.0028 units per vehicle trip). Future development in unincorporated areas demands an additional 55.6 units of law enforcement equipment at a cost of \$115,840 (55.6 units X \$2,083 per unit).

**Figure L11: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Law Enforcement Equipment	0.0095 Units	per Person	\$2,083
	0.0028 Units	per Vehicle Trip	

Demand for Law Enforcement Equipment					
Year	Population	Vehicle Trips	Units		
			Residential	Nonresidential	Total
2020	29,917	28,143	283.9	80.1	364.0
2021	30,402	28,542	288.5	81.2	369.7
2022	30,887	28,942	293.1	82.4	375.5
2023	31,372	29,341	297.7	83.5	381.2
2024	31,856	29,740	302.3	84.6	386.9
2025	32,341	30,139	306.9	85.8	392.7
2026	32,798	30,508	311.3	86.8	398.1
2027	33,255	30,876	315.6	87.9	403.5
2028	33,712	31,244	319.9	88.9	408.8
2029	34,169	31,613	324.3	90.0	414.2
2030	34,626	31,981	328.6	91.0	419.6
10-Yr Increase	4,708	3,838	44.7	10.9	55.6

Growth-Related Expenditures	\$93,090	\$22,751	\$115,840
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**Animal Control Facilities – Incremental Expansion**

Based on a projected population increase of 4,708 persons in unincorporated areas between 2020 and 2030, future residential development demands an additional 3.5 kennels (4,708 additional persons X 0.0007 kennels per person). The Animal Control facilities cost is \$34,624 (3.5 kennels X \$10,000 per kennel).

**Figure L12: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Animal Control Facilities	0.0007 Kennels	per Person	\$10,000
	0.0000 Kennels	per Vehicle Trip	

Demand for Animal Control Facilities					
Year	Population	Vehicle Trips	Kennels		
			Residential	Nonresidential	Total
2020	29,917	28,143	22.0	0.0	22.0
2021	30,402	28,542	22.4	0.0	22.4
2022	30,887	28,942	22.7	0.0	22.7
2023	31,372	29,341	23.1	0.0	23.1
2024	31,856	29,740	23.4	0.0	23.4
2025	32,341	30,139	23.8	0.0	23.8
2026	32,798	30,508	24.1	0.0	24.1
2027	33,255	30,876	24.5	0.0	24.5
2028	33,712	31,244	24.8	0.0	24.8
2029	34,169	31,613	25.1	0.0	25.1
2030	34,626	31,981	25.5	0.0	25.5
10-Yr Increase	4,708	3,838	3.5	0.0	3.5

Growth-Related Expenditures	\$34,624	\$0	\$34,624
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### Animal Control Vehicles- Incremental Expansion

Based on a projected population increase of 4,708 persons in unincorporated areas between 2020 and 2030, future residential development demands an additional 0.6 units (4,708 additional persons X 0.0001 units per person). The Animal Control vehicles cost is \$30,217 (0.6 units X \$48,000 per unit).

**Figure L13: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Animal Control Vehicles	0.0001 Units	per Person	\$48,000
	0.0000 Units	per Vehicle Trip	

Demand for Animal Control Vehicles					
Year	Population	Vehicle Trips	Units		
			Residential	Nonresidential	Total
2020	29,917	28,143	4.0	0.0	4.0
2021	30,402	28,542	4.1	0.0	4.1
2022	30,887	28,942	4.1	0.0	4.1
2023	31,372	29,341	4.2	0.0	4.2
2024	31,856	29,740	4.3	0.0	4.3
2025	32,341	30,139	4.3	0.0	4.3
2026	32,798	30,508	4.4	0.0	4.4
2027	33,255	30,876	4.4	0.0	4.4
2028	33,712	31,244	4.5	0.0	4.5
2029	34,169	31,613	4.6	0.0	4.6
2030	34,626	31,981	4.6	0.0	4.6
10-Yr Increase	4,708	3,838	0.6	0.0	0.6

Growth-Related Expenditures	\$30,217	\$0	\$30,217
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**PROPOSED LAW ENFORCEMENT IMPACT FEES**

Infrastructure components and cost factors for Law Enforcement impact fees are summarized in the upper portion of Figure L14. For Law Enforcement impact fees, the capital cost is \$212.23 per person and \$59.63 per trip.

Law Enforcement impact fees for residential development are assessed according to the number of persons per housing unit. The single-family fee of \$531 is calculated using a cost of \$212.23 per person multiplied by a demand unit of 2.50 persons per housing unit.

Nonresidential impact fees are assessed according to the number of jobs per 1,000 square feet of floor area. The commercial/shopping center fee of \$743 per 1,000 square feet of floor area is derived from a cost of \$59.63 per trip multiplied by a demand unit of 12.46 average weekday vehicle trips per 1,000 square feet.

**Figure L14: Proposed Impact Fees**

Fee Component	Cost per Person	Cost per Trip
Sheriff Facilities	\$104.70	\$31.39
Sheriff Vehicles	\$71.02	\$21.29
Law Enforcement Equipment	\$19.77	\$5.93
Animal Control Facilities	\$7.35	\$0.00
Animal Control Vehicles	\$6.42	\$0.00
Impact Fee Report	\$2.96	\$1.01
<b>Total</b>	<b>\$212.23</b>	<b>\$59.63</b>

Residential Development	Fees per Unit			
Development Type	Persons per Housing Unit <sup>1</sup>	Proposed Fees	Current Fees	Increase / Decrease
Single Family	2.50	\$531	\$176	\$355
Multi-Family	1.79	\$380	\$129	\$251

Nonresidential Development	Fees per 1,000 Square Feet			
Development Type	Avg Weekday Vehicle Trips <sup>1</sup>	Proposed Fees	Current Fees	Increase / Decrease
Light Industrial	2.48	\$148	\$75	\$73
Business Park	6.22	\$371	\$134	\$237
Manufacturing	1.97	\$117	\$40	\$77
Warehousing	0.87	\$52	\$38	\$14
Commercial/Shopping Center	12.46	\$743	\$304	\$439
Office/Institutional	4.87	\$290	\$118	\$172
Hotel (per room)	1.68	\$100	n/a	n/a
Nursing Home (per bed)	1.53	\$91	n/a	n/a

1. See Land Use Assumptions

**PROJECTED LAW ENFORCEMENT IMPACT FEE REVENUE**

Projected fee revenue shown below is based on the development projections, shown in Appendix A, and the proposed Law Enforcement impact fees shown in Figure L14. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase and impact fee revenue will increase at a corresponding rate. If development occurs at a slower rate than is projected, the demand for infrastructure will also decrease, along with impact fee revenue. Projected impact fee revenue equals \$3,652,586 and projected expenditures equal \$3,652,586.

**Figure L15: Projected Impact Fee Revenue**

Fee Component	Growth Share	Existing Share	Total
Sheriff Facilities	\$613,478	\$0	\$613,478
Sheriff Vehicles	\$416,114	\$0	\$416,114
Law Enforcement Equipment	\$115,840	\$0	\$115,840
Animal Control Facilities	\$34,624	\$0	\$34,624
Animal Control Vehicles	\$30,217	\$0	\$30,217
Impact Fee Report	\$9,200	\$0	\$9,200
<b>Total</b>	<b>\$1,219,473</b>	<b>\$0</b>	<b>\$1,219,473</b>

		Single Family \$531 per unit	Multi-Family \$380 per unit	Industrial \$148 per 1,000 sq ft	Comm/Shop \$743 per 1,000 sq ft	Office/Inst \$290 per 1,000 sq ft
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF
Base	2020	10,403	2,185	796	1,514	1,500
Year 1	2021	10,571	2,220	807	1,536	1,521
Year 2	2022	10,740	2,256	818	1,557	1,542
Year 3	2023	10,908	2,291	829	1,579	1,564
Year 4	2024	11,077	2,326	841	1,600	1,585
Year 5	2025	11,245	2,362	852	1,622	1,606
Year 6	2026	11,404	2,395	862	1,642	1,626
Year 7	2027	11,563	2,429	873	1,661	1,646
Year 8	2028	11,722	2,462	883	1,681	1,665
Year 9	2029	11,881	2,495	894	1,701	1,685
Year 10	2030	12,040	2,529	904	1,721	1,704
10-Year Increase		1,637	344	108	207	205
Projected Revenue		\$862,751	\$129,740	\$15,914	\$152,155	\$58,913

Projected Fee Revenue	\$1,219,473
Total Expenditures	\$1,219,473

## **PARKS AND RECREATION IMPACT FEES**

### **METHODOLOGY**

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The Parks and Recreation impact fees include components for park land, park improvements, park facilities, park vehicles and equipment, and the cost of preparing the Impact Fee Study. The incremental expansion methodology is used for park land, park improvements, park facilities, and park vehicles and equipment. A plan-based methodology is used for the Impact Fee Study.

### **PROPORTIONATE SHARE**

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Impact fees should not exceed a proportionate share of the capital cost needed to provide capital facilities to the development. The Parks and Recreation impact fees allocate 100 percent of the cost of capital facilities to residential development.

### **SERVICE AREA**

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Jefferson County provides park and recreation amenities throughout Jefferson County; therefore, there is a single service area for the Parks and Recreation impact fees.

**IMPACT FEE COMPONENTS**

**Park Land – Incremental Expansion**

Jefferson County plans to expand its current inventory of park land to serve future development. The current inventory includes 384.9 acres.

This analysis allocates 100 percent of demand to residential development. The existing level of service for residential development is 0.0063 acres per person (384.9 acres X 100 percent residential share / 60,997 persons). Based on recent land acquisition costs provided by staff, the analysis uses a cost of \$10,500 per acre. The park land cost is \$66.26 per person (0.0063 acres per person X \$10,500 per acre).

**Figure P1: Level of Service and Cost Allocation**

Description	Acres
Bolivar Nature Park	6.80
Harvest Hills Park	21.77
Heather Marriot Park	11.00
James Hite Park	119.73
Leetown Park	10.87
Moulton Park	2.88
Mount Mission Park	3.50
Sam Michael's Park	137.24
South Jefferson Park	71.11
<b>Total</b>	<b>384.9</b>

Cost Factors	
Cost per Acre	\$10,500

Level-of-Service (LOS) Standards	
Existing Acres	384.9
Residential	
Residential Share	100%
2020 Population	60,997
Acres per Person	0.0063
<b>Cost per Person</b>	<b>\$66.26</b>
Nonresidential	
Nonresidential Share	0%
2020 Jobs	18,675
Acres per Job	0.0000
<b>Cost per Job</b>	<b>\$0.00</b>

Source: Jefferson County Parks Department

**Park Improvements – Incremental Expansion**

Jefferson County plans to expand its current inventory of park improvements to serve future development. The current inventory includes 213 units with a total cost of \$15,046,083, so this analysis uses the average cost of \$70,639 per improvement. Appendix D includes a detailed inventory.

**Figure P2: Existing Inventory**

Description	Improvements	Unit Cost	Total Cost
Amphitheatre	1	\$600,000	\$600,000
Baseball Field	12	\$371,153	\$4,453,840
Baseball Field Lights	2	\$125,000	\$250,000
Basketball Court	2	\$21,150	\$42,300
Benches (Steel)	8	\$340	\$2,720
Bleachers	22	\$1,000	\$22,000
Boat Ramp	1	\$21,530	\$21,530
Camping Area	1	\$1,000	\$1,000
Camping Pads	11	\$1,081	\$11,887
Columns (Wedding Venue)	1	\$5,000	\$5,000
Concession Stand	3	\$65,033	\$195,100
Cross Country Trail	1	\$32,300	\$32,300
Disc Golf (18 holes)	1	\$8,000	\$8,000
Dog Park	1	\$60,000	\$60,000
Electric/Solar Gates	2	\$2,814	\$5,627
Fence	5	\$91,106	\$455,532
Gazebo	1	\$32,300	\$32,300
Horseshoe Pits	2	\$1,080	\$2,160
Infrastructure	6	\$703,310	\$4,219,860
Landscaping	5	\$3,820	\$19,100
Maintenance Building	3	\$81,983	\$245,950
Nature Playground	1	\$3,000	\$3,000
Nature Trail	1	\$1,080	\$1,080
Old Church Bldg. (Storage)	1	\$220,050	\$220,050
Parking Lot	7	\$153,076	\$1,071,530
Pavillion	9	\$81,453	\$733,079
Picnic Tables (Steel)	33	\$1,077	\$35,533
Picnic Tables (Wood)	25	\$712	\$17,796
Playground	6	\$84,960	\$509,759
Sign	9	\$1,274	\$11,470
Soccer Field	14	\$86,811	\$1,215,350
Softball Fields with Lights	2	\$45,000	\$90,000
Storage Shed	1	\$5,000	\$5,000
Storage/Dugouts	4	\$13,460	\$53,840
Tennis Courts	4	\$65,000	\$260,000
Trailer (Special Event Office)	1	\$5,000	\$5,000
Volleyball Court	1	\$5,380	\$5,380
Walking Trail	2	\$60,465	\$120,931
Water Balloon Area	1	\$1,080	\$1,080
<b>Total</b>	<b>213</b>	<b>\$70,639</b>	<b>\$15,046,083</b>

This analysis allocates 100 percent of demand for park improvements to residential development. The existing residential level of service is 0.0035 improvements per person (213 improvements X 100 percent residential share / 60,997 persons). Using the average cost of \$70,639 per unit, the park improvement cost is \$246.67 per person (0.0035 improvements per person X \$70,639 per unit).

**Figure P3: Level of Service and Cost Allocation**

Cost Factors	
Average Cost per Unit	\$70,639

Level-of-Service (LOS) Standards	
Existing Improvements	213
Residential	
Residential Share	100%
2020 Population	60,997
Improvements per Person	0.0035
Cost per Person	\$246.67
Nonresidential	
Nonresidential Share	0%
2020 Jobs	18,675
Improvements per Job	0.0000
Cost per Job	\$0.00

Source: Jefferson County Parks Department

**Park Facilities – Incremental Expansion**

Jefferson County plans to expand its current inventory of park facilities to serve future development. The current inventory includes 19,577 square feet. Based on the construction cost of \$3,375,000, the cost is \$172 per square foot.

This analysis allocates 100 percent of demand to residential development. The existing level of service for residential development is 0.3210 square feet per person (19,577 square feet X 100 percent residential share / 60,997 persons). Using the construction cost of \$172 per square foot, the park facilities cost is \$55.33 per person (0.3210 square feet per person X \$172 per square foot).

**Figure P4: Level of Service and Cost Allocation**

Description	Square Feet
Jefferson County Community	19,577

Cost Factors	
Total Cost	\$3,375,000
Total Square Feet	19,577
Cost per Square Foot	\$172

Level-of-Service (LOS) Standards	
Existing Square Feet	19,577
Residential	
Residential Share	100%
2020 Population	60,997
Square Feet per Person	0.3210
<b>Cost per Person</b>	<b>\$55.33</b>
Nonresidential	
Nonresidential Share	0%
2020 Jobs	18,675
Square Feet per Job	0.0000
<b>Cost per Job</b>	<b>\$0.00</b>

Source: Jefferson County Parks Department

### Park Vehicles and Equipment – Incremental Expansion

Jefferson County plans to expand its current inventory of park vehicles and equipment to serve future development. The current inventory includes 30 units with a total cost of \$415,000.

This analysis allocates 100 percent of demand to residential development. The existing level of service for residential development is 0.0005 units per person (30 units X 100 percent residential share / 60,997 persons). Using the average cost of \$13,833 per unit, the park vehicles and equipment cost is \$6.80 per person (0.0005 units per person X \$13,833 per unit).

**Figure P5: Level of Service and Cost Allocation**

Description	Units	Unit Cost	Total Cost
Dump Truck	1	\$50,000	\$50,000
Pick-Up Truck	3	\$40,000	\$120,000
Scag Mowers	6	\$9,000	\$54,000
John Deere Tractors	2	\$17,000	\$34,000
Trailers	3	\$4,000	\$12,000
Miscellaneous Tools	1	\$10,000	\$10,000
John Deere Z Trak	1	\$9,600	\$9,600
John Deere Gator	1	\$12,000	\$12,000
John Deere Mowers	3	\$18,500	\$55,500
Kubota Tractors	2	\$14,500	\$29,000
Troy Built Snowblower	1	\$900	\$900
Trailers	3	\$4,000	\$12,000
Snow Blades	2	\$5,000	\$10,000
Ford Tractor	1	\$6,000	\$6,000
<b>Total</b>	<b>30</b>	<b>\$13,833</b>	<b>\$415,000</b>

Cost Factors	
Average Cost per Unit	\$13,833

Level-of-Service (LOS) Standards	
Existing Units	30
Residential	
Residential Share	100%
2020 Population	60,997
Units per Person	0.0005
<b>Cost per Person</b>	<b>\$6.80</b>
Nonresidential	
Nonresidential Share	0%
2020 Jobs	18,675
Units per Job	0.0000
<b>Cost per Job</b>	<b>\$0.00</b>

Source: Jefferson County Parks Department

**Impact Fee Study – Plan Based**

The cost to prepare the Parks and Recreation impact fees equals \$11,6000, and Jefferson County plans to update its impact fees every five years. Based on this cost, proportionate share, and five-year projections of future residential development, the cost is \$2.72 per person.

**Figure P6: Impact Fee Study**

Infrastructure Category	Cost	Proportionate Share		Service Unit	5-Year Change	Cost per Service Unit
Parks and Recreation	\$11,600	Residential	100%	Population	4,265	\$2.72
		Nonresidential	0%			\$0.00

**PROJECTED DEMAND**

**Park Land – Incremental Expansion**

Based on a projected population increase of 8,285 persons over the next 10 years, future residential development demands an additional 52.3 acres (8,285 additional persons X 0.0063 acres per person). The park land cost is \$548,949 (52.3 acres X \$10,500 per acre).

**Figure P7: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Acre
Park Land	0.0063 Acres	per Person	\$10,500
	0.0000 Acres	per Job	

Demand for Park Land					
Year	Population	Jobs	Acres		
			Residential	Nonresidential	Total
2020	60,997	18,675	384.9	0.0	384.9
2021	61,850	18,938	390.3	0.0	390.3
2022	62,702	19,201	395.7	0.0	395.7
2023	63,555	19,463	401.0	0.0	401.0
2024	64,408	19,726	406.4	0.0	406.4
2025	65,261	19,989	411.8	0.0	411.8
2026	66,065	20,234	416.9	0.0	416.9
2027	66,869	20,478	422.0	0.0	422.0
2028	67,674	20,723	427.0	0.0	427.0
2029	68,478	20,967	432.1	0.0	432.1
2030	69,282	21,212	437.2	0.0	437.2
10-Yr Increase	8,285	2,537	52.3	0.0	52.3

Growth-Related Expenditures	\$548,949	\$0	\$548,949
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### Park Improvements – Incremental Expansion

Based on a projected population increase of 8,285 persons over the next 10 years, future residential development demands an additional 28.9 park improvements (8,285 additional persons X 0.0035 improvements per person). The park improvement cost is \$2,043,731 (28.9 improvements X \$70,639 per unit).

**Figure P8: Projected Demand**

Type of Infrastructure		Level of Service		Demand Unit	Cost per Unit
Park Improvements		0.0035 Improvements		per Person	\$70,639
		0.0000 Improvements		per Job	
Demand for Park Improvements					
Year	Population	Jobs	Improvements		
			Residential	Nonresidential	Total
2020	60,997	18,675	213.0	0.0	213.0
2021	61,850	18,938	216.0	0.0	216.0
2022	62,702	19,201	219.0	0.0	219.0
2023	63,555	19,463	221.9	0.0	221.9
2024	64,408	19,726	224.9	0.0	224.9
2025	65,261	19,989	227.9	0.0	227.9
2026	66,065	20,234	230.7	0.0	230.7
2027	66,869	20,478	233.5	0.0	233.5
2028	67,674	20,723	236.3	0.0	236.3
2029	68,478	20,967	239.1	0.0	239.1
2030	69,282	21,212	241.9	0.0	241.9
10-Yr Increase	8,285	2,537	28.9	0.0	28.9

Growth-Related Expenditures	\$2,043,731	\$0	\$2,043,731
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**Park Facilities- Incremental Expansion**

Based on a projected population increase of 8,285 persons over the next 10 years, future residential development demands an additional 2,659.2 square feet of park facilities (8,285 additional persons X 0.3210 square feet per person). The park facilities cost is \$458,431 (2,659.2 square feet X \$172 per square foot).

**Figure P9: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Sq Ft
Park Facilities	0.3210 Square Feet	per Person	\$172
	0.0000 Square Feet	per Job	

Demand for Park Facilities					
Year	Population	Jobs	Square Feet		
			Residential	Nonresidential	Total
2020	60,997	18,675	19,577.0	0.0	19,577.0
2021	61,850	18,938	19,850.8	0.0	19,850.8
2022	62,702	19,201	20,124.5	0.0	20,124.5
2023	63,555	19,463	20,398.3	0.0	20,398.3
2024	64,408	19,726	20,672.0	0.0	20,672.0
2025	65,261	19,989	20,945.8	0.0	20,945.8
2026	66,065	20,234	21,203.9	0.0	21,203.9
2027	66,869	20,478	21,461.9	0.0	21,461.9
2028	67,674	20,723	21,720.0	0.0	21,720.0
2029	68,478	20,967	21,978.1	0.0	21,978.1
2030	69,282	21,212	22,236.2	0.0	22,236.2
10-Yr Increase	8,285	2,537	2,659.2	0.0	2,659.2

Growth-Related Expenditures	\$458,431	\$0	\$458,431
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**Park Vehicles and Equipment – Incremental Expansion**

Based on a projected population increase of 8,285 persons over the next 10 years, future residential development demands an additional 4.1 units (8,285 additional persons X 0.0005 units per person). The park vehicles and equipment cost is \$56,370 (4.1 units X \$13,833 per unit).

**Figure P10: Projected Demand**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Park Vehicles and Equipment	0.0005 Units	per Person	\$13,833
	0.0000 Units	per Job	

Demand for Park Vehicles and Equipment					
Year	Population	Jobs	Units		
			Residential	Nonresidential	Total
2020	60,997	18,675	30.0	0.0	30.0
2021	61,850	18,938	30.4	0.0	30.4
2022	62,702	19,201	30.8	0.0	30.8
2023	63,555	19,463	31.3	0.0	31.3
2024	64,408	19,726	31.7	0.0	31.7
2025	65,261	19,989	32.1	0.0	32.1
2026	66,065	20,234	32.5	0.0	32.5
2027	66,869	20,478	32.9	0.0	32.9
2028	67,674	20,723	33.3	0.0	33.3
2029	68,478	20,967	33.7	0.0	33.7
2030	69,282	21,212	34.1	0.0	34.1
10-Yr Increase	8,285	2,537	4.1	0.0	4.1

Growth-Related Expenditures	\$56,370	\$0	\$56,370
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**PROPOSED PARKS AND RECREATION IMPACT FEES**

Infrastructure components and cost factors for Parks and Recreation impact fees are summarized in the upper portion of Figure P11. For Parks and Recreation impact fees, the capital cost is \$377.78 per person.

Parks and Recreation impact fees for residential development are assessed according to the number of persons per housing unit. The single-family fee of \$944 is calculated using a cost of \$377.78 per person multiplied by a demand unit of 2.50 persons per housing unit.

Jefferson County will not assess Parks and Recreation impact fees to nonresidential development.

**Figure P11: Proposed Impact Fees**

Fee Component	Cost per Person	Cost per Job
Park Land	\$66.26	\$0.00
Park Improvements	\$246.67	\$0.00
Park Facilities	\$55.33	\$0.00
Park Vehicles and Equipment	\$6.80	\$0.00
Impact Fee Report	\$2.72	\$0.00
<b>Total</b>	<b>\$377.78</b>	<b>\$0.00</b>

Residential Development		Fees per Unit		
Development Type	Persons per Housing Unit <sup>1</sup>	Proposed Fees	Current Fees	Increase / Decrease
Single Family	2.50	\$944	\$481	\$463
Multi-Family	1.79	\$676	\$354	\$322

Nonresidential Development		Fees per 1,000 Square Feet		
Development Type	Jobs per 1,000 Sq Ft <sup>1</sup>	Proposed Fees	Current Fees	Increase / Decrease
Light Industrial	1.63	\$0	\$0	\$0
Business Park	3.08	\$0	\$0	\$0
Manufacturing	1.59	\$0	\$0	\$0
Warehousing	0.34	\$0	\$0	\$0
Commercial/Shopping Center	2.34	\$0	\$0	\$0
Office/Institutional	2.97	\$0	\$0	\$0
Hotel (per room)	0.13	\$0	n/a	n/a
Nursing Home (per bed)	1.05	\$0	n/a	n/a

1. See Land Use Assumptions

**PROJECTED PARKS AND RECREATION IMPACT FEE REVENUE**

Projected fee revenue shown below is based on the development projections, shown in Appendix A, and the proposed Parks and Recreation impact fees shown in Figure P10. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase and impact fee revenue will increase at a corresponding rate. If development occurs at a slower rate than is projected, the demand for infrastructure will also decrease, along with impact fee revenue. Projected impact fee revenue equals \$3,119,081 and projected expenditures equal \$3,119,081.

**Figure P12: Projected Impact Fee Revenue**

Fee Component	Growth Share	Existing Share	Total
Park Land	\$548,949	\$0	\$548,949
Park Improvements	\$2,043,731	\$0	\$2,043,731
Park Facilities	\$458,431	\$0	\$458,431
Park Vehicles and Equipment	\$56,370	\$0	\$56,370
Impact Fee Report	\$11,600	\$0	\$11,600
<b>Total</b>	<b>\$3,119,081</b>	<b>\$0</b>	<b>\$3,119,081</b>

		Single Family \$944 per unit	Multi-Family \$676 per unit	Industrial \$0 per 1,000 sq ft	Comm/Shop \$0 per 1,000 sq ft	Office/Inst \$0 per 1,000 sq ft
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF
Base	2020	21,209	4,455	1,599	3,044	3,015
Year 1	2021	21,506	4,517	1,622	3,087	3,057
Year 2	2022	21,802	4,579	1,644	3,130	3,100
Year 3	2023	22,099	4,641	1,667	3,172	3,142
Year 4	2024	22,396	4,704	1,689	3,215	3,185
Year 5	2025	22,692	4,766	1,712	3,258	3,227
Year 6	2026	22,972	4,825	1,733	3,298	3,266
Year 7	2027	23,251	4,883	1,754	3,338	3,306
Year 8	2028	23,531	4,942	1,775	3,378	3,345
Year 9	2029	23,810	5,001	1,795	3,418	3,385
Year 10	2030	24,090	5,060	1,816	3,457	3,424
10-Year Increase		2,881	605	217	414	410
Projected Revenue		\$2,711,348	\$407,732	\$0	\$0	\$0

Projected Fee Revenue	\$3,119,081
Total Expenditures	\$3,119,081

## **SCHOOL IMPACT FEES**

### **METHODOLOGY**

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The School impact fees include components for school facilities, land, sports facilities, administrative facilities, vehicles and equipment, and the cost of preparing the Impact Fee Study. The incremental expansion methodology is used for school facilities, land, sports facilities, administrative facilities, and vehicles and equipment. A plan-based methodology is used for the Impact Fee Study.

### **PROPORTIONATE SHARE**

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Impact fees should not exceed a proportionate share of the capital cost needed to provide capital facilities to the development. The School impact fees allocate 100 percent of the cost of capital facilities to residential development.

### **SERVICE AREA**

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Jefferson County Schools provide public school facilities throughout Jefferson County; therefore, there is a single service area for the School impact fees.

### **STUDENT GENERATION RATES**

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Demand for additional school capacity will come from future residential development. To determine the level of this demand, this analysis uses custom student generation rates. The term “student generation rate” refers to the number of public school students per housing unit in Jefferson County. Public school students are a subset of school-aged children, which includes students in private schools and home-schooled children. Student generation rates are important demographic factors that help account for variations in demand for school facilities by housing unit type. Student generation rates per housing unit are held constant over the projection period since the impact fees represent a snapshot approach of current levels of service.

TischlerBise derives custom student generation rates for Jefferson County using demographic data from survey responses published by the U.S. Census Bureau in files known as Public Use Microdata Samples (PUMS) and 2018-2019 school year enrollment data from the Jefferson County Schools. TischlerBise uses American Community Survey (ACS) 2014-2018 PUMS data – the most recent year available – to derive the number of students per housing unit by type of unit. PUMS data are only available for areas of roughly 100,000 persons, and Jefferson County is included in West Virginia Public Use Microdata Area (PUMA) 00400. As shown in Appendix E, PUMA 00400 includes Berkeley County, Hampshire County, Jefferson County, Mineral County, and Morgan County. As shown on the following pages, this analysis calculates unadjusted student generation rates based on all public school students and housing units in PUMA 00400 and then adjusts these rates based on local enrollment and housing unit estimates for Jefferson County.

### Public School Students and Housing Units – PUMA 00400

Given demographic characteristics and potential for future development in Jefferson County, student generation rates are calculated for the following housing unit types: (1) Single-Family and (2) Multi-Family. Student generation rates are calculated for three school levels: (1) elementary (grades Pre-K to 5), (2) middle (grades 6 to 8), and (3) high (grades 9 to 12). Shown below, Figure S1 includes total public school students by school level and total housing units by housing unit type for PUMA 00400. This reflects all public school students who live in PUMA 00400.

**Figure S1: Public School Students and Housing Units in PUMA 00400 by Housing Unit Type**

	Public School Students		Total
	Single-Family	Multi-Family	
Elementary	17,983	538	18,521
Middle	7,499	343	7,842
High	10,674	534	11,208
<b>Total</b>	<b>36,156</b>	<b>1,415</b>	<b>37,571</b>

	Housing Units		Total
	Single-Family	Multi-Family	
Housing Units	98,086	9,878	107,964

Source: Cross tabulation by TischlerBise using U. S. Census Bureau, 2014-2018 ACS 5-Year Estimates Weighted Public Use Microdata Sample for West Virginia PUMA 400.

### Unadjusted Student Generation Rates – PUMA 00400

Next, using the totals shown in Figure S1, student generation rates by housing unit type are calculated by dividing the number of students in each type of housing unit by the total number of housing units. Shown below, Figure S2 represents the unadjusted student generation rates by housing unit type for PUMA 00400.

**Figure S2: Unadjusted Student Generation Rates by Housing Unit Type**

	Housing Unit Type		Weighted Average
	Single-Family	Multi-Family	
Elementary	0.183	0.054	0.172
Middle	0.076	0.035	0.073
High	0.109	0.054	0.104
<b>Total</b>	<b>0.369</b>	<b>0.143</b>	<b>0.348</b>

Source: Cross tabulation by TischlerBise using U. S. Census Bureau, 2014-2018 ACS 5-Year Estimates Weighted Public Use Microdata Sample for West Virginia PUMA 400.

**Public School Students and Housing Units – Jefferson County**

To reflect demand for public school facilities in Jefferson County, this analysis applies the unadjusted student generation rates in Figure S2 to housing unit estimates from 2014-2018 American Community Survey (ACS) 5-year estimates shown at the bottom of Figure S3. For example, applying the unadjusted student generation rate 0.054 high school students in multi-family units to the local estimate of 2,133 multi-family units provides an estimate of 115 high school students in existing multi-family units. This analysis compares the enrollment estimates from the previous step, equaling 7,997 students, to the actual enrollment of 9,034 students for the 2018-2019 school year.

**Figure S3: Public School Students in Jefferson County by Housing Unit Type**

	Public School Students		Total	Jefferson County 2018-2019
	Single-Family	Multi-Family		
Elementary	3,826	116	3,942	4,210
Middle	1,595	74	1,669	2,080
High	2,271	115	2,386	2,744
<b>Total</b>	<b>7,692</b>	<b>306</b>	<b>7,997</b>	<b>9,034</b>

	Housing Units		Total	2018 Housing Units
	Single-Family	Multi-Family		
Housing Units	20,866	2,133	22,999	22,999

Source: TischlerBise estimates for Jefferson County using U.S. Census Bureau, 2014-2018 ACS 5-Year Estimates Weighted PUMS for West Virginia PUMA 400 (calibrated to JCS enrollment for 2018-2019 and 2014-2018 ACS housing unit estimate.)

**Adjusted Student Generation Rates – Jefferson County Schools**

By adjusting estimated enrollment to actual enrollment, the adjusted student generation rate for all housing units in Jefferson County is 0.392 students per housing unit – 0.416 students per single-family unit and 0.163 students per multi-family unit. Student generation rates are shown with three decimal places, but it is often easier to understand the rates based on the expected number of students from 100 housing units. For example, Jefferson County should expect 100 new housing units to generate approximately 39 additional public school students (100 units X 0.392 public school students per unit). Continuing the example, those 100 housing units are expected to generate 18.3 elementary school students (100 units X 0.183 students per unit), 9.0 middle school students (100 units X 0.090 students per unit), and 11.9 high school students (100 units X 0.119 students per unit).

**Figure S4: Adjusted Student Generation Rates by Housing Unit Type**

	Housing Types		Weighted Average
	Single-Family	Multi-Family	
Elementary	0.196	0.058	0.183
Middle	0.095	0.043	0.090
High	0.125	0.062	0.119
<b>Total</b>	<b>0.416</b>	<b>0.163</b>	<b>0.392</b>

Source: TischlerBise tabulation of U.S. Census Bureau 2014-2018 5-Year Estimates ACS Weighted PUMS for West Virginia PUMA 400 (Calibrated to JCS enrollment for 2018-2019 and 2014-2018 ACS housing unit estimates.)

## STUDENT ENROLLMENT

### Historical Enrollment

Since the 2010-2011 school year, public school enrollment in Jefferson County has increased by a total of 97 students with some yearly fluctuation. Total enrollment for the 2019-2020 school year was 8,942 students.

**Figure S5: Historical Enrollment**

Jefferson County Schools Historical Enrollment				
School Year	Elementary	Middle	High	Total
2010-2011	4,496	1,872	2,477	8,845
2011-2012	4,436	2,002	2,404	8,842
2012-2013	4,444	2,074	2,440	8,958
2013-2014	4,418	2,147	2,496	9,061
2014-2015	4,432	2,088	2,546	9,066
2015-2016	4,367	2,084	2,687	9,138
2016-2017	4,363	2,058	2,781	9,202
2017-2018	4,363	2,065	2,745	9,173
2018-2019	4,210	2,080	2,744	9,034
2019-2020	4,108	2,068	2,766	8,942
Increase	(388)	196	289	97

Source: Jefferson County Schools

### Projected Enrollment

Enrollment projections are based on student generation rates shown in Figure S4 and projected housing unit growth shown in Appendix A. By the 2029-2030 school year, enrollment for Jefferson County Schools is projected to equal 10,240 students – an increase of 1,298 students.

**Figure S6: Projected Enrollment**

Jefferson County Schools Projected Enrollment				
School Year	Elementary	Middle	High	Total
2019-2020	4,108	2,068	2,766	8,942
2020-2021	4,170	2,099	2,807	9,076
2021-2022	4,231	2,130	2,848	9,209
2022-2023	4,293	2,161	2,889	9,343
2023-2024	4,355	2,192	2,930	9,477
2024-2025	4,416	2,223	2,971	9,610
2025-2026	4,475	2,252	3,010	9,736
2026-2027	4,533	2,281	3,048	9,862
2027-2028	4,591	2,310	3,087	9,988
2028-2029	4,649	2,339	3,126	10,114
2029-2030	4,707	2,369	3,164	10,240
10-Yr Increase	599	301	398	1,298

**CAPACITY UTILIZATION**

Jefferson County Schools have capacity for 9,665 students. By school level, capacity is as follows: (1) elementary school: 4,697 students, (2) middle school: 2,252 students, and (3) high school: 2,716 students. Based on 2019-2020 enrollment, current capacity utilization is 87 percent for elementary schools, 92 percent for middle schools, and 102 percent for high schools.

To serve future development, Jefferson County Schools will need to construct additional school infrastructure. As shown in the following figures, projected enrollment from future development increases the capacity utilization to 100 percent in elementary schools, 105 percent in middle schools, and 117 percent in high schools.

**Figure S7: Elementary School Capacity Utilization**

Elementary School			
School Year	Enrollment	Capacity	Utilization
2019-2020	4,108	4,697	87%
2020-2021	4,170	4,697	89%
2021-2022	4,231	4,697	90%
2022-2023	4,293	4,697	91%
2023-2024	4,355	4,697	93%
2024-2025	4,416	4,697	94%
2025-2026	4,475	4,697	95%
2026-2027	4,533	4,697	97%
2027-2028	4,591	4,697	98%
2028-2029	4,649	4,697	99%
2029-2030	4,707	4,697	100%
10-Yr Increase	599		13%

**Figure S8: Middle School Capacity Utilization**

Middle School			
School Year	Enrollment	Capacity	Utilization
2019-2020	2,068	2,252	92%
2020-2021	2,099	2,252	93%
2021-2022	2,130	2,252	95%
2022-2023	2,161	2,252	96%
2023-2024	2,192	2,252	97%
2024-2025	2,223	2,252	99%
2025-2026	2,252	2,252	100%
2026-2027	2,281	2,252	101%
2027-2028	2,310	2,252	103%
2028-2029	2,339	2,252	104%
2029-2030	2,369	2,252	105%
10-Yr Increase	301		13%

**Figure S9: High School Capacity Utilization**

High School			
School Year	Enrollment	Capacity	Utilization
2019-2020	2,766	2,716	102%
2020-2021	2,807	2,716	103%
2021-2022	2,848	2,716	105%
2022-2023	2,889	2,716	106%
2023-2024	2,930	2,716	108%
2024-2025	2,971	2,716	109%
2025-2026	3,010	2,716	111%
2026-2027	3,048	2,716	112%
2027-2028	3,087	2,716	114%
2028-2029	3,126	2,716	115%
2029-2030	3,164	2,716	117%
10-Yr Increase	398		15%

## IMPACT FEE COMPONENTS

### Elementary Schools – Incremental Expansion

Shown below, Figure S10 includes the current inventory for elementary schools in Jefferson County. Elementary schools include 177.4 acres and 504,400 square feet of floor area with capacity to serve 4,697 students. Total enrollment for the 2019-2020 school year of 4,108 students represents an elementary school utilization rate of 87 percent.

**Figure S10: Existing Inventory**

Elementary School	Acres <sup>1</sup>	Facility Square Feet <sup>1</sup>	Student Capacity <sup>1</sup>	2019-2020 Enrollment <sup>2</sup>	Utilization
Blue Ridge	40.0	49,155	768	442	58%
C. W. Shipley	15.0	42,674	357	442	124%
Driswood	15.0	58,836	500	452	90%
North Jefferson	12.0	44,891	345	244	71%
Page Jackson	12.4	58,699	504	367	73%
Ranson	4.2	35,401	357	321	90%
Shepherdstown	7.8	40,179	399	395	99%
South Jefferson	15.0	58,094	591	490	83%
T. A. Lowery	52.0	65,594	477	546	114%
Wright Denny	4.0	50,877	399	409	103%
<b>Total</b>	<b>177.4</b>	<b>504,400</b>	<b>4,697</b>	<b>4,108</b>	<b>87%</b>

1. Jefferson County Schools
2. West Virginia Department of Education

### School Facilities

For elementary school facilities, the existing LOS is 107.39 square feet per student (504,400 square feet / 4,697 students). Using construction cost estimates of \$307 per square foot provided by the School Building Authority of West Virginia, the facilities cost is \$32,968.02 per student (107.39 square feet per student X \$307 per square foot). The construction cost estimate of \$307 per square foot represents an increase of 20 percent when compared to the School Building Authority of West Virginia construction cost estimate of \$256 per square foot used in the previous study.

**Figure S11: Existing Level of Service and Cost Allocation**

Cost Allocation Factors	
Cost per Square Foot <sup>1</sup>	\$307

Level-of-Service (LOS) Standards	
Existing Capacity	4,697
Existing Square Feet	504,400
Square Feet per Student	107.39
<b>Cost per Student</b>	<b>\$32,968.02</b>

1. School Building Authority of West Virginia

## Land

For elementary school land, the existing LOS for land is 0.0378 acres per student (177.4 acres / 4,697 students). Based on recent land acquisition costs of \$10,964 per acre, the land cost is \$414.12 per student (0.0378 acres per student X \$10,964 per acre).

**Figure S12: Existing Level of Service and Cost Allocation**

Cost Allocation Factors	
Total Acquisition Cost <sup>1</sup>	\$2,777,940
Total Acres <sup>1</sup>	253.4
Cost per Acre	\$10,964

Level-of-Service (LOS) Standards	
Existing Capacity	4,697
Existing Acres	177.4
Acres per Student	0.0378
Cost per Student	\$414.12

Source: Jefferson County Schools

1. Strider, Ranson, Welsh, and Shepherdstown sites

## Sports Facilities

Jefferson County Schools currently provide 31 sports facilities at elementary schools with a total cost of \$1,745,000. For elementary school sports facilities, the existing LOS is 0.0066 units per student (31 units / 4,697 students). Using the average cost of \$56,290 per unit (\$1,745,000 / 31 units), the sports facilities cost is \$371.51 per student (0.0066 units per student X \$56,290 per unit). Sports facilities were not included in the previous study.

**Figure S13: Existing Level of Service and Cost Allocation**

Elementary School Sports Facilities	Units	Unit Cost	Total Cost
Asphalt Play Area	15	\$39,667	\$595,000
Playground	12	\$80,000	\$960,000
Playground (Large)	1	\$100,000	\$100,000
Walking Path	3	\$30,000	\$90,000
<b>Total</b>	<b>31</b>	<b>\$56,290</b>	<b>\$1,745,000</b>

Cost Allocation Factors	
Average Cost per Unit	\$56,290

Level-of-Service (LOS) Standards	
Existing Capacity	4,697
Existing Units	31
Units per Student	0.0066
Cost per Student	\$371.51

Source: Jefferson County Schools

**Middle Schools – Incremental Expansion**

Shown below, Figure S14 includes the current inventory for middle schools in Jefferson County. Middle schools include 61.7 acres and 274,176 square feet of floor area with capacity to serve 2,252 students. Total enrollment for the 2019-2020 school year of 2,068 students represents an middle school utilization rate of 92 percent.

**Figure S14: Existing Inventory**

Middle School	Acres <sup>1</sup>	Facility Square Feet <sup>1</sup>	Student Capacity <sup>1</sup>	2019-2020 Enrollment <sup>2</sup>	Utilization
Charles Town	13.5	82,831	712	654	92%
Harpers Ferry	10.3	48,970	520	658	127%
Shepherdstown	8.0	53,375	420	331	79%
Wildwood	29.9	89,000	600	425	71%
<b>Total</b>	<b>61.7</b>	<b>274,176</b>	<b>2,252</b>	<b>2,068</b>	<b>92%</b>

- 1. Jefferson County Schools
- 2. West Virginia Department of Education

**School Facilities**

For middle school facilities, the existing LOS is 121.75 square feet per student (274,176 square feet / 2,252 students). Using construction cost estimates of \$302 per square foot provided by the School Building Authority of West Virginia, the facilities cost is \$36,767.83 per student (121.75 square feet per student X \$302 per square foot). The construction cost estimate of \$302 per square foot represents an increase of 20 percent when compared to the School Building Authority of West Virginia construction cost estimate of \$252 per square foot used in the previous study.

**Figure S15: Existing Level of Service and Cost Allocation**

Cost Allocation Factors	
Cost per Square Foot <sup>1</sup>	\$302

Level-of-Service (LOS) Standards	
Existing Capacity	2,252
Existing Square Feet	274,176
Square Feet per Student	121.75
<b>Cost per Student</b>	<b>\$36,767.83</b>

- 1. School Building Authority of West Virginia

## Land

For middle school land, the existing LOS for land is 0.0274 acres per student (61.7 acres / 2,252 students). Based on recent land acquisition costs of \$10,964 per acre, the land cost is \$300.40 per student (0.0274 acres per student X \$10,964 per acre).

**Figure S16: Existing Level of Service and Cost Allocation**

Cost Allocation Factors	
Total Acquisition Cost <sup>1</sup>	\$2,777,940
Total Acres <sup>1</sup>	253.4
Cost per Acre	\$10,964

Level-of-Service (LOS) Standards	
Existing Capacity	2,252
Existing Acres	61.7
Acres per Student	0.0274
Cost per Student	\$300.40

Source: Jefferson County Schools

1. Strider, Ranson, Welsh, and Shepherdstown sites

## Sports Facilities

Jefferson County Schools currently provide five sports facilities at middle schools with a total cost of \$1,184,000. For middle school sports facilities, the existing LOS is 0.0022 units per student (five units / 2,252 students). Using the average cost of \$236,800 per unit (\$1,184,000 / five units), the sports facilities cost is \$525.75 per student (0.0022 units per student X \$236,800 per unit). Sports facilities were not included in the previous study.

**Figure S17: Existing Level of Service and Cost Allocation**

Middle School Sports Facilities	Units	Unit Cost	Total Cost
Athletic Field	4	\$251,000	\$1,004,000
Running Track	1	\$180,000	\$180,000
Total	5	\$236,800	\$1,184,000

Source: Jefferson County Schools

Cost Allocation Factors	
Average Cost per Unit	\$236,800

Level-of-Service (LOS) Standards	
Existing Capacity	2,252
Existing Units	5
Units per Student	0.0022
Cost per Student	\$525.75

Source: Jefferson County Schools

**High Schools – Incremental Expansion**

Shown below, Figure S18 includes the current inventory for high schools in Jefferson County. High schools include 122.6 acres and 397,124 square feet of floor area with capacity to serve 2,716 students. Total enrollment for the 2019-2020 school year of 2,766 students represents a utilization rate of 102 percent.

**Figure S18: Existing Inventory**

High School	Acres <sup>1</sup>	Facility Square Feet <sup>1</sup>	Student Capacity <sup>1</sup>	2019-2020 Enrollment <sup>2</sup>	Utilization
Jefferson	64.6	188,124	1,406	1,457	104%
Washington	58.0	209,000	1,310	1,309	100%
<b>Total</b>	<b>122.6</b>	<b>397,124</b>	<b>2,716</b>	<b>2,766</b>	<b>102%</b>

- 1. Jefferson County Schools
- 2. West Virginia Department of Education

**School Facilities**

For high school facilities, the existing LOS is 143.57 square feet per student (397,124 square feet / 2,766 students). Using construction cost estimates of \$300 per square foot provided by the School Building Authority of West Virginia, the facilities cost is \$43,072.02 per student (143.57 square feet per student X \$300 per square foot). The construction cost estimate of \$300 per square foot represents an increase of 20 percent when compared to the School Building Authority of West Virginia construction cost estimate of \$250 per square foot used in the previous study.

**Figure S19: Existing Level of Service and Cost Allocation**

Cost Allocation Factors	
Cost per Square Foot <sup>1</sup>	\$300

Level-of-Service (LOS) Standards	
Existing Enrollment	2,766
Existing Square Feet	397,124
Square Feet per Student	143.57
<b>Cost per Student</b>	<b>\$43,072.02</b>

- 1. School Building Authority of West Virginia

## Land

For high school land, the existing LOS for land is 0.0443 acres per student (122.6 acres / 2,766 students). Based on recent land acquisition costs of \$10,964 per acre, the land cost is \$485.99 per student (0.0443 acres per student X \$10,964 per acre).

**Figure S20: Existing Level of Service and Cost Allocation**

Cost Allocation Factors	
Total Acquisition Cost <sup>1</sup>	\$2,777,940
Total Acres <sup>1</sup>	253.4
Cost per Acre	\$10,964

Level-of-Service (LOS) Standards	
Existing Enrollment	2,766
Existing Acres	122.6
Acres per Student	0.0443
<b>Cost per Student</b>	<b>\$485.99</b>

Source: Jefferson County Schools

1. Strider, Ranson, Welsh, and Shepherdstown sites

## Sports Facilities

Jefferson County Schools currently provide 25 sports facilities at high schools with a total cost of \$5,920,000. For high school sports facilities, the existing LOS is 0.0090 units per student (25 units / 2,766 students). Using the average cost of \$236,800 per unit (\$5,920,000 / 25 units), the sports facilities cost is \$2,140.27 per student (0.0090 units per student X \$236,800 per unit). Sports facilities were not included in the previous study.

**Figure S21: Existing Level of Service and Cost Allocation**

High School Sports Facilities	Units	Unit Cost	Total Cost
Football Stadium	2	\$1,550,000	\$3,100,000
Running Track	2	\$230,000	\$460,000
Baseball Field	3	\$400,000	\$1,200,000
Softball Field	2	\$180,000	\$360,000
Tennis Courts	16	\$50,000	\$800,000
<b>Total</b>	<b>25</b>	<b>\$236,800</b>	<b>\$5,920,000</b>

Cost Allocation Factors	
Average Cost per Unit	\$236,800

Level-of-Service (LOS) Standards	
Existing Enrollment	2,766
Existing Units	25
Units per Student	0.0090
<b>Cost per Student</b>	<b>\$2,140.27</b>

Source: Jefferson County Schools

**Administrative Facilities – Incremental Expansion**

Shown below, Figure S22 includes the current inventory for administrative facilities in Jefferson County. Administrative facilities include 28,170 square feet of floor area with a total cost of \$7,241,120. For administrative facilities, the existing LOS is 2.915 square feet per student (28,170 square feet / 9,665 students). Based on the average cost of \$257 per square foot, the administrative facilities cost is \$749.21 per student (2.915 square feet per student X \$257 per square foot).

**Figure S22: Existing Level of Service and Cost Allocation**

Description	Facility Square Feet	Cost per Square Foot	Total Cost
Board of Education Building	16,620	\$226	\$3,756,120
Transportation Dept - Office	1,250	\$302	\$377,165
Transportation Dept - Shop	10,300	\$302	\$3,107,835
<b>Total</b>	<b>28,170</b>	<b>\$257</b>	<b>\$7,241,120</b>

Cost Allocation Factors	
Average Cost per Square Foot	\$257

Level-of-Service (LOS) Standards	
Existing Capacity	9,665
Existing Square Feet	28,170
Square Feet per Student	2.915
<b>Cost per Student</b>	<b>\$749.21</b>

Source: Jefferson County Schools

### Vehicles and Equipment – Incremental Expansion

Shown below in Figure S23, Jefferson County Schools currently provide 164 units of vehicles and equipment with a total cost of \$13,569,610. For vehicles and equipment, the existing LOS is 0.017 units per student (164 units / 9,665 students). Using the average cost of \$82,742 per unit (\$13,569,610 / 164 units), the vehicles and equipment cost is \$1,403.99 per student (0.017 units per student X \$82,742 per unit). Vehicles and equipment were not included in the previous study.

**Figure S23: Existing Level of Service and Cost Allocation**

Description	Units	Unit Cost	Total Cost
Conventional Style Bus	94	\$92,698	\$8,713,612
Special Equipment Bus	37	\$101,054	\$3,738,998
Type A Bus	4	\$62,500	\$250,000
Light Truck (<18,500 GVW)	16	\$27,000	\$432,000
Heavy Truck (>18,500 GVW)	1	\$65,000	\$65,000
Heavy Weight Bucket Truck	1	\$70,000	\$70,000
Refrigerated Truck	1	\$80,000	\$80,000
Passenger Vehicles	10	\$22,000	\$220,000
<b>Total</b>	<b>164</b>	<b>\$82,742</b>	<b>\$13,569,610</b>

Cost Allocation Factors	
Average Cost per Unit	\$82,742

Level-of-Service (LOS) Standards	
Existing Capacity	9,665
Existing Units	164
Units per Student	0.017
<b>Cost per Student</b>	<b>\$1,403.99</b>

Source: Jefferson County Schools

### Impact Fee Study – Plan-Based

The cost to prepare the Schools impact fees totals \$18,600. Jefferson County plans to update its impact fees every five years. Based on this cost, proportionate share, and five-year projections of new residential development, the cost is \$28.16 per student.

**Figure S24: Impact Fee Study**

Infrastructure Category	Cost	Proportionate Share		Service Unit	5-Year Change	Cost per Service Unit
School	\$18,600	Residential	100%	Students	661	\$28.16
		Nonresidential	0%			\$0.00

**PROJECTED DEMAND**

**Elementary Schools – Incremental Expansion**

Shown below, elementary school enrollment is projected to increase by 599 students over the next 10 years. Using the existing LOS, future residential development will demand approximately 64,360 additional square feet of elementary school facilities (599 additional students X 107.39 square feet per student), 22.6 acres of land (599 additional students X 0.0378 acres per student), and four additional sports facilities (599 additional students X 0.0066 units per student). The growth-related expenditure equals \$19,758,455 for school facilities (64,359.8 square feet X \$307 per square foot), \$248,188 for land (22.6 acres X \$10,964 per acre), and \$222,656 for sports facilities (four units X \$56,290 per unit).

**Figure S25: Projected Demand**

Component	Level of Service		Demand Unit	Cost per Unit
School Facilities	107.39	Square Feet	per Student	\$307
Land	0.0378	Acres	per Student	\$10,964
Sports Facilities	0.0066	Units	per Student	\$56,290

Demand for Elementary Schools				
Year	Enrollment	School Facilities	Land	Sports Facilities
2020	4,108	504,400.0	177.4	31.0
2021	4,170	511,025.7	179.7	31.4
2022	4,231	517,651.4	182.1	31.8
2023	4,293	524,277.1	184.4	32.2
2024	4,355	530,902.8	186.7	32.6
2025	4,416	537,528.5	189.1	33.0
2026	4,475	543,774.7	191.2	33.4
2027	4,533	550,021.0	193.4	33.8
2028	4,591	556,267.3	195.6	34.2
2029	4,649	562,513.5	197.8	34.6
2030	4,707	568,759.8	200.0	35.0
10-Yr Increase	599	64,359.8	22.6	4.0

<b>Growth-Related Expenditures</b>	<b>\$19,758,455</b>	<b>\$248,188</b>	<b>\$222,656</b>
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### Middle Schools – Incremental Expansion

Shown below, middle school enrollment is projected to increase by 301 students over the next 10 years. Using the existing LOS, future residential development will demand approximately 36,599 additional square feet of middle school facilities (301 additional students X 121.75 square feet per student), 8.2 acres of land (301 additional students X 0.0274 acres per student), and 0.7 additional sports facilities (301 additional students X 0.0022 units per student). The growth-related expenditure equals \$11,052,894 for school facilities (36,599 square feet X \$302 per square foot), \$90,305 for land (8.2 acres X \$10,964 per acre), and \$158,049 for sports facilities (0.7 units X \$236,800 per unit).

**Figure S26: Projected Demand**

Component	Level of Service	Demand Unit	Cost per Unit
School Facilities	121.75 Square Feet	per Student	\$302
Land	0.0274 Acres	per Student	\$10,964
Sports Facilities	0.0022 Units	per Student	\$236,800

Demand for Middle Schools				
Year	Enrollment	School Facilities	Land	Sports Facilities
2020	2,068	274,176.0	61.7	5.0
2021	2,099	277,943.8	62.5	5.1
2022	2,130	281,711.6	63.4	5.1
2023	2,161	285,479.3	64.2	5.2
2024	2,192	289,247.1	65.1	5.3
2025	2,223	293,014.9	65.9	5.3
2026	2,252	296,566.9	66.7	5.4
2027	2,281	300,118.9	67.5	5.5
2028	2,310	303,671.0	68.3	5.5
2029	2,339	307,223.0	69.1	5.6
2030	2,369	310,775.0	69.9	5.7
10-Yr Increase	301	36,599.0	8.2	0.7

Growth-Related Expenditures	\$11,052,894	\$90,305	\$158,049
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**High Schools – Incremental Expansion**

Shown below, high school enrollment is projected to increase by 398 students over the next 10 years. Using the existing LOS, future residential development will demand approximately 57,165 additional square feet of high school facilities (398 additional students X 143.57 square feet per student), 17.6 acres of land (398 additional students X 0.0443 acres per student), and 3.6 additional sports facilities (398 additional students X 0.0090 units per student). The growth-related expenditure equals \$17,149,551 for school facilities (57,165.2 square feet X \$300 per square foot), \$193,501 for land (17.6 acres X \$10,964 per acre), and \$852,172 for sports facilities (3.6 units X \$236,800 per unit).

**Figure S27: Projected Demand**

Component	Level of Service		Demand Unit	Cost per Unit
School Facilities	143.57	Square Feet	per Student	\$300
Land	0.0443	Acres	per Student	\$10,964
Sports Facilities	0.0090	Units	per Student	\$236,800

Demand for High Schools				
Year	Enrollment	School Facilities	Land	Sports Facilities
2020	2,766	397,124.0	122.6	25.0
2021	2,807	403,009.0	124.4	25.4
2022	2,848	408,894.0	126.2	25.7
2023	2,889	414,779.1	128.1	26.1
2024	2,930	420,664.1	129.9	26.5
2025	2,971	426,549.1	131.7	26.9
2026	3,010	432,097.1	133.4	27.2
2027	3,048	437,645.1	135.1	27.6
2028	3,087	443,193.2	136.8	27.9
2029	3,126	448,741.2	138.5	28.2
2030	3,164	454,289.2	140.2	28.6
10-Yr Increase	398	57,165.2	17.6	3.6

Growth-Related Expenditures	\$17,149,551	\$193,501	\$852,172
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### Administrative Facilities – Incremental Expansion

Shown below, total enrollment is projected to increase by 1,298 students over the next 10 years. Using the existing LOS, future residential development will demand approximately 3,784 additional square feet of administrative facilities (1,298 additional students X 2.915 square feet per student). The growth-related expenditure for administrative facilities is \$972,546 (3,783.5 square feet X \$257 per square foot).

**Figure S28: Projected Demand**

Component	Level of Service	Demand Unit
Admin Facilities	2.915 Sq Ft	per Student

Demand for Administrative Facilities		
Year	Enrollment	Square Feet
2020	8,942	28,170.0
2021	9,076	28,559.5
2022	9,209	28,949.0
2023	9,343	29,338.5
2024	9,477	29,728.0
2025	9,610	30,117.5
2026	9,736	30,484.7
2027	9,862	30,851.9
2028	9,988	31,219.1
2029	10,114	31,586.3
2030	10,240	31,953.5
10-Yr Increase	1,298	3,783.5

Cost per Unit	\$257
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Growth-Related Expenditures	\$972,546
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**Vehicles and Equipment – Incremental Expansion**

Shown below, total enrollment is projected to increase by 1,298 students over the next 10 years. Using the existing LOS, future residential development will demand 22 additional vehicles and equipment (1,298 additional students X 0.017 units per student). The growth-related expenditure for vehicles and equipment is \$1,822,519 (22 units X \$82,742 per unit).

**Figure S29: Projected Demand**

Component	Level of Service	Demand Unit
Vehicles & Equip	0.017 Units	per Student

Demand for Vehicles and Equipment		
Year	Enrollment	Units
2020	8,942	164.0
2021	9,076	166.3
2022	9,209	168.5
2023	9,343	170.8
2024	9,477	173.1
2025	9,610	175.3
2026	9,736	177.5
2027	9,862	179.6
2028	9,988	181.8
2029	10,114	183.9
2030	10,240	186.0
10-Yr Increase	1,298	22.0

Cost per Unit	\$82,742
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Growth-Related Expenditures	\$1,822,519
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**CREDITS**

**School Building Authority Funding**

The West Virginia School Building Authority provides funding to offset construction costs of some school facilities. To calculate impact fees, the analysis must adjust the construction cost factors to reflect the local share of construction costs for school facilities. Shown below, Figure S30 displays local funding compared to School Building Authority funding for recent school facilities projects in Jefferson County. The column to the far right shows the share of local funding for each project. Based on historical funding trends, Jefferson County Schools will be responsible for 59 percent of school facilities costs.

**Figure S30: School Building Authority Funding**

Year	Project	SBA Funding	Local Funding	Total	Local Share
2006	Jefferson High School Renovations	\$9,500,000	\$3,202,334	\$12,702,334	25%
2006	Washington High School	\$9,500,000	\$34,756,689	\$44,256,689	79%
2008	Driswood Elementary	\$6,431,900	\$4,772,823	\$11,204,723	43%
2009	Blue Ridge Primary	\$7,571,500	\$1,510,155	\$9,081,655	17%
2009	South Jefferson Addition (MIP)	\$1,000,000	\$912,835	\$1,912,835	48%
2011	Shepherdstown Sidewalk	\$0	\$221,832	\$221,832	100%
2011	Harpers Ferry Middle School	\$0	\$933,369	\$933,369	100%
2012	North Jefferson Parking Lot	\$0	\$492,352	\$492,352	100%
2013	Harpers Ferry Middle School	\$4,871,862	\$8,440,483	\$13,312,345	63%
2013	Washington High School Wall	\$0	\$54,645	\$54,645	100%
<b>Total</b>		<b>\$38,875,262</b>	<b>\$55,297,517</b>	<b>\$94,172,779</b>	<b>59%</b>

Source: Jefferson County Schools

**Bond Payments**

Jefferson County Schools, through the Jefferson County Building Commission, debt-financed improvements to the bus maintenance and operations facility in 2015. This analysis includes a credit for future principal payments on outstanding debt. A credit is necessary since future residential units will pay the impact fee and will also contribute to future principal payments on this remaining debt. A credit is not necessary for interest payments because interest costs are not included in the impact fee.

As shown in Figure S31, outstanding debt from improvements to the bus maintenance and operations facility will be repaid over the next 10 years. The original principal balance was \$3,485,000, and the remaining principal balance equals \$2,742,981. Annual principal payments are divided by student enrollment to determine the credit per student. To account for the time value of money, annual payments per student are discounted using a net present value formula based on a discount rate of 2.92 percent. The net present value of future principal payments is \$240.72 per student.

**Figure S31: Credit for Future Principal Payments**

Year	Principal	Enrollment	Credit
2020	\$216,997	8,942	\$24.27
2021	\$237,040	9,076	\$26.12
2022	\$237,040	9,209	\$25.74
2023	\$237,040	9,343	\$25.37
2024	\$237,040	9,477	\$25.01
2025	\$237,040	9,610	\$24.67
2026	\$274,253	9,736	\$28.17
2027	\$266,633	9,862	\$27.04
2028	\$266,633	9,988	\$26.69
2029	\$266,633	10,114	\$26.36
2030	\$266,633	10,240	\$26.04
<b>Total</b>	<b>\$2,742,981</b>		<b>\$285.47</b>

Discount Rate	2.92%
<b>Net Present Value</b>	<b>\$240.72</b>

**PROPOSED SCHOOL IMPACT FEES**

Infrastructure components and cost factors for School impact fees are summarized in Figure S32. For School impact fees, the cost is \$22,177.40 per elementary school student, \$24,459.81 per middle school student, and \$29,979.39 per high school student. School impact fees are assessed according to the number of students per housing unit.

The single-family fee of \$10,425 is the sum of the elementary, middle, and high school components. The elementary school component of \$4,343 is calculated using a cost of \$22,177.40 per elementary school student multiplied by a demand unit of 0.196 elementary school students per housing unit. The middle school component of \$2,330 is calculated using a cost of \$24,459.81 per middle school student multiplied by a demand unit of 0.095 middle school students per housing unit. Finally, the high school component of \$3,752 is calculated using a cost of \$29,979.39 per high school student multiplied by a demand unit of 0.125 high school students per housing unit.

**Figure S32: Proposed Impact Fees**

Fee Component	Elementary	Middle	High
School Facilities (Gross)	\$32,968.02	\$36,767.83	\$43,072.02
<i>x Local Share</i>	59%	59%	59%
School Facilities (Net)	\$19,451.13	\$21,693.02	\$25,412.49
Land	\$414.12	\$300.40	\$485.99
Sports Facilities	\$371.51	\$525.75	\$2,140.27
Administrative Facilities	\$749.21	\$749.21	\$749.21
Vehicles and Equipment	\$1,403.99	\$1,403.99	\$1,403.99
Impact Fee Study	\$28.16	\$28.16	\$28.16
Bond Payments Credit	(\$240.72)	(\$240.72)	(\$240.72)
<b>Total</b>	<b>\$22,177.40</b>	<b>\$24,459.81</b>	<b>\$29,979.39</b>

Development Type	Students per Housing Unit			Proposed Fees	Current Fees	Increase / Decrease
	Elementary	Middle	High			
Single-Family	0.196	0.095	0.125	\$10,425	\$5,991	\$4,434
Multi-Family	0.058	0.043	0.062	\$4,212	\$4,185	\$27

As mentioned previously, the construction cost estimates for school facilities represent an increase of 20 percent when compared to the construction cost estimates in the previous study. Also, the previous study did not include sports facilities or vehicles and equipment. Finally, due to retirement of debt, the bond payments credit included in this study is approximately 25 percent of the credit included in the previous study. When combined, these factors result in a cost increase of approximately 23 percent per student when compared to the cost per student in the previous study. It should be noted the current fees represent the adopted share of the maximum allowable fees from the previous study -- \$8,143 per single-family unit and \$5,688 per multi-family unit.

**PROJECTED SCHOOL IMPACT FEE REVENUE**

Projected fee revenue shown in Figure S33 is based on the development projections, shown in Appendix A, and the maximum allowable School impact fees. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase and impact fee revenue will increase at a corresponding rate. If development occurs at a slower rate than is projected, the demand for infrastructure will also decrease, along with impact fee revenue. Projected impact fee revenue equals \$32,562,927 and projected expenditures equal \$52,226,959. The difference of \$19,664,032 is equal to the anticipated funding provided by the School Building Authority.

**Figure S33: Projected School Impact Fee Revenue**

Fee Component	Growth Share	Existing Share	Total
School Facilities	\$47,960,900	\$0	\$47,960,900
Land	\$531,995	\$0	\$531,995
Sports Facilities	\$1,232,877	\$0	\$1,232,877
Administrative Facilities	\$972,546	\$0	\$972,546
Vehicles and Equipment	\$1,822,519	\$0	\$1,822,519
Impact Fee Report	\$18,600	\$0	\$18,600
Bond Payments Credit	(\$312,477)	\$0	(\$312,477)
<b>Total</b>	<b>\$52,226,959</b>	<b>\$0</b>	<b>\$52,226,959</b>

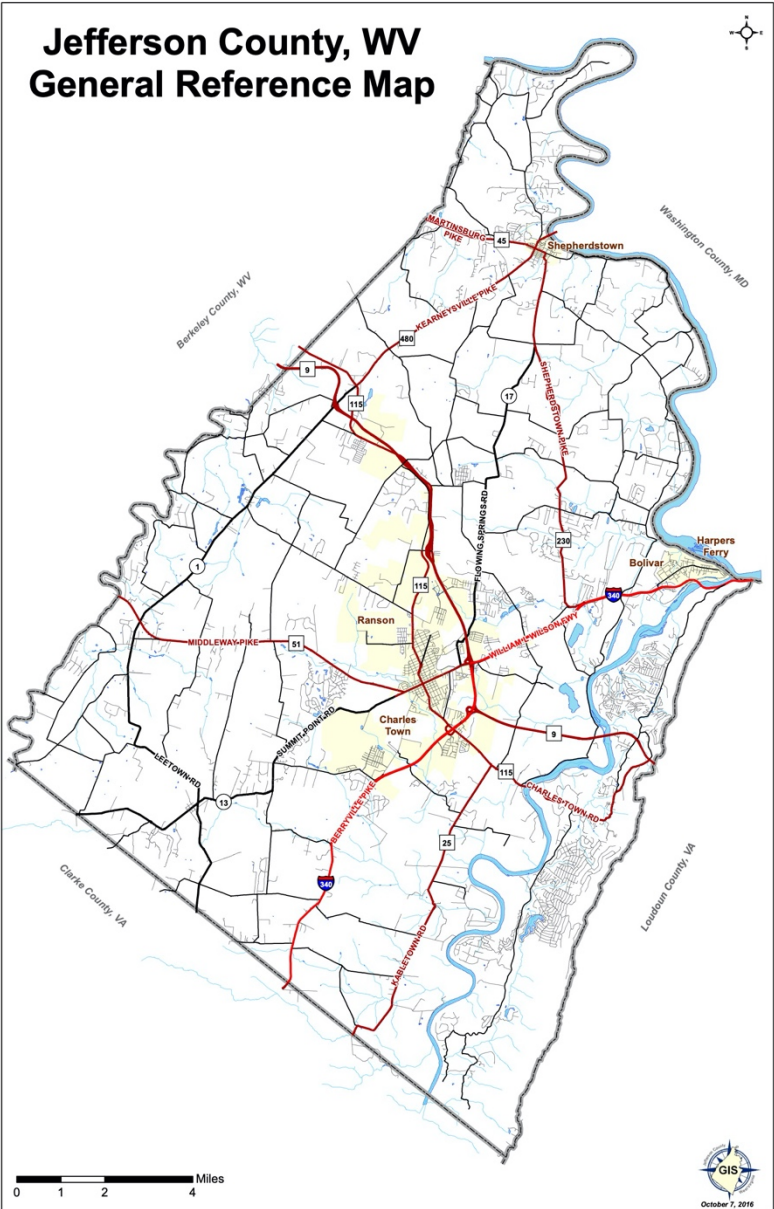
		Single Family \$10,425 per unit	Multi-Family \$4,212 per unit	Industrial \$0 per 1,000 sq ft	Comm/Shop \$0 per 1,000 sq ft	Office/Inst \$0 per 1,000 sq ft
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF
Base	2020	21,209	4,455	1,599	3,044	3,015
Year 1	2021	21,506	4,517	1,622	3,087	3,057
Year 2	2022	21,802	4,579	1,644	3,130	3,100
Year 3	2023	22,099	4,641	1,667	3,172	3,142
Year 4	2024	22,396	4,704	1,689	3,215	3,185
Year 5	2025	22,692	4,766	1,712	3,258	3,227
Year 6	2026	22,972	4,825	1,733	3,298	3,266
Year 7	2027	23,251	4,883	1,754	3,338	3,306
Year 8	2028	23,531	4,942	1,775	3,378	3,345
Year 9	2029	23,810	5,001	1,795	3,418	3,385
Year 10	2030	24,090	5,060	1,816	3,457	3,424
10-Year Increase		2,881	605	217	414	410
Projected Revenue		\$30,015,902	\$2,547,025	\$0	\$0	\$0

Projected Fee Revenue	\$32,562,927
Total Expenditures	\$52,226,959
School Building Authority	\$19,664,032

**APPENDIX A: LAND USE ASSUMPTIONS**

Jefferson County, West Virginia, retained TischlerBise to analyze the impacts of development on its capital facilities and to calculate impact fees based on that analysis. TischlerBise prepared current demographic estimates and future development projections for both residential and nonresidential development that will be used in the calculation of the impact fees. Current demographic data estimates for 2020 are used in calculating levels of service (LOS) provided to existing development in Jefferson County.

The estimates and projections of residential and nonresidential development in this *Land Use Assumptions* document are for areas within the boundaries of Jefferson County, West Virginia. The map below illustrates the areas within the Countywide Service Area for EMS, Municipal Facilities, Parks and Recreation, and School impact fees. Appendix C includes a map of the Law Enforcement Service Area.



**SUMMARY OF GROWTH INDICATORS**

Key land use assumptions for the Jefferson County Impact Fee Study are population, housing units, and employment. Based on discussions with staff, TischlerBise estimates population using data used in the 2019 Metro Washington Council of Governments, Round 9.1a Cooperative Forecasts. For housing units, TischlerBise applies person per housing unit factors derived from 2014-2018 American Community Survey 5-Year Estimates to population estimates and projections. For nonresidential development, the base year employment estimate is calculated based on data used in the 2019 Metro Washington Council of Governments, Round 9.1a Cooperative Forecasts. TischlerBise converts employment estimates and projections to nonresidential floor area based on average square feet per job multipliers published by the Institute of Transportation Engineers (ITE). The projections contained in this document provide the foundation for the Impact Fee Study. These metrics are the service units and demand indicators used in the Impact Fee Study.

Development projections, summarized below, will be used to estimate impact fee revenue and to indicate the anticipated need for growth-related infrastructure. However, impact fee methodologies are designed to reduce sensitivity to development projections in the determination of the proportionate share fee amounts. If actual development is slower than projected, fee revenue will decline, but so will the need for growth-related infrastructure. In contrast, if development is faster than anticipated, Jefferson County will receive an increase in fee revenue, but will also need to accelerate infrastructure improvements to keep pace with the actual rate of development. During the next 10 years, countywide development projections indicate an increase of 3,486 housing units and approximately 1.04 million square feet of nonresidential floor area.

Jefferson County, WV	2020	2025	2030	10-Year
	Base Year	5	10	Increase
<b>Resident Population</b>	<b>60,997</b>	<b>65,261</b>	<b>69,282</b>	<b>8,285</b>
<b>Housing Units</b>				
Single Family	21,209	22,692	24,090	2,881
Multi-Family	4,455	4,766	5,060	605
<b>Total Housing Units</b>	<b>25,664</b>	<b>27,458</b>	<b>29,150</b>	<b>3,486</b>
<b>Employment</b>				
Industrial	2,600	2,783	2,954	353
Commercial	7,129	7,630	8,097	968
Office & Institutional	8,946	9,576	10,161	1,215
<b>Total Employment</b>	<b>18,675</b>	<b>19,989</b>	<b>21,212</b>	<b>2,537</b>
<b>Nonres. Floor Area (x1,000)</b>				
Industrial	1,599	1,712	1,816	217
Commercial	3,044	3,258	3,457	414
Office & Institutional	3,015	3,227	3,424	410
<b>Total Nonres. Floor Area</b>	<b>7,658</b>	<b>8,197</b>	<b>8,698</b>	<b>1,040</b>

## RESIDENTIAL DEVELOPMENT

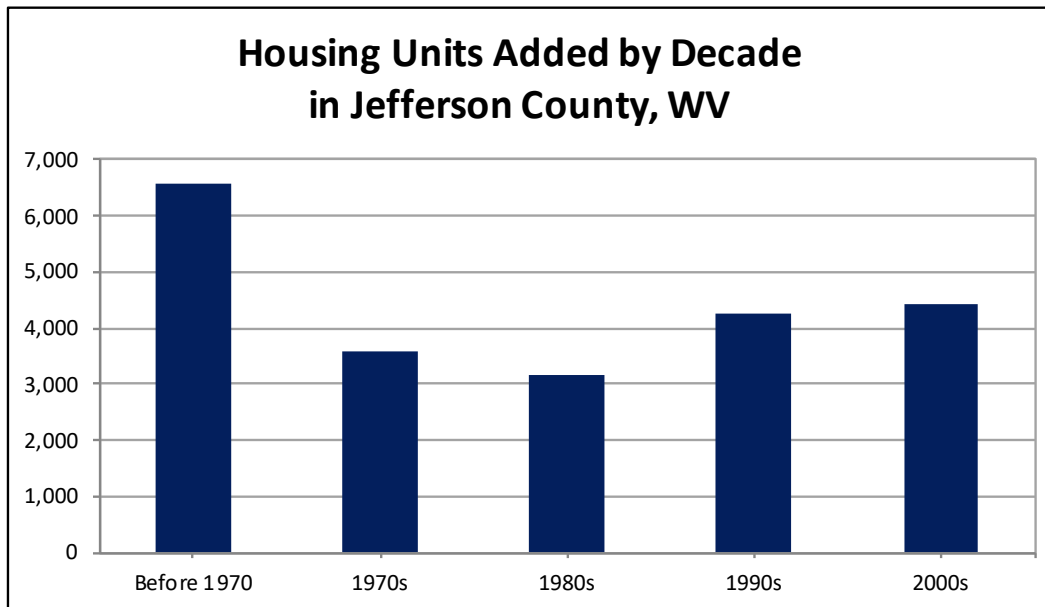
Current estimates and future projections of residential development are detailed in this section including population and housing units by type.

### Recent Residential Construction

For residential development, current levels of service are determined using estimates of population and housing units. Shown below, Figure A1 indicates the estimated number of housing units added by decade according to data obtained from the U.S. Census Bureau. Jefferson County experienced strong growth from 2000 to 2010, when housing inventory increased by an average of 441 units per year.

**Figure A1: Housing Units by Decade**

Census 2010 Housing Units	22,037	Jefferson County added an average of 441 housing units per year from 2000 to 2010.
Census 2000 Housing Units	17,623	
New Housing Units 2000 to 2010	4,414	



Source: U.S. Census Bureau, Census 2010 Summary File 1, Census 2000 Summary File 1, 2014-2018 American Community Survey 5-Year Estimates (for 1990s and earlier, adjusted to yield total units in 2000).

Shown below, Jefferson County permit data show an average annual increase of 236 units per year.

**Figure A2: Residential Building Permit Data**

Year	Single Family	Multi-Family
2015	190	100
2016	175	0
2017	233	4
2018	210	57
2019	201	11
Average	202	34

Source: Jefferson County building permit data

**Housing Unit Size**

According to the U.S. Census Bureau, a household is a housing unit occupied by year-round residents. Impact fees often use per capita standards and persons per housing unit (PPHU) or persons per household (PPH) to derive proportionate share fee amounts. When PPHU is used in the fee calculations, infrastructure standards are derived using year-round population. When PPH is used in the fee calculations, the impact fee methodology assumes a higher percentage of housing units will be occupied, thus requiring seasonal or peak population to be used when deriving infrastructure standards. TischlerBise recommends that Jefferson County impose impact fees for residential development according to the number of persons per housing unit (PPHU).

Occupancy calculations require data on population and the types of units by structure. The 2010 census did not obtain detailed information using a “long-form” questionnaire. Instead, the U.S. Census Bureau switched to a continuous monthly mailing of surveys, known as the American Community Survey (ACS), which has limitations due to sample-size constraints. For example, data on detached housing units are now combined with attached single units (commonly known as townhouses, which share a common sidewall, but are constructed on an individual parcel of land). For impact fees in Jefferson County, detached stick-built units and attached are included in the “Single-Family” category. The second residential category includes duplexes and all other structures with two or more units on an individual parcel of land. This is referred to as the “Multi-Family” category. The “Multi-Family” category also includes mobile homes, boats, RV, vans, and all other units.

Figure A3 below shows the occupancy estimates for Jefferson County. Single-family units average 2.50 persons per housing unit and multi-family units average 1.79 persons per housing unit.

**Figure A3: Persons per Housing Unit**

Housing Type	Persons	Households	Persons per Household	Housing Units	Persons per Housing	Housing Mix	Vacancy Rate
Single-Family Units <sup>1</sup>	47,548	17,583	2.70	19,007	2.50	82.6%	7.50%
Multi-Family Units <sup>2</sup>	7,151	3,312	2.16	3,992	1.79	17.4%	17.00%
Total	54,699	20,895	2.62	22,999	2.38	100.0%	9.10%

Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates, Tables B25024, B25032, B25033.

- 1. Includes detached and attached (i.e. townhouses) units.
- 2. Includes dwellings in structures with two or more units, mobile homes, and all other units.

## Residential Estimates

TischlerBise uses the Metro Washington Council of Governments Round 9.1a Cooperative Forecasts traffic analysis zone (TAZ) data to derive 2020 base year population estimates. Shaded yellow in Figure A4, countywide population estimates equal 57,889 persons in 2015 and 62,688 persons in 2020. TischlerBise allocates population to interim years using a linear projection. Since population in group quarters is not associated with a housing unit, the analysis excludes group quarters population. TischlerBise uses resident population, calculated by subtracting group quarters population from total population, to project demand from future residential development. The base year resident population estimate equals 60,997 persons.

To estimate housing units, TischlerBise applies the persons per housing unit factor derived from 2014-2018 American Community Survey 5-Year Estimates to the resident population estimates and projections. For example, the 2015-2016 resident population increase of 934 persons (57,261 persons – 56,327 persons) divided by 2.38 persons per housing unit equals 393 additional housing units (24,092 housing units – 23,699 housing units). To estimate housing units by type, the analysis maintains the existing housing mix shown in Figure A3. This results in an additional 325 single-family units (82.6 percent X 393 housing units) and 68 multi-family units (17.4 percent X 393 housing units). The base year housing estimate includes 25,664 housing units.

**Figure A4: Residential Estimates**

Jefferson County, WV	2015	2016	2017	2018	2019	2020
<b>Population<sup>1</sup></b>						
Resident	56,327	57,261	58,195	59,129	60,063	60,997
Group Quarters	1,562	1,588	1,614	1,640	1,666	1,691
<b>Total</b>	<b>57,889</b>	<b>58,849</b>	<b>59,809</b>	<b>60,768</b>	<b>61,728</b>	<b>62,688</b>
<b>Housing Units<sup>2</sup></b>						
Single Family	19,586	19,910	20,235	20,560	20,884	21,209
Multi-Family	4,114	4,182	4,250	4,318	4,386	4,455
<b>Total</b>	<b>23,699</b>	<b>24,092</b>	<b>24,485</b>	<b>24,878</b>	<b>25,271</b>	<b>25,664</b>

Source: 2015 and 2020 total population from Metro Washington Council of Governments, Round 9.1a Cooperative Forecasts TAZ data. Interim years based on straight-line allocation of population.

1. TischlerBise calculation (persons per housing unit X housing units)
2. TischlerBise calculation (resident population / persons per housing unit)

**Residential Projections**

The Metro Washington Governments Round 9.1a Cooperative Forecasts project countywide population from 2020 to 2040 in five-year increments, and TischlerBise allocates population to interim years using a linear projection. Based on these projections, Jefferson County’s resident population will increase to 69,282 persons in 2030. TischlerBise converts projected population to projected housing units using the same steps outlined in the previous section. This results in a total housing unit projection of 29,150 units in 2030.

Population and housing unit projections are used to illustrate the possible future pace of service demands, revenues, and expenditures. To the extent these factors change, the projected need for infrastructure will also change. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase at a corresponding rate. If development occurs at a slower rate than is projected, the demand for infrastructure will also decrease.

**Figure A5: Residential Projections**

Jefferson County, WV	2020	2021	2022	2023	2024	2025	2030	10-Year Increase
	Base Year	1	2	3	4	5	10	
<b>Resident Population</b>	<b>60,997</b>	<b>61,850</b>	<b>62,702</b>	<b>63,555</b>	<b>64,408</b>	<b>65,261</b>	<b>69,282</b>	<b>8,285</b>
<b>Housing Units</b>								
Single Family	21,209	21,506	21,802	22,099	22,396	22,692	24,090	2,881
Multi-Family	4,455	4,517	4,579	4,641	4,704	4,766	5,060	605
<b>Total Housing Units</b>	<b>25,664</b>	<b>26,023</b>	<b>26,381</b>	<b>26,740</b>	<b>27,099</b>	<b>27,458</b>	<b>29,150</b>	<b>3,486</b>

## NONRESIDENTIAL DEVELOPMENT

Current estimates and future projections of nonresidential development are detailed in this section including jobs and nonresidential floor area. TischlerBise uses the term jobs to refer to employment by place of work. In Figure A6, gray shading indicates the nonresidential development prototypes used by TischlerBise to derive employment densities and average weekday vehicle trip ends. For nonresidential development, TischlerBise uses data published in Trip Generation, Institute of Transportation Engineers, 10<sup>th</sup> Edition (2017).

The prototype for industrial development is Light Industrial (110) which generates 4.96 average weekday vehicle trip ends per 1,000 square feet of floor area and has 615 square feet of floor area per employee. For office and institutional development, the proxy is General Office (ITE 710); it generates 9.74 average weekday vehicle trip ends per 1,000 square feet of floor area and has 337 square feet of floor area per employee. The prototype for commercial development is Shopping Center (ITE 820) which generates 37.75 average weekday vehicle trips per 1,000 square feet of floor area and has 427 square feet of floor area per employee.

**Figure A6: Nonresidential Demand Units**

ITE Code	Land Use / Size	Demand Unit	Wkdy Trip Ends Per Dmd Unit <sup>1</sup>	Wkdy Trip Ends Per Employee <sup>1</sup>	Emp Per Dmd Unit	Sq Ft Per Emp
110	Light Industrial	1,000 Sq Ft	4.96	3.05	1.63	615
130	Industrial Park	1,000 Sq Ft	3.37	2.91	1.16	864
140	Manufacturing	1,000 Sq Ft	3.93	2.47	1.59	628
150	Warehousing	1,000 Sq Ft	1.74	5.05	0.34	2,902
254	Assisted Living	bed	2.60	4.24	0.61	na
310	Hotel	room	8.36	14.34	0.58	na
520	Elementary School	1,000 Sq Ft	19.52	21.00	0.93	1,076
530	High School	1,000 Sq Ft	14.07	22.25	0.63	1,581
540	Community College	student	1.15	14.61	0.08	na
610	Hospital	1,000 Sq Ft	10.72	3.79	2.83	354
620	Nursing Home	bed	3.06	2.91	1.05	na
710	General Office (average size)	1,000 Sq Ft	9.74	3.28	2.97	337
715	Single Tenant Office	1,000 Sq Ft	11.25	3.77	2.98	335
730	Government Office	1,000 Sq Ft	22.59	7.45	3.03	330
750	Office Park	1,000 Sq Ft	11.07	3.54	3.13	320
820	Shopping Center (average size)	1,000 Sq Ft	37.75	16.11	2.34	427

1. Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).

## Employment Estimates

TischlerBise uses the Metro Washington Council of Governments Round 9.1a Cooperative Forecasts traffic analysis zone (TAZ) data to derive 2020 base year employment estimates. Shaded yellow in Figure A7, countywide employment estimates equal 17,247 jobs in 2015 and 18,675 jobs in 2020. TischlerBise allocates employment to interim years using a linear projection. To calculate employment by industry sector, TischlerBise applies 2020 Esri Business Analyst data to Metro Washington Council of Government total employment estimates.

To estimate nonresidential floor area, TischlerBise applies the employment density factors shown in Figure A6 to employment estimates, by industry sector, shown below in Figure A7. For example, 2020 countywide industrial employment of 2,600 jobs multiplied by an employment density factor of 615 square feet per employee equals 1,599,185 square feet of industrial floor area. TischlerBise repeats this process for commercial and office & institutional development. The 2020 base year estimate includes approximately 7.66 million square feet of nonresidential floor area.

**Figure A7: Nonresidential Estimates**

Jefferson County, WV	2015	2016	2017	2018	2019	2020
<b>Employment<sup>1</sup></b>						
Industrial	2,401	2,441	2,481	2,521	2,561	2,600
Commercial	6,584	6,693	6,802	6,911	7,020	7,129
Office & Institutional	8,262	8,399	8,536	8,672	8,809	8,946
<b>Total</b>	<b>17,247</b>	<b>17,533</b>	<b>17,818</b>	<b>18,104</b>	<b>18,389</b>	<b>18,675</b>
<b>Nonresidential Floor Area<sup>2</sup></b>						
Industrial	1,476,902	1,501,359	1,525,815	1,550,272	1,574,729	1,599,185
Commercial	2,811,173	2,857,725	2,904,276	2,950,827	2,997,379	3,043,930
Office & Institutional	2,784,290	2,830,396	2,876,503	2,922,609	2,968,715	3,014,821
<b>Total</b>	<b>7,072,366</b>	<b>7,189,480</b>	<b>7,306,594</b>	<b>7,423,708</b>	<b>7,540,822</b>	<b>7,657,936</b>

Source: 2015 and 2020 total employment from Metro Washington Council of Governments, Round 9.1a Cooperative Forecasts TAZ data. Interim years based on straight-line allocation of employment.

1. TischlerBise calculation (Esri Business Analyst share of 2020 employment by sector X Metro Washington Council of Governments, Round 9.1a Cooperative Forecasts 2020 total employment).
2. TischlerBise calculation (employment by sector X ITE square feet per job factor).

## Nonresidential Projections

The Metro Washington Governments Round 9.1a Cooperative Forecasts project countywide employment from 2020 to 2040 in five-year increments, and TischlerBise allocates employment to interim years using a linear projection. Based on these projections, Jefferson County’s countywide employment will increase to 21,212 jobs in 2030. TischlerBise converts projected employment to projected floor area using the same steps outlined in the previous section. This results in a total nonresidential floor area projection of 8.7 million square feet in 2030.

Employment and nonresidential floor area projections are used to illustrate the possible future pace of service demands, revenues, and expenditures. To the extent these factors change, the projected need for infrastructure will also change. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase at a corresponding rate. If development occurs at a slower rate than is projected, the demand for infrastructure will also decrease.

**Figure A8: Nonresidential Projections**

Jefferson County, WV	2020	2021	2022	2023	2024	2025	2030	10-Year Increase
	Base Year	1	2	3	4	5	10	
<b>Employment</b>								
Industrial	2,600	2,637	2,673	2,710	2,747	2,783	2,954	353
Commercial	7,129	7,229	7,329	7,430	7,530	7,630	8,097	968
Office & Institutional	8,946	9,072	9,198	9,324	9,450	9,576	10,161	1,215
<b>Total Employment</b>	<b>18,675</b>	<b>18,938</b>	<b>19,201</b>	<b>19,463</b>	<b>19,726</b>	<b>19,989</b>	<b>21,212</b>	<b>2,537</b>
<b>Nonres. Floor Area (x1,000)</b>								
Industrial	1,599	1,622	1,644	1,667	1,689	1,712	1,816	217
Commercial	3,044	3,087	3,130	3,172	3,215	3,258	3,457	414
Office & Institutional	3,015	3,057	3,100	3,142	3,185	3,227	3,424	410
<b>Total Nonres. Floor Area</b>	<b>7,658</b>	<b>7,766</b>	<b>7,873</b>	<b>7,981</b>	<b>8,089</b>	<b>8,197</b>	<b>8,698</b>	<b>1,040</b>

**AVERAGE WEEKDAY VEHICLE TRIPS**

Jefferson County will use average weekday vehicle trips (AWVT) as the nonresidential demand units for Law Enforcement fees.

**Nonresidential Trip Generation Rates**

For nonresidential development, TischlerBise uses trip generation rates published in Trip Generation, Institute of Transportation Engineers, 10<sup>th</sup> Edition (2017). The prototype for industrial development is Light Industrial (110) which generates 4.96 average weekday vehicle trip ends per 1,000 square feet of floor area. For office and institutional development, the proxy is General Office (ITE 710), and it generates 9.74 average weekday vehicle trip ends per 1,000 square feet of floor area. The prototype for commercial development is Shopping Center (ITE 820) which generates 37.75 average weekday vehicle trips per 1,000 square feet of floor area.

**Figure A9: Average Weekday Vehicle Trip Ends by Land Use**

ITE Code	Land Use / Size	Demand Unit	Wkdy Trip Ends Per Dmd Unit <sup>1</sup>	Wkdy Trip Ends Per Employee <sup>1</sup>	Emp Per Dmd Unit	Sq Ft Per Emp
110	Light Industrial	1,000 Sq Ft	4.96	3.05	1.63	615
710	General Office (average size)	1,000 Sq Ft	9.74	3.28	2.97	337
820	Shopping Center (average size)	1,000 Sq Ft	37.75	16.11	2.34	427

1. Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).

**Trip Rate Adjustments**

Average Weekday Vehicle Trips (AWVT) are used as a measure of demand by land use. Vehicle trips are estimated using average weekday vehicle trip ends from the reference book, *Trip Generation, 10<sup>th</sup> Edition*, published by the Institute of Transportation Engineers (ITE) in 2017. A vehicle trip end represents a vehicle entering or exiting a development (as if a traffic counter were placed across a driveway). To calculate the impact fees, trip generation rates are adjusted to avoid double counting each trip at both the origin and destination points. The basic trip adjustment factor is 50 percent. As discussed further below, the impact fee methodology includes additional adjustments to make the fees proportionate to the infrastructure demand for particular types of development.

**Adjustment for Pass-By Trips**

For commercial development, the trip adjustment factor is less than 50 percent because this type of development attracts vehicles as they pass by on arterial and collector roads. For example, when someone stops at a convenience store on the way home from work, the convenience store is not the primary destination. For the average shopping center, ITE data indicate 34 percent of the vehicles that enter are passing by on their way to some other primary destination. The remaining 66 percent of attraction trips have the commercial site as their primary destination. Because attraction trips are half of all trips, the trip adjustment factor is 66 percent multiplied by 50 percent, or approximately 33 percent of the trip ends.

## FUNCTIONAL POPULATION

TischlerBise recommends functional population to allocate the cost of infrastructure to residential and nonresidential development. Functional population is similar to what the U.S. Census Bureau calls "daytime population," which accounts for people living and working in a jurisdiction, but also considers commuting patterns and time spent at home and at nonresidential locations. OnTheMap is a web-based mapping and reporting application that shows where workers are employed and where they live. OnTheMap was developed through a unique partnership between the U.S. Census Bureau and its Local Employment Dynamics (LED) partner states.

Residents who do not work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents who work in Jefferson County are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents who work outside Jefferson County are assigned 14 hours to residential development, and inflow commuters are assigned 10 hours to nonresidential development. Based on 2017 data, residential development accounts for 78 percent of functional population and nonresidential development accounts for the remaining 22 percent.

**Figure A10: Functional Population**

Demand Units in 2017				
Residential			Demand Hours/Day	Person Hours
	Population	58,195		
	Residents Not Working	33,271	20	665,417
	Employed Residents	24,924		
	Employed in Jefferson County, WV	7,194	14	100,716
	Employed outside Jefferson County, WV	17,730	14	248,220
				Residential Subtotal
				<b>1,014,353</b>
				<b>Residential Share 78%</b>
Nonresidential				
	Non-working Residents	33,271	4	133,083
	Jobs Located in Jefferson County, WV	15,660		
	Residents Employed in Jefferson County, WV	7,194	10	71,940
	Non-Resident Workers (inflow commuters)	8,466	10	84,660
				Nonresidential Subtotal
				<b>289,683</b>
				<b>Nonresidential Share 22%</b>
				Total
				<b>1,304,036</b>

Source: TischlerBise calculation (population); U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics (employment).

**DEVELOPMENT PROJECTIONS**

**Countywide**

Provided below are summaries of countywide development projections used in the Impact Fee Study. Development projections are used to illustrate a possible future pace of demand for service units and cash flows resulting from revenues and expenditures associated with those demands.

**Figure A11: Countywide Development Projections Summary**

Jefferson County, WV	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	10-Year Increase
	Base Year	1	2	3	4	5	6	7	8	9	10	
<b>Resident Population</b>	<b>60,997</b>	<b>61,850</b>	<b>62,702</b>	<b>63,555</b>	<b>64,408</b>	<b>65,261</b>	<b>66,065</b>	<b>66,869</b>	<b>67,674</b>	<b>68,478</b>	<b>69,282</b>	<b>8,285</b>
<b>Housing Units</b>												
Single Family	21,209	21,506	21,802	22,099	22,396	22,692	22,972	23,251	23,531	23,810	24,090	2,881
Multi-Family	4,455	4,517	4,579	4,641	4,704	4,766	4,825	4,883	4,942	5,001	5,060	605
<b>Total Housing Units</b>	<b>25,664</b>	<b>26,023</b>	<b>26,381</b>	<b>26,740</b>	<b>27,099</b>	<b>27,458</b>	<b>27,796</b>	<b>28,135</b>	<b>28,473</b>	<b>28,811</b>	<b>29,150</b>	<b>3,486</b>
<b>Employment</b>												
Industrial	2,600	2,637	2,673	2,710	2,747	2,783	2,817	2,851	2,885	2,919	2,954	353
Commercial	7,129	7,229	7,329	7,430	7,530	7,630	7,724	7,817	7,910	8,004	8,097	968
Office & Institutional	8,946	9,072	9,198	9,324	9,450	9,576	9,693	9,810	9,927	10,044	10,161	1,215
<b>Total Employment</b>	<b>18,675</b>	<b>18,938</b>	<b>19,201</b>	<b>19,463</b>	<b>19,726</b>	<b>19,989</b>	<b>20,234</b>	<b>20,478</b>	<b>20,723</b>	<b>20,967</b>	<b>21,212</b>	<b>2,537</b>
<b>Nonres. Floor Area (x1,000)</b>												
Industrial	1,599	1,622	1,644	1,667	1,689	1,712	1,733	1,754	1,775	1,795	1,816	217
Commercial	3,044	3,087	3,130	3,172	3,215	3,258	3,298	3,338	3,378	3,418	3,457	414
Office & Institutional	3,015	3,057	3,100	3,142	3,185	3,227	3,266	3,306	3,345	3,385	3,424	410
<b>Total Nonres. Floor Area</b>	<b>7,658</b>	<b>7,766</b>	<b>7,873</b>	<b>7,981</b>	<b>8,089</b>	<b>8,197</b>	<b>8,297</b>	<b>8,397</b>	<b>8,498</b>	<b>8,598</b>	<b>8,698</b>	<b>1,040</b>

## Unincorporated

Provided below are summaries of unincorporated development projections used in the Impact Fee Study for Law Enforcement impact fees only. As previously discussed, TischlerBise uses data published by the Metro Washington Council of Governments Round 9.1a Cooperative Forecasts to estimate and project countywide development. TischlerBise excludes population and employment data located in traffic analysis zones (TAZ) associated with Jefferson County’s incorporated areas to estimate and project development in unincorporated Jefferson County. The estimates and projections shown below represent existing and future development in unincorporated Jefferson County. Development projections are used to illustrate a possible future pace of demand for service units and cash flows resulting from revenues and expenditures associated with those demands.

**Figure A12: Unincorporated Development Projections Summary**

Unincorporated Jefferson County, WV	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	10-Year Increase
	Base Year	1	2	3	4	5	6	7	8	9	10	
<b>Resident Population</b>	<b>29,917</b>	<b>30,402</b>	<b>30,887</b>	<b>31,372</b>	<b>31,856</b>	<b>32,341</b>	<b>32,798</b>	<b>33,255</b>	<b>33,712</b>	<b>34,169</b>	<b>34,626</b>	<b>4,708</b>
<b>Housing Units</b>												
Single Family	10,403	10,571	10,740	10,908	11,077	11,245	11,404	11,563	11,722	11,881	12,040	1,637
Multi-Family	2,185	2,220	2,256	2,291	2,326	2,362	2,395	2,429	2,462	2,495	2,529	344
<b>Total Housing Units</b>	<b>12,587</b>	<b>12,791</b>	<b>12,995</b>	<b>13,199</b>	<b>13,403</b>	<b>13,607</b>	<b>13,799</b>	<b>13,992</b>	<b>14,184</b>	<b>14,376</b>	<b>14,568</b>	<b>1,981</b>
<b>Employment</b>												
Industrial	1,294	1,312	1,330	1,349	1,367	1,385	1,402	1,419	1,436	1,453	1,470	176
Commercial	3,547	3,597	3,647	3,698	3,748	3,798	3,845	3,891	3,937	3,984	4,030	484
Office & Institutional	4,451	4,514	4,577	4,640	4,703	4,766	4,825	4,883	4,941	4,999	5,058	607
<b>Total Employment</b>	<b>9,291</b>	<b>9,423</b>	<b>9,555</b>	<b>9,686</b>	<b>9,818</b>	<b>9,950</b>	<b>10,072</b>	<b>10,193</b>	<b>10,315</b>	<b>10,436</b>	<b>10,558</b>	<b>1,267</b>
<b>Nonres. Floor Area (x1,000)</b>												
Industrial	796	807	818	829	841	852	862	873	883	894	904	108
Commercial	1,514	1,536	1,557	1,579	1,600	1,622	1,642	1,661	1,681	1,701	1,721	207
Office & Institutional	1,500	1,521	1,542	1,564	1,585	1,606	1,626	1,646	1,665	1,685	1,704	205
<b>Total Nonres. Floor Area</b>	<b>3,810</b>	<b>3,864</b>	<b>3,918</b>	<b>3,972</b>	<b>4,026</b>	<b>4,080</b>	<b>4,130</b>	<b>4,180</b>	<b>4,230</b>	<b>4,280</b>	<b>4,329</b>	<b>520</b>

**NONRESIDENTIAL VEHICLE TRIP PROJECTIONS**

**Countywide**

Provided below are countywide summaries of nonresidential vehicle trip projections used in the Impact Fee Study.

**Figure A13: Countywide Nonresidential Vehicle Trip Projections Summary**

Development Type	Dev. Unit	ITE Code	Weekday VTE	Trip Adj
Industrial	KSF	110	4.96	50%
Commercial	KSF	820	37.75	33%
Office & Institutional	KSF	710	9.74	50%

Jefferson County, WV	Base	1	2	3	4	5	6	7	8	9	10	10-Year Increase
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Industrial KSF	1,599	1,622	1,644	1,667	1,689	1,712	1,733	1,754	1,775	1,795	1,816	217
Commercial KSF	3,044	3,087	3,130	3,172	3,215	3,258	3,298	3,338	3,378	3,418	3,457	414
Office & Institutional KSF	3,015	3,057	3,100	3,142	3,185	3,227	3,266	3,306	3,345	3,385	3,424	410
Industrial Trips	3,966	4,022	4,078	4,133	4,189	4,245	4,297	4,349	4,401	4,453	4,505	539
Commercial Trips	37,920	38,453	38,987	39,521	40,054	40,588	41,085	41,581	42,078	42,574	43,071	5,151
Office & Institutional Trips	14,682	14,889	15,095	15,302	15,509	15,715	15,908	16,100	16,292	16,484	16,677	1,995
Nonresidential Trips	56,568	57,364	58,160	58,956	59,752	60,548	61,289	62,030	62,771	63,512	64,253	7,685

## Unincorporated

Provided below are unincorporated summaries of nonresidential vehicle trip projections used in the Impact Fee Study for Law Enforcement impact fees. The estimates and projections shown below do not include vehicle trips generated in the incorporated areas of Jefferson County.

**Figure A14: Unincorporated Nonresidential Vehicle Trip Projections Summary**

Development Type	Dev. Unit	ITE Code	Weekday VTE	Trip Adj
Industrial	KSF	110	4.96	50%
Commercial	KSF	820	37.75	33%
Office & Institutional	KSF	710	9.74	50%

Unincorporated Jefferson County, WV	Base 2020	1 2021	2 2022	3 2023	4 2024	5 2025	6 2026	7 2027	8 2028	9 2029	10 2030	10-Year Increase
Industrial KSF	796	807	818	829	841	852	862	873	883	894	904	108
Commercial KSF	1,514	1,536	1,557	1,579	1,600	1,622	1,642	1,661	1,681	1,701	1,721	207
Office & Institutional KSF	1,500	1,521	1,542	1,564	1,585	1,606	1,626	1,646	1,665	1,685	1,704	205
Industrial Trips	1,973	2,001	2,029	2,057	2,085	2,113	2,139	2,165	2,191	2,216	2,242	269
Commercial Trips	18,865	19,133	19,401	19,668	19,936	20,204	20,450	20,697	20,944	21,191	21,438	2,573
Office & Institutional Trips	7,305	7,408	7,512	7,615	7,719	7,823	7,918	8,014	8,109	8,205	8,301	996
<b>Nonresidential Trips</b>	<b>28,143</b>	<b>28,542</b>	<b>28,942</b>	<b>29,341</b>	<b>29,740</b>	<b>30,139</b>	<b>30,508</b>	<b>30,876</b>	<b>31,244</b>	<b>31,613</b>	<b>31,981</b>	<b>3,838</b>

## **APPENDIX B: LAND USE DEFINITIONS**

### **RESIDENTIAL DEVELOPMENT**

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As discussed below, residential development categories are based on data from the U.S. Census Bureau, American Community Survey. Jefferson County will collect impact fees from all new residential units. One-time impact fees are determined by site capacity (i.e. number of residential units).

#### **Single-Family Units:**

1. Single-family detached is a one-unit structure detached from any other house, that is, with open space on all four sides. Such structures are considered detached even if they have an adjoining shed or garage. A one-family house that contains a business is considered detached as long as the building has open space on all four sides.
2. Single-family attached (townhouse) is a one-unit structure that has one or more walls extending from ground to roof separating it from adjoining structures. In row houses (sometimes called townhouses), double houses, or houses attached to nonresidential structures, each house is a separate, attached structure if the dividing or common wall goes from ground to roof.

#### **Multi-Family Units:**

1. 2+ units (duplexes and apartments) are units in structures containing two or more housing units, further categorized as units in structures with “2, 3 or 4, 5 to 9, 10 to 19, 20 to 49, and 50 or more apartments.”
2. Mobile home includes both occupied and vacant mobile homes, to which no permanent rooms have been added. Mobile homes used only for business purposes or for extra sleeping space and mobile homes for sale on a dealer's lot, at the factory, or in storage are not counted in the housing inventory.
3. Boat, RV, Van, Etc. includes any living quarters occupied as a housing unit that does not fit the other categories (e.g., houseboats, railroad cars, campers, and vans). Recreational vehicles, boats, vans, railroad cars, and the like are included only if they are occupied as a current place of residence.

## **NONRESIDENTIAL DEVELOPMENT**

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The proposed general nonresidential development categories (defined below) can be used for all new construction within Jefferson County. Nonresidential development categories represent general groups of land uses that share similar average weekday vehicle trip generation rates and employment densities (i.e., jobs per thousand square feet of floor area).

**Commercial:** Establishments primarily selling merchandise, eating/drinking places, and entertainment uses. By way of example, *Commercial* includes shopping centers, supermarkets, pharmacies, restaurants, bars, nightclubs, automobile dealerships, movie theaters, hotels, and motels.

**Industrial:** Establishments primarily engaged in the production, transportation, or storage of goods. By way of example, *Industrial* includes manufacturing plants, distribution warehouses, trucking companies, utility substations, power generation facilities, and telecommunications buildings.

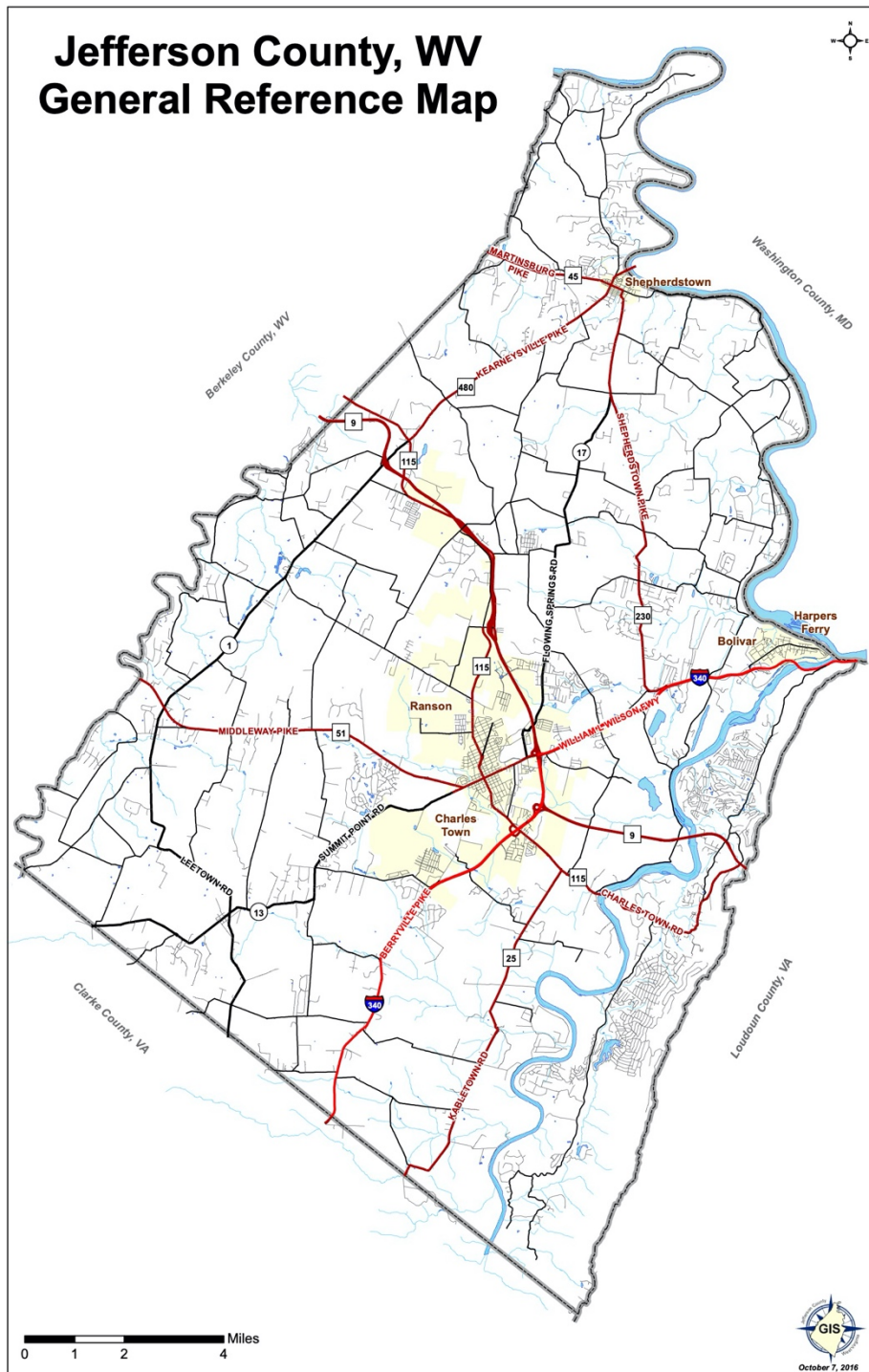
**Institutional:** Public and quasi-public buildings providing educational, social assistance, or religious services. By way of example, *Institutional* includes schools, universities, churches, daycare facilities, hospitals, government buildings, assisted living facilities, and nursing home facilities.

**Office:** Establishments providing management, administrative, professional, or business services. By way of example, *Office* includes banks, business offices, medical offices, and veterinarian clinics.

## APPENDIX C: SERVICE AREA MAPS

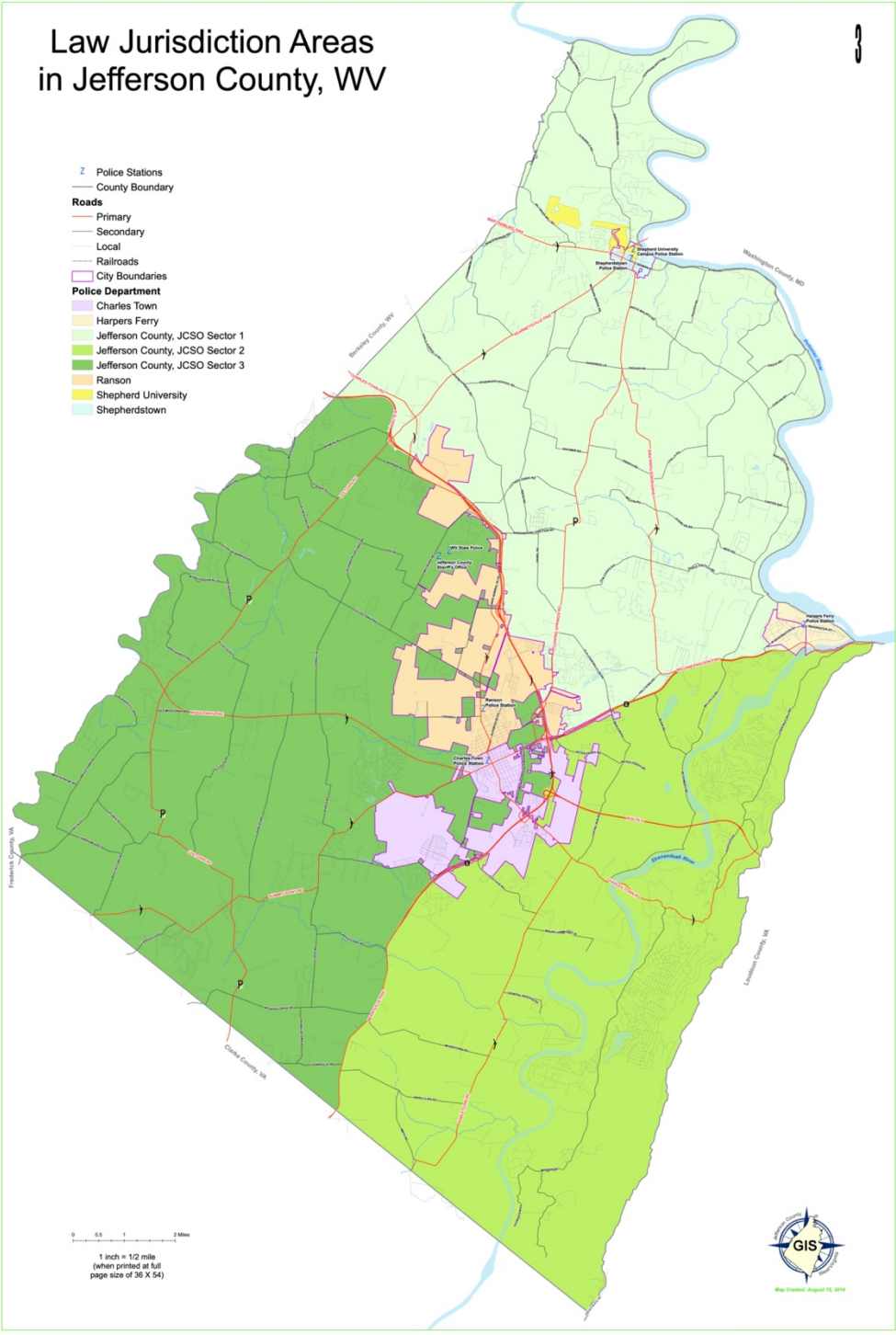
### COUNTYWIDE SERVICE AREA

The map below represents the Countywide Service Area for County Administration, EMS, Parks and Recreation, and School impact fees.



**LAW ENFORCEMENT SERVICE AREA**

The map below represents the Law Enforcement Service Area. All development located within the Jefferson County Sheriff Office Jurisdiction will pay Law Enforcement impact fees. Development located in areas served by a local police department will not pay Law Enforcement impact fees.



**APPENDIX D: PARK IMPROVEMENT INVENTORY**

Park Improvement	Park Name	Units	Unit Cost	Total Cost
Gazebo	Bolivar Nature Park	1	\$32,300	\$32,300
Infrastructure	Bolivar Nature Park	1	\$2,260	\$2,260
Landscaping	Bolivar Nature Park	1	\$2,150	\$2,150
Nature Trail	Bolivar Nature Park	1	\$1,080	\$1,080
Picnic Tables (Steel)	Bolivar Nature Park	3	\$1,077	\$3,231
Sign	Bolivar Nature Park	1	\$1,330	\$1,330
Concession Stand	Leetown Park	1	\$52,500	\$52,500
Tennis Courts	Leetown Park	2	\$50,000	\$100,000
Pavillion	Leetown Park	1	\$53,840	\$53,840
Softball Fields with Lights	Leetown Park	2	\$45,000	\$90,000
Storage/Dugouts	Leetown Park	4	\$13,460	\$53,840
Fence	Leetown Park	1	\$126,000	\$126,000
Playground	Leetown Park	1	\$92,259	\$92,259
Horseshoe Pits	Leetown Park	1	\$1,080	\$1,080
Picnic Tables (Steel)	Leetown Park	8	\$1,077	\$8,613
Sign	Leetown Park	1	\$1,080	\$1,080
Landscaping	Leetown Park	1	\$6,460	\$6,460
Infrastructure	Leetown Park	1	\$107,670	\$107,670
Soccer Field	James Hite Park	12	\$83,333	\$1,000,000
Parking Lot	James Hite Park	3	\$100,000	\$300,000
Walking Trail	James Hite Park	1	\$80,000	\$80,000
Playground	James Hite Park	1	\$106,000	\$106,000
Picnic Tables (Wood)	James Hite Park	16	\$709	\$11,336
Infrastructure	James Hite Park	1	\$500,000	\$500,000
Pavillion	James Hite Park	3	\$24,746	\$74,239
Camping Pads	Moulton Park	11	\$11,887	\$11,887
Fence	Moulton Park	1	\$58,942	\$58,942
Boat Ramp	Moulton Park	1	\$21,530	\$21,530
Parking Lot	Moulton Park	1	\$21,530	\$21,530
Sign	Moulton Park	2	\$1,330	\$2,660
Infrastructure	Moulton Park	1	\$2,260	\$2,260
Pavillion	Mount Mission Park	1	\$60,000	\$60,000
Playground	Mount Mission Park	1	\$80,750	\$80,750
Old Church Bldg. (Storage)	Mount Mission Park	1	\$220,050	\$220,050
Fence	Mount Mission Park	1	\$12,920	\$12,920
Baseball Field	Mount Mission Park	1	\$53,840	\$53,840
Picnic Tables (Wood)	Mount Mission Park	9	\$718	\$6,460
Sign	Mount Mission Park	1	\$1,330	\$1,330

Park Improvement	Park Name	Units	Unit Cost	Total Cost
Landscaping	Mount Mission Park	1	\$2,260	\$2,260
Horseshoe Pits	Mount Mission Park	1	\$1,080	\$1,080
Basketball Court	Mount Mission Park	1	\$10,000	\$10,000
Pavillion	Sam Michaels Park	2	\$175,000	\$350,000
Maintenance Building	Sam Michaels Park	1	\$192,500	\$192,500
Soccer Field	Sam Michaels Park	1	\$161,510	\$161,510
Walking Trail	Sam Michaels Park	1	\$40,931	\$40,931
Pavillion	Sam Michaels Park	1	\$175,000	\$175,000
Playground	Sam Michaels Park	2	\$75,000	\$150,000
Dog Park	Sam Michaels Park	1	\$60,000	\$60,000
Amphitheatre	Sam Michaels Park	1	\$600,000	\$600,000
Baseball Field	Sam Michaels Park	3	\$400,000	\$1,200,000
Baseball Field Lights	Sam Michaels Park	1	\$125,000	\$125,000
Concession Stand	Sam Michaels Park	1	\$78,000	\$78,000
Picnic Tables (Steel)	Sam Michaels Park	16	\$1,077	\$17,227
Water Balloon Area	Sam Michaels Park	1	\$1,080	\$1,080
Cross Country Trail	Sam Michaels Park	1	\$32,300	\$32,300
Sign	Sam Michaels Park	3	\$1,330	\$3,990
Landscaping	Sam Michaels Park	1	\$5,000	\$5,000
Electric/Solar Gates	Sam Michaels Park	2	\$2,814	\$5,627
Infrastructure	Sam Michaels Park	1	\$3,500,000	\$3,500,000
Pavillion	Sam Michaels Park	1	\$20,000	\$20,000
Disc Golf (18 holes)	Sam Michaels Park	1	\$8,000	\$8,000
Camping Area	Sam Michaels Park	1	\$1,000	\$1,000
Benches (Steel)	Sam Michaels Park	8	\$340	\$2,720
Trailer (Event Office)	Sam Michaels Park	1	\$5,000	\$5,000
Columns (Wedding Venue)	Sam Michaels Park	1	\$5,000	\$5,000
Bleachers	Sam Michaels Park	6	\$1,000	\$6,000
Storage Shed	Sam Michaels Park	1	\$5,000	\$5,000
Fence	Sam Michaels Park	1	\$150,000	\$150,000
Parking Lot	Sam Michaels Park	3	\$250,000	\$750,000
Nature Playground	Sam Michaels Park	1	\$3,000	\$3,000
Concession Stand	South Jefferson Park	1	\$64,600	\$64,600
Baseball Field Lights	South Jefferson Park	1	\$125,000	\$125,000
Fence	South Jefferson Park	1	\$107,670	\$107,670
Maintenance Building	South Jefferson Park	1	\$48,450	\$48,450
Basketball Court	South Jefferson Park	1	\$32,300	\$32,300
Tennis Courts	South Jefferson Park	2	\$80,000	\$160,000
Volleyball Court	South Jefferson Park	1	\$5,380	\$5,380
Playground	South Jefferson Park	1	\$80,750	\$80,750

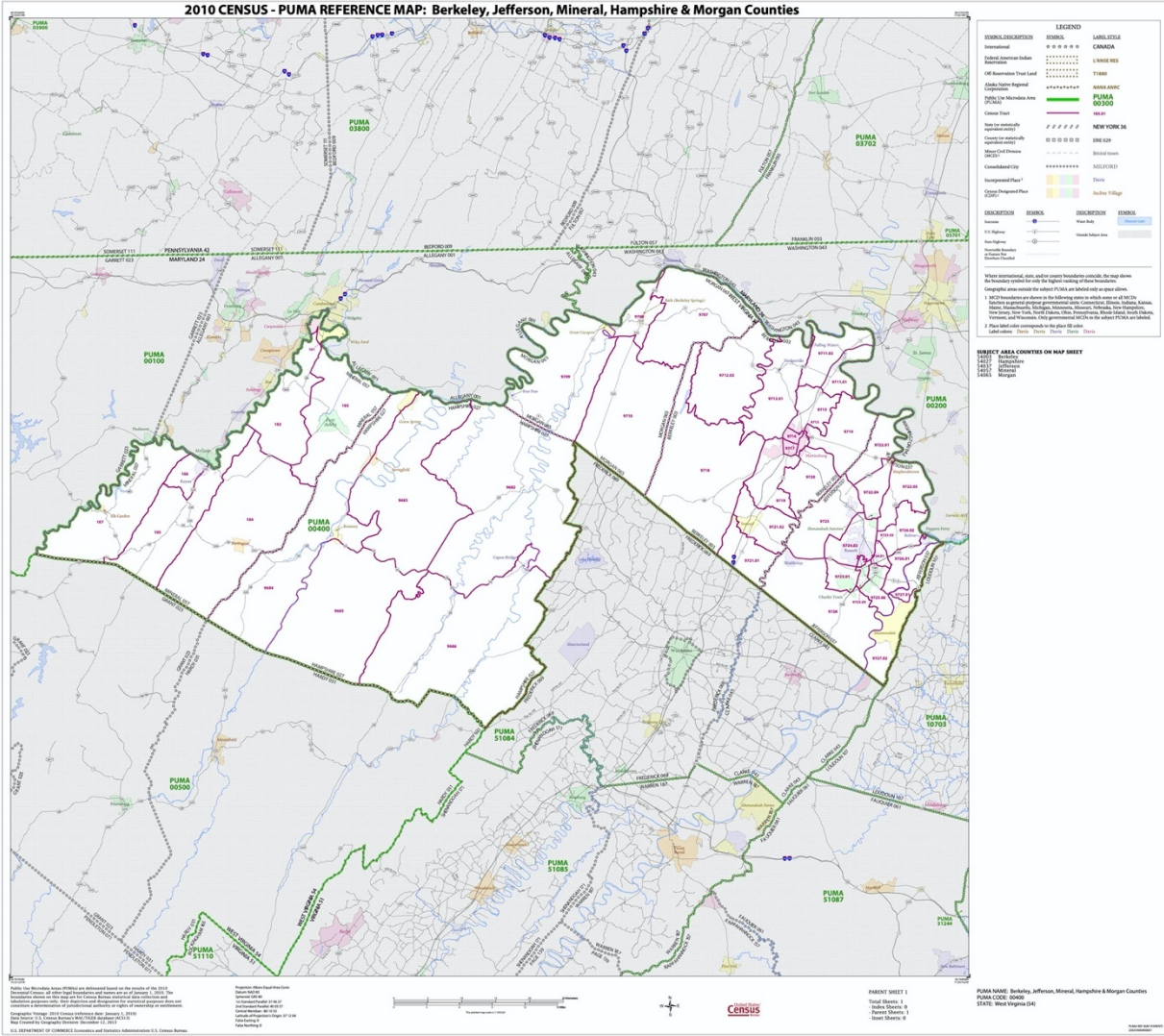
**DRAFT Impact Fee Study**

*Jefferson County, West Virginia*

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Park Improvement	Park Name	Units	Unit Cost	Total Cost
Picnic Tables (Steel)	South Jefferson Park	6	\$1,077	\$6,462
Sign	South Jefferson Park	1	\$1,080	\$1,080
Soccer Field	South Jefferson Park	1	\$53,840	\$53,840
Landscaping	South Jefferson Park	1	\$3,230	\$3,230
Infrastructure	South Jefferson Park	1	\$107,670	\$107,670
Baseball Field	South Jefferson Park	8	\$400,000	\$3,200,000
Bleachers	South Jefferson Park	16	\$1,000	\$16,000
Maintenance Building	South Jefferson Park	1	\$5,000	\$5,000
<b>Total</b>		<b>213</b>	<b>\$70,639</b>	<b>\$15,046,083</b>

**APPENDIX E: PUBLIC USE MICRODATA AREA MAP**





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



Name: **Nathan Cochran, Assistant Prosecuting Attorney**

Department or Organization:

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **December 3, 2020**

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

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

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

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

1. Discussion of renewal of County cable franchise agreement, resolution of franchise fee audit, and related issues. Discussion/Action.
2. Discussion of EEOC Charge #533-2017-00706 & #533-2019-01397. Discussion/Action.
3. Discussion of Jefferson County Circuit Court Civil Action #19-P-69. Discussion/Action.
4. Discussion of WV Supreme Court #19-0412 (from Jefferson County Circuit Court Civil Action #17-C-282). Discussion/Action.
5. Discussion of WV Supreme Court #20-0012 (from Jefferson County Circuit Court Civil Action #19-AA-1). Discussion/Action.
6. Report by counsel as previously assigned by Commission: creation of Jefferson County Fire Board, Jefferson County Emergency Ambulance Service Board, and organization of Jefferson County Emergency Services Agency; including potential structure, financial issues and matters related thereto.
7. Discussion of Jefferson County Circuit Court Civil Action #17-C-174. Discussion/Action.
8. Discussion of Jefferson County Circuit Court Civil Action #20-C-20. Discussion/Action.
9. Discussion of legal issues regarding proposed solar text amendment including bonding and related matters. Discussion/Action.
10. Discussion of Department of Interior inquiry of Historic Landmarks Commission activity for docket number PCRNPS-04-20. Discussion/Action.
11. Discussion with counsel regarding Charles Town City Council changes to Article 147. Discussion/Action.
12. Discussion of all aspects of case, issues, potential for resolution, and use of outside counsel regarding Jefferson County Circuit Court Civil Action #20-C-125 and #s20-C-132-137. Discussion/Action.

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

If so, how much?                \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

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

not applicable

Please Advertise One (1) Time  
November 18 & November 25, 2020

**NOTICE OF PUBLIC HEARING**  
**Thursday, December 3, 2020 at 1:30 PM**

The County Commission of Jefferson County has scheduled a Public Hearing on the proposed text amendment to the Jefferson County Zoning and Land Development Ordinance to create provisions to allow Commercial Cemeteries to process as a Conditional Use in the Rural zoning district, and a Principal Permitted Use (by right) in the Residential-Light Industrial-Commercial and Industrial Commercial zoning districts. The text amendment, in accordance with WV Code Chapter 8A and Article 12 of the Zoning Ordinance, proposes revisions to Article 2, Definitions; Article 8, Supplemental Use Regulations (creation of Section 8.21 Commercial Cemeteries); and Appendix C, Principal Permitted and Conditional Uses Table (Planning Commission File #ZTA20-01).

The hearing will be held on **Thursday, December 3, 2020 at 1:30 PM** as a virtual meeting via GoTo Meeting. The URL to participate in the virtual hearing will be included on the meeting agenda and posted to the County's website at [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org).

Oral or written comments can be provided at the hearing on **Thursday, December 3, 2020 at 1:30 PM**. Written comments may also be submitted to [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org) or to PO Box 250, Charles Town, WV 25414.

A copy of the proposed text amendment is available at the Office of Planning and Zoning and on the County's website at: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org). If you have any questions, please contact the Office of Planning and Zoning at 304-728-3228.

By Order of the Jefferson County Commission  
Jane Tabb, President



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



**Name:** Alexandra Beaulieu, Zoning Administrator

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

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

**Date Requested – 1<sup>st</sup> Choice:** October 29, 2020

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

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

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

Recommendation from the Planning Commission regarding the proposed text amendment to the Zoning Ordinance regarding Commercial Cemeteries (File #ZTA20-01), and to request that the County Commission schedule a Public Hearing in accordance with WV Code 8A. The draft amendment proposes to allow Commercial Cemeteries to process as a Conditional Use in the Rural zoning district, and a Principal Permitted Use (by right) in the Residential-Light Industrial-Commercial and Industrial Commercial zoning districts. The text amendment proposes revisions to Article 2 Definitions; Article 8 Supplemental Use Regulations (creation of Section 8.21 Commercial Cemeteries); and Appendix C Principal Permitted and Conditional Uses Table.

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

On September 8, 2020 the Planning Commission held a Public Hearing to receive public input on the proposed text amendment. The Planning Commission kept the public comment period open for two weeks, in order to provide an opportunity for the public to submit additional written comments.

On October 13, 2020 the Planning Commission, with a vote of 4-1, found that the proposed amendment was consistent with the Envision Jefferson 2035 Comprehensive Plan and recommended that the draft text amendment be forwarded to the County Commission for the purpose of scheduling a public hearing.

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

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

I move to schedule a public hearing on \_\_\_\_\_, 2020 at \_\_\_ a.m./p.m. to receive input on the draft text amendment to the Jefferson County Zoning Ordinance, File #ZTA20-01, which proposes to create provisions to allow Commercial Cemeteries to process in Jefferson County.

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

- Staff Memo dated 09-01-20 for background information
- Excerpts from Envision Jefferson 2035 Comprehensive Plan
- Proposed Text Amendment to various sections of the Zoning Ordinance (ZTA20-01)

**If not attached, explain:**

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

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

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





# Jefferson County, West Virginia

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

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)

Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228

Fax: (304) 728-8126

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## MEMO

**TO:** Planning Commission  
**FROM:** Alexandra Beaulieu, Zoning Administrator  
**DATE:** September 1, 2020  
**RE:** ZTA20-01, Commercial Cemeteries – September 8, 2020 Public Hearing

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On June 2, 2020, Jane Dennison, with ElderBranch, LLC on behalf of property owner Hillary Banachowski, presented a request to the Jefferson County Planning Commission to consider amending the Zoning Ordinance to incorporate provisions to allow Commercial Cemeteries to process in the Rural zoning district. The request was submitted under the provisions of Section 12.4 “Procedure for Initiating a Zoning Ordinance Text Amendment”. The Planning Commission accepted the request into their work plan.

On August 11, 2020, the Planning Commission directed Staff to draft the language of the amendment in the appropriate context, and scheduled a Public Hearing on the proposed amendment for their regular September 8, 2020 Planning Commission meeting.

The proposed amendment includes revisions to Article 2, Definitions; Article 8, Supplemental Use Regulations (new Section 8.21 Commercial Cemeteries); Article 11, Off-Street Parking Standards; and Appendix C, Principal Permitted and Conditional Uses table.

### Next Steps

After receiving input from the public at the public hearing, the Planning Commission will finalize the draft text and make a recommendation regarding the potential text amendment to the County Commission, who are also required to hold a Public Hearing. The Planning Commission is also required to determine whether the proposed amendment is consistent with the adopted *Envision Jefferson 2035 Comprehensive Plan* as a part of their recommendation.

### Attachment:

- Excerpts from Envision Jefferson 2035 Comprehensive Plan RE: Non-Residential Uses in the Rural District
- ZTA20-01, Commercial Cemeteries DRAFT Text Amendment

With Jefferson County's close proximity to the Washington, D.C. and Baltimore, MD Metropolitan Areas, the possibility of rejuvenated local agricultural activity exists. Niche farming has expanded for both foods and materials used in the creation of goods. As value added agricultural and rural land use activities increase, they enable the retention of the agricultural and rural environment. These value added activities assist in providing farmers with additional revenue sources to maintain the farms. The growing movement toward more localized food sources has resulted in the creation of community farmers' markets, the revitalization of local farm markets, and the expansion and awareness of community supported agriculture (CSA) programs. Similarly local restaurants and schools are increasingly utilizing local grown food in their facilities.

### Rural Land Use

One of the highest priorities of the Envision Jefferson 2035 Steering Committee and the public was the desire to preserve the rural landscapes, heritage, and lifestyle that attracted many residents to Jefferson County. Comments were received that indicated Jefferson County needs to balance the demands of growth with the protection of agricultural lands. Efforts of the agricultural and artisan communities can create desirable places for tourism to thrive. In these communities, visitors can visit working farms, shop at an artisan studio, and eat at restaurants that are either located on farms or that serve food derived from local enterprises.

The form and types of development that takes place in the rural environment should be respectful of the rural culture and historic nature of the community. Many of the residential and commercial structures built in Jefferson County are similar in design and scale to types of buildings constructed in other areas of the U.S. without consideration of local architectural style.

A variety of tools and means exist to assist in the protection of lands with prime or statewide importance, soils and active farm sites. These tools range from policy, such as purchase of development rights, to land development standards that allow for flexibility of agriculture based uses and activities on the farm.

Since zoning was adopted in Jefferson County, large residential developments and non-agricultural commercial developments were permitted in the Rural District through the Land Evaluation Site Assessment (LESA) system/Conditional Use Permit (CUP) process. As a result, rural land has been converted to non-agricultural uses. For this reason, this Plan recommends that the cluster provision of the Zoning Ordinance be the preferred method of residential development in the rural zoning district. The cluster provisions should be reviewed and amended to consider a higher density for rural/agricultural lots utilizing the cluster provision. This Plan further recommends amending the Zoning Ordinance to eliminate the LESA point system and to develop procedures that would allow the use of a more traditional CUP process in the Rural District for non-residential uses. This CUP process should require a public hearing before the Board of Zoning Appeals to determine if the use is compatible in scale and

intensity with the rural environment and poses no threat to public health, safety, and welfare. Additionally, this Plan recommends that the “by right” provisions in the Rural zoning district be retained allowing one lot per 15 acres, as well as the provisions allowing the transfer of land between parent and child and the minor subdivision process<sup>2</sup> for lots of record as of October 5, 1988.

There are two types of non-residential CUPs proposed by this Plan in the Rural District which may require different types of review. One type consists of fairly intensive uses that could occur on a farm, but may not be appropriate to be a by-right use in the Rural District. The second type is for uses not on a farm or uses that are not agricultural in nature. This second type of rural CUP 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 amending the Zoning Ordinance to eliminate the LESA system and could require modifying the CUP process.

Although members of Jefferson County's agricultural community are active in numerous civic and community organizations, a number of farm operators stated that issues related to agriculture in Jefferson County are not understood well by the community, County staff, and community leaders. By engaging the farm community to provide greater input into the planning process, it is hoped that the needs of farm operators will be more effectively addressed by both staff and the political leadership of Jefferson County. It is anticipated that residents and staff would be in a position to learn more about the role of agriculture and the impacts of farming activities in Jefferson County. Therefore, the ability to farm in Jefferson County would be better understood. Additional information about the rural economy can be found in the Agricultural and Rural Economy section of the Economic Development, Employment and Infrastructure Element.

Other appropriate uses in the Rural District are value added agricultural operations and artisan activities, as described below.

### **Value Added Agriculture**

Farm operators and artisans who participated in the Envision Jefferson 2035 process, expressed concerns regarding regulatory requirements on existing and potential activities that could take place on farms. Some of the areas of concerns related to state and/or federal regulations to mitigate the impact of agricultural, mining, or industrial activities on the region's air, water, and soils. Other concerns voiced related to County ordinances and “the right to farm” are discussed below.

There are opportunities to review and amend local requirements related to production and marketing of agricultural products on the farm or in a residential properties. Site plan standards should also be reviewed and amended as it relates to agricultural

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<sup>2</sup> Jefferson County Zoning and Land Development Ordinance, Section 5 7(D) states that any property that was a lot of record as of October 5, 1988 may create two lots and a residue every five years through the Minor Subdivision Process (page 72 of the current Zoning Ordinance, effective 06-01-14).

and septic systems, with a limited probability that public services will be extended to these properties in the future. The preservation of the quality of life and rural lifestyle for existing and future residents is of great importance for property owners in these communities.

The following recommendations address the needs of the agricultural community, artisan community and the rural environment.

<b>Rural Land Use Planning Recommendations (Goal 2)</b>	
<b>1.</b>	<b>Recognize the rights and viability of existing rural residential neighborhoods.</b>
	<b>a. Balance artisan, home occupation, and cottage industry rights with the maintenance of the character of rural neighborhoods by considering the size and scope of all activities within designated rural neighborhoods.</b>
<b>2.</b>	<b>Allow and promote a greater range of agricultural and/or artisan uses within the rural areas on existing farmlands to incentivize the expansion of the rural economy within Jefferson County.</b>
	<b>a. Collaborate with key stakeholders in the agricultural community to update the County's zoning and land use recommendations to broaden the range of permitted complementary and accessory on-farm uses.</b>
	<b>b. Identify types of farm activities that may be successful based on the soils on individual properties and the proximity of Jefferson County to relevant markets.</b>
<b>3.</b>	<b>Revise existing Jefferson County land use requirements and site plan standards to reduce regulatory barriers related to agricultural and/or artisan operations.</b>
	<b>a. Revise local regulations to balance production and marketing of artisan or agricultural products on-site, considering the individual use, size, and scale of the operation as appropriate to the property site.</b>
	<b>b. Waive or modify the roads, parking, and stormwater regulations on farms for on-site production and marketing enterprises, to the extent possible.</b>
<b>4.</b>	<b>Protect the viability of agricultural lands and wildlife corridors by encouraging the utilization of cluster subdivisions as the preferred form of residential development within rural areas.</b>
	<b>a. Allow residential development outside of the Urban Growth Boundaries or Preferred Growth Areas to develop only as rural cluster subdivisions, in accordance with existing land use rights.</b>
	<b>b. Amend the Zoning Ordinance to eliminate the Land Evaluation Site Assessment (LESA) system and to modify the Conditional Use Permit (CUP) process in the Rural Zoning District, which would be used for compatible non-residential development only.</b>

## 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

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

Campsite <sup>31</sup>	Generally means an area where an individual, family, or group can pitch or place a camping unit; a campground may contain many campsites.
Campsite Pad <sup>31</sup>	An area within a campsite intended for the exclusive occupancy by a camping unit or units under the control of a camper.
Car Wash <sup>27</sup>	A structure, or portion thereof, containing facilities for washing motor vehicles by hand or by using production-line, automated or semi-automated methods for washing, whether or not employing a chain conveyor, blower, steam-cleaning or similar mechanical device.
Caretaker Residence <sup>23, 31</sup>	A permanent or temporary residential structure that is secondary or accessory to the primary use of the property for the use of a caretaker or security guard.
Cell on Wheels“COW” <sup>22</sup>	A portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.
Change of Use <sup>23,32</sup>	Any use which is different than the previous use of a building or land.
<u>Cemetery</u>	<u>Land that is used or dedicated for a burial park for earth interments. Also includes crematoriums, mausoleums, columbariums, and necessary sales and maintenance facilities when operated in conjunction with and within the boundaries of such cemetery.</u>
<u>Cemetery, Family</u>	<u>Burial site for persons related by blood, marriage, or household. Such sites are exempt from zoning review.</u>
Church <sup>23</sup>	A building or site wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes synagogue, temple, mosque, or other such place for worship and religious activities.
Clustering <sup>5, 23, 32</sup>	Grouping structures in closely related groups at higher densities than normally permitted in certain areas in order to preserve other areas as parks, recreational areas or sensitive natural areas. Overall density of the total parcel does not change unless otherwise provided for in this Ordinance. See Section 5.7 for minimum area per dwelling unit and minimum lot area.
Co-location <sup>10, 22</sup>	For purposes of regulating commercial wireless telecommunication facilities, co-location means the placement of additional antennas or antenna arrays on an existing or approved telecommunication tower or support structure (or alternative structure), or otherwise sharing a common location by two or more FCC licensed providers of personal wireless services. Co-location includes antennas, combiners, transmitters, receivers and related electronic equipment, cabling, wiring, equipment enclosures and other components or improvements associated with a wireless telecommunication facility.

**Section 8.21 Commercial Cemeteries**

Commercial Cemeteries in the Residential-Light Industrial-Commercial and Industrial Commercial zoning districts shall process in accordance with the site development standards applicable to these districts, with the exception that burial plots shall be 100' from any property line adjoining a residential property.

The following standards shall apply to the development of commercial cemeteries in the Rural zoning district:

A. General Standards:

1. A Conditional Use Permit is required in accordance with Article 6.
2. The minimum lot size for any cemetery shall be 10 acres.
3. The Rural Site Plan standards, found in the Jefferson County Subdivision and Land Development Regulations, may be utilized.

B. Setback Standards

1. The Front, Side, and Rear setbacks shall be 100 feet for all cemeteries.
2. Office and maintenance buildings may be located 25' from the front property line and 50' from the side and rear property lines.
3. Passive recreational trails may be installed 25' feet from all property lines, provided the total width of the required buffer is maintained.
4. Parking and drive aisles shall be setback 25' from all property lines, provided the total width of the required buffer is maintained.

C. Landscaping Standards

1. The landscaping requirements of this Ordinance apply. No structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers.
  - a. In lieu of a planted buffer, existing, natural vegetation may be used if documentation is submitted to the Zoning Administrator verifying how the existing, natural vegetation complies with the required buffer standard.

- A.D. In lieu of the standard variance process, any proposed deviation from the required parking, building setbacks, landscaping, and signage standards set forth in this Ordinance shall be included in the Conditional Use Permit application and reviewed for approval by the Board of Zoning Appeals.

**ARTICLE 11: OFF-STREET PARKING STANDARDS<sup>23</sup>**

**Section 11.1 Non-Residential Parking Standards**

- A. To decrease congestion, permanent off-street automobile parking space and truck loading space shall be provided for all new structures and uses, and for existing structures or uses that are increased in size by 20 percent or more after adoption of these regulations.<sup>23</sup>

Spaces shall be required per use and are as follows:<sup>5</sup>

Ambulance Facility	2 spaces per ambulance
Auto Sales and Service	1 space per 300 square feet of gross floor space
Auto Service Station	2 spaces per service bay; plus, 1 space per employee
Bank, Financial Institution <sup>23</sup>	1 space per 200 square feet of floor space; plus, 5 queuing spaces for each drive-up teller
Bowling Lanes	5 spaces per bowling lane
<u>Cemetery</u>	<u>1 space per employee on maximum working shift: plus, 3 spaces (minimum) per acre.</u>
Church	1 space for each 5 persons for which seating is provided in the sanctuary
Commercial Retail Sales Less than 2,000 square foot floor space	1 space per 150 square feet retail floor space
Commercial Retail Low customer turn over, large indoor display, e.g. carpet, furniture or appliance sales	1 space per 500 square feet retail floor space
Community Center, Cultural Facility <sup>23</sup>	1 space per 400 square feet floor space
Private Club, Lodge	1 space for each 2 persons for which seating or lodging is provided
Educational (Schools)	1 space per employee; ample student and visitor parking
Fire Station	10 spaces minimum
Hospital <sup>23</sup>	1.5 spaces for each bed; plus, 1 space for every employee
Hotel, Resort	1 space per guest room; plus, 1 space per 5 employees
Manufacturing Plant	1 space per employee on maximum working shift

DRAFT Text Amendment for PC Public Hearing  
September 8, 2020

Land Use	NC	GC	HC	LI	MI	PND <sup>1</sup>	OC	R	RG	RLIC	IC	V	Additional Standards
<b>Commercial Uses continued</b>													<b>Sec. 8.9</b>
Bar	P	P	P	P	NP	P	P	NP	NP	P	P	CU	
Barber/Beauty Shop, Limited	P	P	P	P	NP	P	P	CU	CU	P	P	P	
Bed and Breakfast	P	NP	NP	NP	NP	NP	NP	P	CU	NP	NP	P	Sec. 8.3
Brewpub	P	P	P	P	NP	P	P	CU	CU	P	P	CU	Sec. 8.5
Business Equipment Sales and Service	CU	P	P	P	CU	P	P	CU	CU	P	P	CU	
Building Maintenance Services	CU	P	P	P	P	P	P	CU	CU	P	P	CU	
Building Materials and Supplies	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Campground <sup>11</sup>	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	
<u>Commercial Cemetery</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>CU</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>Sec. 8.21</u>
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 <sup>17</sup>	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
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	

Please Advertise One (1) Time  
November 18 & November 25, 2020

**NOTICE OF PUBLIC HEARING**  
**Thursday, December 3, 2020 at 1:45 PM**

The County Commission of Jefferson County has scheduled a Public Hearing on the proposed text amendment to the Jefferson County Zoning and Land Development Ordinance to change the classification for Drive-Through Restaurants in the Residential-Light Industrial-Commercial (RLIC) zoning district from Conditional Use (CU) to Permitted Use (P). The text amendment, in accordance with WV Code Chapter 8A and Article 12 of the Zoning Ordinance, proposes revisions to Article 5 District Regulations, Section 5.8C.3 Residential-Light Industrial-Commercial (R-LI-C) District; and Appendix C, Principal Permitted and Conditional Uses Table (PC File #ZTA20-02).

The hearing will be held on **Thursday, December 3, 2020 at 1:45 PM** as a virtual meeting via GoTo Meeting. The URL to participate in the virtual hearing will be included on the meeting agenda and posted to the County's website at [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org).

Oral or written comments can be provided at the hearing, **Thursday, December 3, 2020 at 1:45 PM**. Written comments may also be submitted to [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org) or to PO Box 250, Charles Town, WV 25414.

A copy of the proposed text amendment is available at the Office of Planning and Zoning and on the County's website at: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org). If you have any questions, please contact the Office of Planning and Zoning at 304-728-3228.

By Order of the Jefferson County Commission  
Jane Tabb, President



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



**Name:** Alexandra Beaulieu, Zoning Administrator

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

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

**Date Requested – 1<sup>st</sup> Choice:** October 29, 2020

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

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

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

Recommendation from the Planning Commission regarding the proposed text amendment to the Zoning Ordinance regarding Drive Through Restaurants (ZTA20-02), and to request that the County Commission schedule a Public Hearing. The draft amendment proposes to change the classification for Drive-Through Restaurants in the Residential-Light Industrial-Commercial zoning district from Conditional Use (CU) to Permitted Use (P). The text amendment proposes revisions to Article 5 District Regulations; Section 5.8C.3 Residential-Light Industrial-Commercial (R-LI-C) District; and Appendix C Principal Permitted and Conditional Uses Table.

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

On October 13, 2020 the Planning Commission held a Public Hearing to receive public input on the proposed text amendment. There was no public comment. The Planning Commission, with a vote of 4-1, found that the proposed amendment was consistent with the Envision Jefferson 2035 Comprehensive Plan and recommended that the draft text amendment be forwarded to the County Commission for the purpose of scheduling a public hearing.

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

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

I move to schedule a public hearing on \_\_\_\_\_, 2020 at \_\_ a.m./p.m. to receive input on the draft text amendment to the Jefferson County Zoning Ordinance, File #ZTA20-02, which proposes to allow Drive-Through Restaurants to process by right in the Residential-Light Industrial-Commercial zoning district.

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

- Staff Memo dated 10-06-20 for background information
- Cover Letter from GORDON, with reference to Comprehensive Plan
- Proposed Text Amendment to various sections of the Zoning Ordinance (ZTA20-02)

**If not attached, explain:**

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

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

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





# Jefferson County, West Virginia

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

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)

Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228

Fax: (304) 728-8126

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## MEMO

**TO:** Planning Commission  
**FROM:** Alexandra Beaulieu, Zoning Administrator  
**DATE:** October 6, 2020  
**RE:** ZTA20-02, Drive Through Restaurants – 10-13-20 PC Public Hearing

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On September 8, 2020, Chad Wallen with GORDON presented a request to the Jefferson County Planning Commission to consider amending the Zoning Ordinance to change the classification for a Drive-Through Restaurant in the Residential-Light Industrial-Commercial (RLIC) zoning district from Conditional Use (CU) to a Permitted Use (P). In addition to amending Appendix C, the proposal also includes eliminating Section 5.8C.3, which currently states:

*"Restaurants where the primary mode of food distribution is by pick-up counter or drive in window and convenience stores shall be subject to the review and approval of the Board of Zoning Appeals as a Conditional Use in accordance with Section 6.3 of this Ordinance. This requirement shall not apply to a building located within a shopping center shown on an approved site plan."*

GORDON is representing Sheetz, who is the contract purchaser for the property located at 7948 Martinsburg Pike in Shepherdstown, WV.

### Next Steps

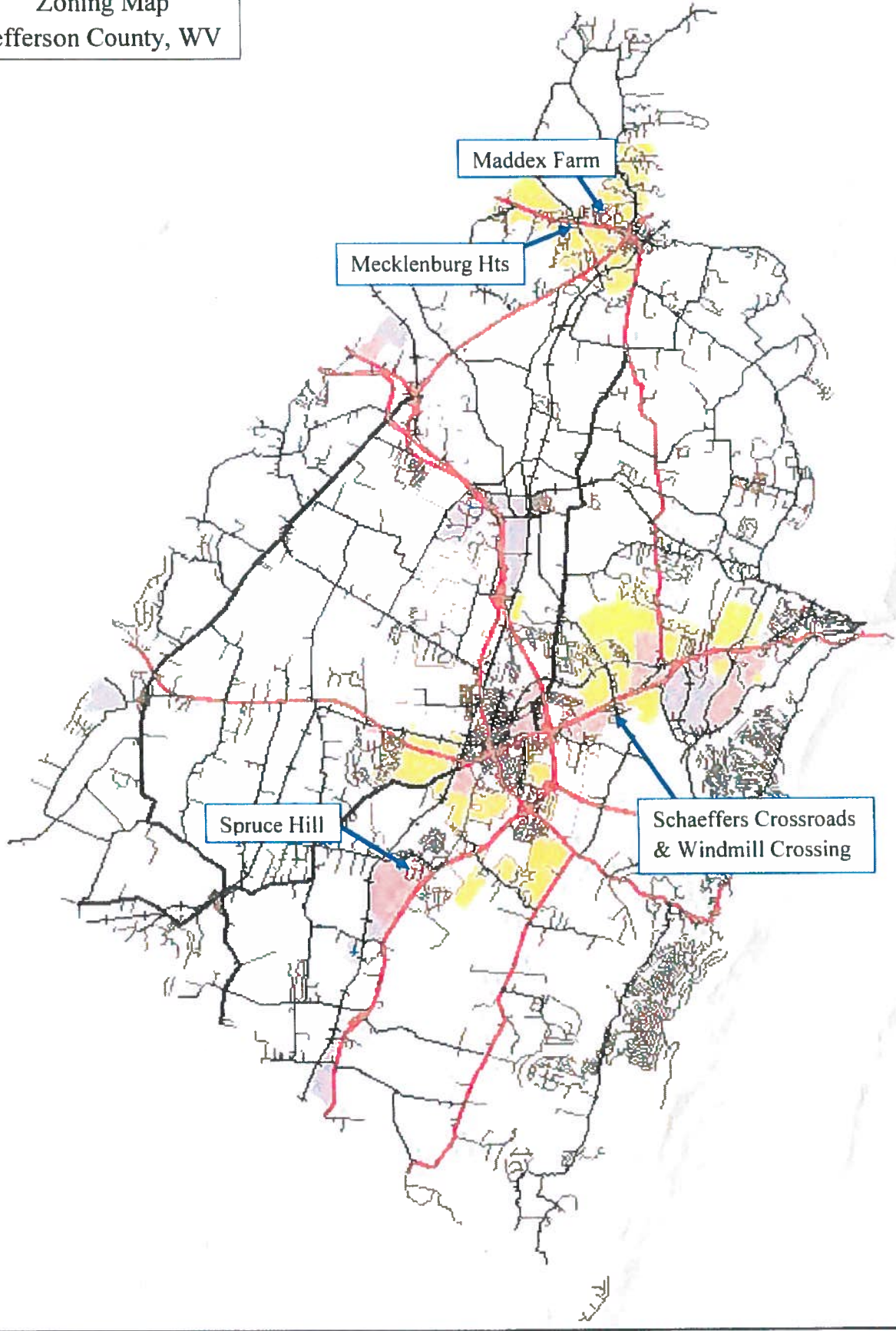
The Planning Commission is required to make a recommendation to the County Commission as to whether the proposed amendment is consistent with the adopted *Envision Jefferson 2035 Comprehensive Plan*.

The Planning Commission may vote on the amendment as it is presented or they may make additional revisions to the text as part of their recommendation to the County Commission.

### Attachment:

- ZTA20-02, Drive-Through Restaurants DRAFT Text Amendment as proposed by GORDON – includes cover letter with recommendations from the Comprehensive Plan.

Zoning Map  
Jefferson County, WV





August 12, 2020

Jefferson County Planning  
116 East Washington Street, 2<sup>nd</sup> Floor  
Charles Town, WV 25414

Re: Zoning Ordinance Text Amendment – Drive-Through Restaurants

GORDON is a planning and engineering firm located in the eastern panhandle that represents both developers and existing business owners in Jefferson County. Over the last several years there has been a growing trend for gas stations to provide a drive-through option for customers. This option allows for increased food sales and is invaluable to individuals with disabilities. The pandemic of 2020 has led society to evaluate how goods and services are obtained and resulted in substantial demand for drive-through services at both gas stations and restaurants. While it is hopeful that current events will not be repeated, the potential for future events must now be recognized by both business owners and citizens.

It is requested that the "Restaurant, Fast Food, Drive-Through" use be classified as a permitted use in the Residential-Light Industrial-Commercial (RLIC) District. "Restaurant, Fast Food, Drive-Through" is a Conditional Use under the current regulations. See proposed red line revisions for the Jefferson County Zoning and Land Development Ordinance included with this request.

Drive-through restaurants are permitted in all commercial districts except for the Office-Commercial Mixed Use (OC) and RLIC Districts. A review of the Zoning Map did not identify any land mapped in the OC District but includes multiple parcels within the RLIC District. The majority of land zoned RLIC is located in the Urban Growth Boundary identified in the Comprehensive Plan or adjacent to Arterial Roads. This identifies the RLIC as an appropriate zone to permit drive-through restaurants.

The proposed Zoning Ordinance Text Amendment does not conflict with and is consistent with the 2035 Envision Jefferson Comprehensive Plan (the Plan). Including:

- From WV Code as referenced in the Comprehensive Plan (Page 9): A comprehensive plan aids the planning commission in designing and recommending to the governing body ordinances that result in preserving and enhancing the unique quality of life and culture in that community and in **adapting to future changes of use of an economic, physical or social nature.**
- Economic Development, Employment, and Infrastructure (Goals and Supporting Plan Recommendations: Pg. 12 & 16)
- Finance and Public Safety (Goals and Supporting Plan Recommendations: Pg. 12 & 16)

Thank you in advance for your time and consideration of this request.

Sincerely,

Chad Wallen  
GORDON

[www.gordon.us.com](http://www.gordon.us.com) PROGRAMMING AND PLANNING  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE  
SURVEY AND MAPPING  
SECURITY CONSULTING

148 South Queen Street, Suite 201, Martinsburg, WV 25401 — Phone: (304) 725-8456



Sender's Direct Telephone (814) 626-8327  
Sender's Direct Facsimile (814) 941-5105

**VIA ELECTRONIC MAIL**

August 21, 2020

Jefferson County Office of Planning and Zoning  
Attn: Alexandra Beaulieu, Zoning Administrator  
116 East Washington Street, Suite 200  
Charles Town, WV 25414  
Email: [abeaulieu@jeffersoncounty.wv.org](mailto:abeaulieu@jeffersoncounty.wv.org)

Re: Jefferson County PINs: 09 8001300000000, 09 80014000000000, 09 8001500020000 and  
09 8001000020000

Dear Ms. Beaulieu:

Please be advised that Sheetz, Inc. ("Sheetz"), the contract purchaser of the above-described land in Jefferson County, West Virginia, has retained William H. Gordon Associates, Inc., d/b/a GORDON, as its consultant and agent for purposes of assisting and representing Sheetz in the pursuit of a zoning text amendment allowing for drive through facilities in the RLIC District. GORDON is authorized to file applications, correspond with County staff, and present and answer questions on behalf of Sheetz at County meetings and hearings pertinent to the requested text amendment.

Thank you, and please do not hesitate to reach out directly with any questions.

Respectfully,

Kyle R. Smith  
Sr. Associate Real Estate Counsel  
Enc.

cc: Bob Franks, Engineering/Permit Manager

- (2) Surrounding land use and zoning: The cluster plan shall consider the existing land uses and zoning in the vicinity. Generally, new lots which are adjacent to existing development or residential zoning are preferred to creating an isolated cluster of new houses.
- (d) If the concept plan is approved by the Planning Commission, the applicant may then proceed with platting of the clustered development in accordance with the Jefferson County Subdivision and Land Development Regulations and the approved concept plan. The plat shall bear a statement indicating “The land lies within an approved rural cluster development and no further subdivision of the remaining land is permitted unless the property is placed in another zone or further subdivision is allowed by ordinance or regulation”.<sup>23</sup>
- 3. If the development rights under Subsections 5.7D.1 and 5.7D.2 above have not been utilized, any property that was a lot of record as of October 5, 1988 may create three (3) total lots (including the residue) during any five year period. Such application may process as a Minor Subdivision, in accordance with the Subdivision Regulations, and shall be exempt from density limitations provided that all subdivision requirements are satisfied. Applications which exceed this number during any five year period shall process under Subsection 5.7D.1 or 5.7D.2 above. Only the residue or parent parcel may qualify under this provision once the original subdivision takes place. All lots that qualify under this section must meet subdivision requirements.<sup>32</sup>
- 4. Subdivisions involving transfers of land between family members known as “Family Transfers”, as defined in Article 2, shall not be subject to the density requirements of this section. All lots that qualify under this section must meet subdivision requirements. Family transfers are not entitled to further subdivide except as another Family transfer.<sup>32</sup>
- 5. Once the maximum number of lots are created under 5.7D, the property cannot be further subdivided unless the Ordinance is amended to allow such.
- 6. Notwithstanding any other provision contained in Article 5, Section 5.7D, if a property was previously subdivided under the one (1) lot per ten (10) acre provision after October 5, 1988 and before this Ordinance was amended on March 1, 2018, then the property may continue to subdivide, or finish subdividing, utilizing the property’s remaining development rights as they existed at the time(s) when the subdivision was previously processed. These vested rights may be shown on a previously approved Preliminary or Final Plat, Concept Plan, or Community Impact Statement, or otherwise contained within the property’s subdivision files within the Department of Engineering, Planning, and Zoning.<sup>34</sup>

**Section 5.8 Residential-Light Industrial-Commercial (R-LI-C) District<sup>1</sup>**

The purpose of this district is to guide high intensity growth into the designated growth area. Light industrial uses are defined in Section 2.2. All other perceived light industrial uses shall be referred to the Jefferson County Development Authority for a recommendation on whether a use is a light industrial or heavy industrial use. The final decision on use classification shall be made by the Zoning Administrator.<sup>23</sup>

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

- 1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.<sup>27, 32</sup>

2. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.<sup>27, 32</sup>

**B. Standards<sup>23</sup>**

1. Industrial uses permitted in this district shall be of types that require daily water use of no more than 0.25 gallons per gross square feet of floor space.
2. Light industrial and commercial uses are subject to the standards for such uses in Article 8 of this Ordinance.<sup>23, 27</sup>
3. Impervious surface coverage shall not exceed eighty (80) percent of the gross land area.<sup>27</sup>

**C. Site Development Standards<sup>23, 27</sup>**

1. All sections of this Ordinance applying to the Residential Growth District with the exception of Section 5.4A will apply to residential uses in this District.<sup>27</sup>
2. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance. All commercial or industrial uses must be in compliance the requirements for such use in Article 8. In addition, a site plan, if required, must demonstrate that traffic patterns created by Commercial or Light Industrial uses (1) will not use adjacent residential roads for through traffic and (2) will connect to principal and major arterial highways as directly as feasible considering access restrictions.<sup>5, 7, 23, 27</sup>

TO BE  
REMOVED

- ~~3. Restaurants where the primary mode of food distribution is by pick-up counter or drive in window and convenience stores shall be subject to the review and approval of the Board of Zoning Appeals as a Conditional Use in accordance with Section 6.3 of this Ordinance. This requirement shall not apply to a building located within a shopping center shown on an approved site plan.<sup>23, 26, 32</sup>~~

4. Proposed uses in this zone are exempt from the distance requirements in Sections 4.6A-B if part of a master planned community. This provision shall only apply to the internal use of land under the same ownership.<sup>7, 27</sup>

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

**Section 5.10 Village (V) District<sup>8, 23, 32, 35</sup>**

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

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

**A. Principal Permitted Uses**

1. Residential Land Uses
  - a. Refer to Appendix A for site development standards. If applicable, reduced building setbacks may be permitted in accordance with Article 9.
2. Non-Residential Land Uses in Existing Structures

Land Use	NC	GC	HC	LI	MI	PND <sup>1</sup>	OC	R	RG	RLIC	IC	V	Additional Standards
<b>Commercial Uses continued</b>													<b>Sec. 8.9</b>
Bar	P	P	P	P	NP	P	P	NP	NP	P	P	CU	
Barber/Beauty Shop, Limited	P	P	P	P	NP	P	P	CU	CU	P	P	P	
Bed and Breakfast	P	NP	NP	NP	NP	NP	NP	P	CU	NP	NP	P	Sec. 8.3
Brewpub	P	P	P	P	NP	P	P	CU	CU	P	P	CU	Sec. 8.5
Business Equipment Sales and Service	CU	P	P	P	CU	P	P	CU	CU	P	P	CU	
Building Maintenance Services	CU	P	P	P	P	P	P	CU	CU	P	P	CU	
Building Materials and Supplies	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Campground <sup>31</sup>	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 <sup>37</sup>	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
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	<del>CU</del>	P	CU	

P



Please Run 2 Times:

November 18 & November 25, 2020

**NOTICE OF PUBLIC HEARING**  
**Thursday, December 3, 2020 at 2:00 PM**

The County Commission of Jefferson County will hold a Public Hearing regarding a Zoning Map Amendment (rezoning) for the property designated as Tax District: Shepherdstown (09); Tax Map: 8; Parcels: 10.2, 13, 14, & 15.2. The properties are located at 7948 Martinsburg Pike, Shepherdstown, WV. The property owner is James Van Evera III, et al. The contract purchaser is Sheetz, Inc. The total combined acreage of all of the parcels is 23.48 acres; however, 5.4 acres is subject to the request. The property is currently zoned Residential Growth and a petition has been made to the County Commission by the property owner to change the zoning classification for 5.4 acres to Residential-Light Industrial-Commercial (Planning Commission File #20-1-Z).

The hearing will be held on **Thursday, December 3, 2020 at 2:00 PM** as a virtual meeting via GoTo Meeting. The URL will be published on the meeting agenda.

Oral or written comments can be provided at the hearing on **Thursday, December 3, 2020 at 2:00 PM**. Written comments may also be submitted to [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org) or to PO Box 250, Charles Town, WV 25414.

Please contact the Office of Planning and Zoning for additional information on the proposed request: 304-728-3228 or visit the County's website: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org).

By Order of the Jefferson County Commission  
Jane Tabb, President



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



Name: Chad Wallen of GORDON

Department or Organization: N/A

Estimation of amount of time needed for appointment: 10 Minutes

Date Requested – 1<sup>st</sup> Choice: **10/29/2020**

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

Date Requested – 2<sup>nd</sup> Choice: **11/5/2020**

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

Please provide the County Commission with a description of your request or presentation, including any background information:  
Sheetz Zoning Map Amendment: Request for a public hearing and referral to Planning Commission to review zoning amendment request for the 5.4 acre property identified in Shepherdstown District (9), Map Number 8, Parcel 13, 15.2 and portions of Parcels 10.2 & 14.

Is this a funding request? No

If so, how much? N/A

Provide exact financial impact/request: N/A

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

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

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

If not attached, explain: N/A

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

Contact information:

Email address: cwallen@gordon.us.com

Phone Number: 304-725-8456

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

not applicable





**JEFFERSON COUNTY, WEST VIRGINIA**  
**Departments of Planning and Zoning**

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

File Number: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

Application Fee: \$ \_\_\_\_\_

[www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html](http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html)

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)  
[zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228

Fax: (304) 728-8126

**Zoning Map Amendment (Rezoning)**

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

**Property owner information**

Name: Van Evera James W III Et Al  
 Mailing Address: 7948 Martinsburg Pike; Shepherdstown, WV 25443  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Applicant contact information**

Name: Sheetz Inc; Bob Franks  
 Mailing Address: 5700 Sixth Avenue; Altoona, PA 16602  
 Phone Number: 814-935-4798 Email: bfranks@sheetz.com

**Applicant representative**

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

**Physical property details**

Physical Address: 7948 Martinsburg Pike;  
 City: Shepherdstown State: WV Zip Code: 25443  
 Tax District: 9 - Shepherdstown District Map No: 8 Parcel No: 10.2, 13, 14, 15.2  
 Parcel Size: 5.4+/- Acres Deed Book: 1074 Page No: 306

**Current Zoning District (please check one)**

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

Place Received Date Stamp Here

**Proposed Zoning District (please check one)**

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

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

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

See Attached

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

See Attached

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

See Attached

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

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

No, I prefer to present the petition

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

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

**Is Plat or Sketch Plan attached?**

Yes  No

**Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).**

Linda MUE Heaney, Trustee for Linda Heaney Living Trust 10/9/20

Signature of Property Owner

Date

Signature of Property Owner

Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

**The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against, this day of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.**

Recommended  Not Recommended

**The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against, this day of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.**

Approved  Disapproved

**Final Determination/Other Comments**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

**Is Plat or Sketch Plan attached?**

Yes     No

**Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).**

*James E. Eason III*    10/9/2020

Signature of Property Owner

Date

Signature of Property Owner

Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

**The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against, this day of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.**

Recommended     Not Recommended

**The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against, this day of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.**

Approved     Disapproved

**Final Determination/Other Comments**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

**Is Plat or Sketch Plan attached?**

Yes  No

**Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).**

Carol A. Van Esvera Co-trustee - Jesse P. Van Esvera Trust 10/10/10  
Signature of Property Owner Date Signature of Property Owner Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

**The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of**  
for and \_\_\_\_\_ against, this day of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

Recommended  Not Recommended

**The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of**  
for and \_\_\_\_\_ against, this day of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

Approved  Disapproved

**Final Determination/Other Comments**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## **Zoning Map Amendment Application Addendum**

### **Sheetz Store 160 Rezoning**

October 9, 2020

#### **Owner:**

Van Evera James W III Et Al  
7948 Martinsburg Pike  
Shepherdstown, WV 25443

#### **Applicant:**

Sheetz Inc; Bob Franks  
5700 Sixth Avenue  
Altoona, PA 16602

#### **Property Tax Identification:**

Shepherdstown District (9), Map Number 8, Parcel 13, 15.2 and portions of Parcels 10.2 & 14. A boundary line adjustment will be processed to consolidate the area of rezoning into a single parcel.

#### **Deed Information:**

Deed Book 1074, Page Number 306

#### **Property Characteristics:**

Location: South of the Martinsburg Pike (Rte. 45) & Maddex Square Dr. intersection.

Current Zoning: Residential Growth

Current / Historic Use: Residential

Tract Size: 23.48+/- Acres

Area of Rezoning: 5.4+/- Acres

#### **Table of Exhibits**

1. Vicinity Map
2. Aerial Overlay
3. Existing Conditions Map
4. Concept Plan

**Substantiation for Request**

- 1. Commercial use is the appropriate and best use of the property.** Surrounding properties are commercial uses and the property has frontage on Martinsburg Pike (Route 45), identified as a Minor Arterial in the Comprehensive Plan.
- 2. The current zoning designation as Residential Growth (RG) district provides limited options for by-right commercial development.** A zoning map amendment is required to allow commercial development. The property is located in an area dominated by commercial uses and residential development would not be in character with the immediate area.

- 3. The property's commercial use is consistent with surrounding commercial development.** Adjacent properties include an Erie Insurance offices, Jefferson Securities Bank, Rite Aid Pharmacy and Maddex Square commercial center (Food Lion, Dairy Queen, McDonalds and multiple in-line retail stores). There are no residential units adjacent to the area of rezoning.



- 4. The existing signalized intersection provides value to commercial development.** The property will be accessed through an existing signalized intersection on Martinsburg Pike (Rte. 45). Use of this existing asset will not result in an additional intersection, which typically occurs with development. The owner will work with WVDOH to provide any necessary upgrades to the intersection/signal.
- 5. No burden would be placed on existing public infrastructure with this rezoning.** The property is located near existing utilities and will not create additional needs on the school system or other County facilities.

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

The proposed use includes the development of a Sheetz store (Zoning Use: Gas Station, Large). The development will include a 6,000+/- sq. ft. building, car wash, five fueling islands (10 pumps), drive thru and associated infrastructure improvements.

A text amendment is currently under review to allow a drive-thru in the Residential-Light Industrial-Commercial (RLIC) zoning district. The drive thru will not be provided should the text amendment be denied.

The proposed commercial use of the property is not a permitted use in the current RG district. The preferred use as a commercial use is justified under the Substantiation for Request section of this document.



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

- **Urban Level Development Recommendations (Goal 1.2.a, Page 30): Economic Well Being of the County**
  - The proposed commercial development will expand the County's commercial real estate tax base.
  
- **Urban Level Development Recommendations (Goal 1.2.b, Page 30): Error or Under Scrutinized Property on the Future Land Use Guide**
  - The Land Use Guide recognizes the property as an area of mixed-use, but the current Zoning designation of Residential Growth does not permit commercial uses by right. Allowing commercial development adjacent to Route 45 will recognize the Land Use Guides vision for the property.
  
- **Urban Level Development Recommendations (Goal 1.13.b, Page 33): Require that an additional setback from the road right-of-way (Rte. 45) be set aside to allow for a roadway widening improvement easement, a pedestrian easement to include a hard surface trail, a landscaping strip wide enough to support large canopy trees, and the subsequent start of the development.**
  - An additional 10' setback / easement will be provided along Route 45.
  
- **Finance Recommendations (Goal 24.1, Page 141): Develop policies that result in a well-balanced tax base that is not overly reliant on residential taxes, but is diversified by the presence of a robust commercial and industrial tax base.**
  - The property will contribute to the commercial tax base of the County.
  
- **Future Land Use Guide**
  - Provides a land use classification of Mixed Use Residential/Commercial. The portion of the property subject to this rezoning will be commercial. The balance of the property will remain in the Residential Growth district and is anticipated that future development will include residential uses. The proposed zoning will provide a mix of uses that is consistent with the Comprehensive Plans vision. The Comprehensive Plan states on page 26 that "Land Use Classifications are

intended to provide guidance to the Planning Commissions when considering owner initiated zoning map amendments”

- The property is designated as a Preferred Growth Area by the Comprehensive Plans Future Land Use Guide. This demonstrates the Comprehensive Plans development expectations for the property.

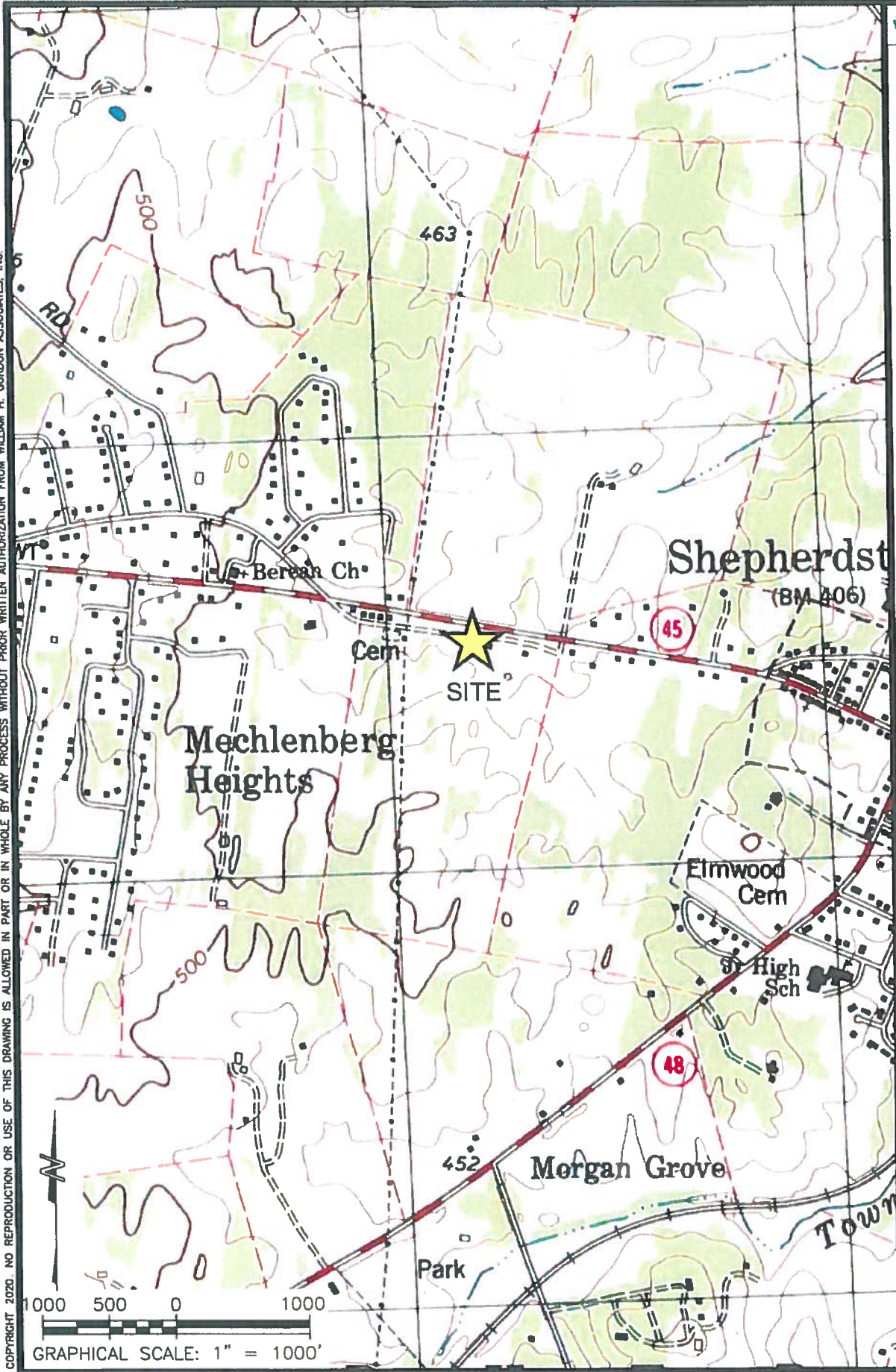


**Discuss any change(s) of transportation characteristics (i.e. type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.**

- **Transportation Characteristics - The property is served by direct access from a Minor Arterial road (Martinsburg Pike / WV RTE. 45).** As with most corridors, traffic increases over time as more development occurs. The recognition of Martinsburg Pike as a Minor Arterial by the Plan recognizes this road as regional route.
- **Transportation Characteristics - As required with any property, an entrance permit from the West Virginia Department of Transportation (WVDOT) will be needed.** Obtaining an entrance permit requires the review by the WVDOT to ensure that safe and adequate access can be provided. It is anticipated that improvements to the traffic signal and intersection will be requested by WVDOT.
- **Changes Since the Original Adoption of the Zoning Ordinance (1988) – Substantial commercial development has occurred in the immediate area.** Maddex Square and Jefferson Securities Bank did not exist when the current Zoning Ordinance was adopted. The development of this area provided a traffic signal and turn lanes in front of the subject property. The improvements to this section of Martinsburg Pike were provided to accommodate commercial development and growing population.
- **Changes Since the Original Adoption of the Zoning Ordinance (1988) – Construction of Potomac Farms Drive.** The addition of this road provided additional connectivity in the area. It is anticipated that the proposed entrance road will extend from Martinsburg Pike to Potomac Farms Drive with future development, improving the existing road network.



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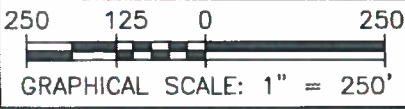
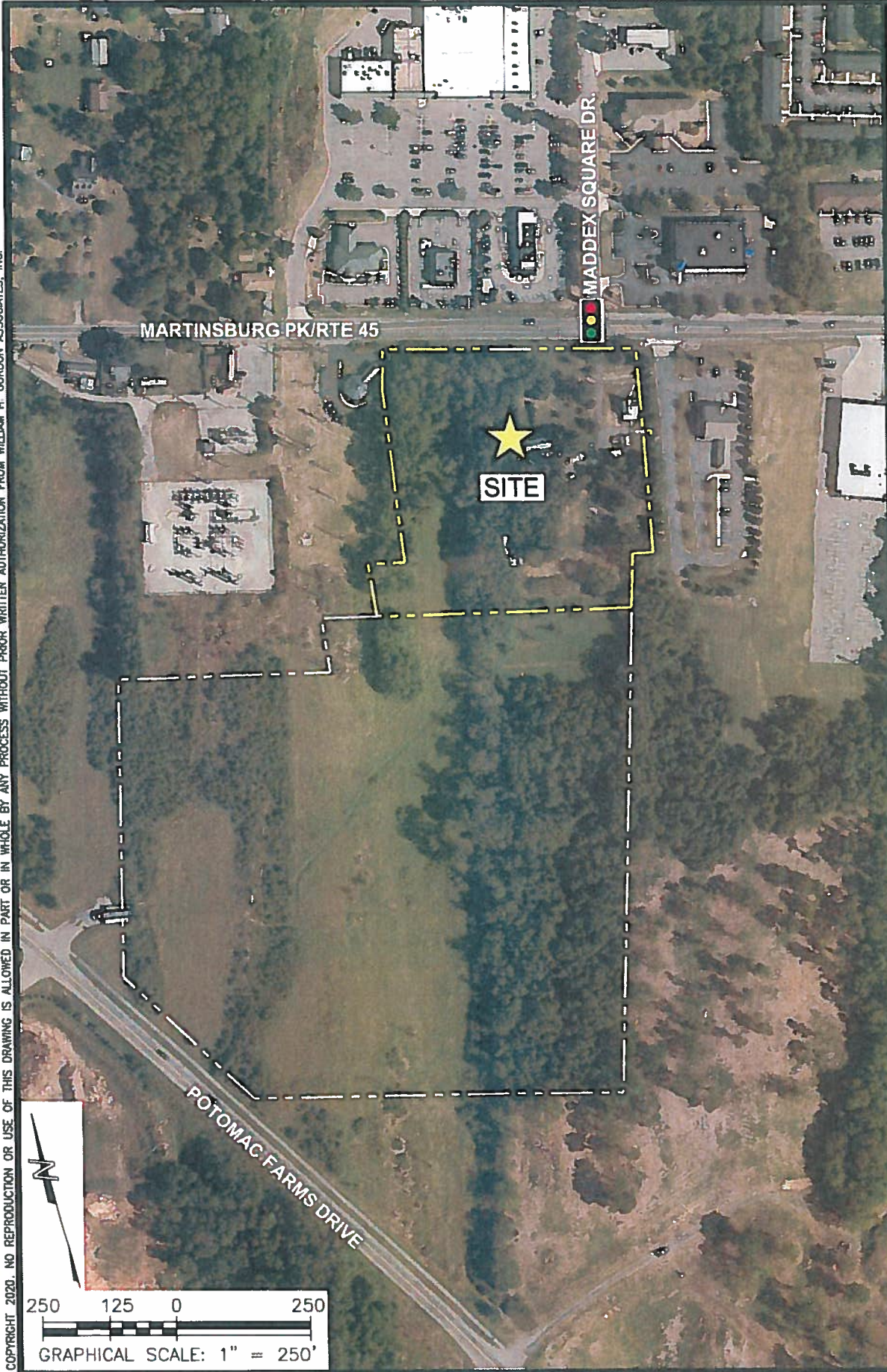


# ZONING MAP AMENDMENT EXHIBIT 1 - VICINITY MAP

10-09-2020

SHEETZ STORE 160  
JEFFERSON COUNTY, WV

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# ZONING MAP AMENDMENT EXHIBIT 2 - AERIAL OVERLAY

10-09-2020

**SHEETZ STORE 160**  
JEFFERSON COUNTY, WV

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



Name: Dennis Jarvis, II

Department or Organization: JCDA

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: **The upcoming Jefferson County Commission November 19, 2020** **December 3, 2020**  
*If a specific date is needed, please provide reason for specific date:*

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

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

**Retirement of JCDA office manager Jane Jones**

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

The JCDA Office Manager is retiring and we will need to start the process of advertising the position and securing a replacement by the end of January.

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

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

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

not applicable



**Jefferson County, West Virginia  
Job Description**

<b>Position Title:</b>	Administrative Assistant	<b>Grade Level:</b>	III
<b>Department</b>	County Administration, Development Authority,	<b>Date:</b>	April 16, 2009
<b>Reports to:</b>	Department Head	<b>FLSA Status</b>	NE

**Statement of Duties:** The employee performs administrative and clerical services in support of the operation of the Development Authority. Employee is required to perform all similar or related duties.

**Supervision Required:** Under general supervision of the Executive Director, the employee is familiar with the work routine and uses initiative in carrying out recurring assignments independently without specific instruction. The supervisor provides additional, specific instruction for new, difficult or unusual assignments, including suggested work methods. The employee is expected to recognize instances that are out of the ordinary and which do not fall within existing instructions; the employee is then expected to seek advice and further guidance. Reviews and checks of the employee's work are applied to an extent sufficient to keep the supervisor aware of progress, and to ensure that completed work and methods used are technically accurate and that instructions are being followed. In many cases, the work is self certifying, for example, requiring accounts to balance before proceeding.

**Supervisory Responsibility:** Employee, as a regular and continuing part of the job, does not routinely supervise other employees.

**Confidentiality:** Employee has access to some confidential information obtained during performance of regular position responsibilities such as client or department records.

**Accountability:** Consequences of errors, missed deadlines or poor judgment may include adverse public relations, or jeopardize programs.

**Judgment:** Numerous standardized practices, procedures, or general instructions govern the work and in some cases, may require additional interpretation. Judgment is needed to locate, select, and apply the most pertinent practice, procedure, regulation or guideline.

**Complexity:** The work consists of a variety of duties that generally follow standardized practices, procedures, regulations or guidelines. The sequence of work and/or the procedures followed vary according to the nature of the transaction and/or the information involved, or sought, in a particular situation.

**Work Environment:** The work environment is typical of any office, with occasional exposure to outside elements. Noise or physical surroundings may be distracting, but conditions are generally not unpleasant. Employee may be required to work beyond normal business hours to attend evening meetings.

**Nature and Purpose of Public Contact:** Relationships with co-workers and the public involving

Jefferson County Development Authority,  
Administrative Assistant

4/16/09

**Jefferson County, West Virginia**  
**Job Description**

frequent explanation, discussion or interpretation of practices, procedures, regulations or guidelines in order to render service, plan or coordinate work efforts, or resolve operating problems. Other regular contacts are with service recipients and employees of outside organizations such as vendors, banks and/or developers/ contractors. More than ordinary courtesy, tact, and diplomacy may be required to resolve complaints or deal with uncooperative or uninformed persons. Employee may furnish news media with routine information such as meeting agendas, press releases or departmental procedures.

**Occupational Risk:** Duties of the job present little potential for injury. Risk exposure is similar to that found in typical office settings.

**Essential Functions:**

*The essential functions or duties listed below are intended only as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

1. Serves the public through answering telephone calls, greeting visitors to the Development Authority office and responding to inquiries from county offices and members of the public.
2. Transcribes minutes of meetings, prepares reports and agenda for meetings of the Development Authority; ensures the accurate and timely recording of minutes.
3. Performs secretarial and administrative duties including, but not limited to, preparing correspondence, data entry, faxing, photocopying, picking up and delivering mail, filing, scheduling appointments, and ordering supplies and equipment.
4. Maintains department files, processes accounts payable/receivable, bank reconciliation, and bookkeeping duties for the department.
5. Performs clerical tasks as assigned.

**Recommended Minimum Qualifications:**

**Education and Experience:** High School degree with three to five (3-5) years related work experience; or any equivalent combination of education, training and experience which provides the required knowledge, skills and abilities to perform the essential functions of the job.

**Special Requirements:** Drivers license and Notary Public may be required.

**Knowledge, Abilities and Skill:**

**Knowledge:** Common policies, practices and procedures of the department and office operations; laws and regulations pertinent to position functions. Working knowledge of the Internet in support of department operations.

Jefferson County Development Authority,  
Administrative Assistant  
4/16/09

**Jefferson County, West Virginia**  
**Job Description**

Abilities: Ability to interact effectively and appropriately with the public and other personnel, perform multiple tasks and maintain confidential information.

Skills: Proficient personal computer skills, mathematical skills, recordkeeping and clerical skills, written and oral communication skills. Effective customer service skills.

**Physical and Mental Requirements:**

*The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.*

**Physical Demands:** Little or no physical demands are required to perform the work. Work effort principally involves sitting to perform work tasks, with intermittent periods of stooping, walking, and standing. There may also be some occasional lifting of objects such as books, office equipment and computer paper.

**Motor Skills:** Duties are largely mental rather than physical, but the job may occasionally require minimal motor skills for activities such as moving objects, operating a telephone system, computer and/or most other office equipment, typing and/or word processing, filing, and sorting.

**Visual Demands:** Visual demands include constantly reading documents for general understanding and for analytical purposes, routinely reviewing non-written materials such as instrumentation for analytical purposes.



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



Name:

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: **December 3, 2020**

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

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

Subject (*Wording to be placed on agenda*): **Certification of the 2020 General Election Results for Federal and State elections – 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



# **CERTIFIED RETURNS OF GENERAL ELECTION**

**November 03, 2020**

The Board of Canvassers of the County of Jefferson, State of West Virginia, having carefully and impartially examined the returns of the General Election held in said County, on the 3rd day of November 2020, do hereby certify that in said County or District, at said election on the official ballot for the office of

## **PRESIDENT**

DONALD J. TRUMP received fifteen thousand and thirty-three	(15,033)
JOSEPH R. BIDEN received twelve thousand one hundred and twenty-seven	(12,127)
JO JORGENSEN received four hundred and twenty-four	(424)
HOWIE HAWKINS received one hundred and nineteen	(119)
WRITE-IN: Brock Pierce received one	(1)
WRITE-IN: Gloria La Riva received one	(1)
WRITE-IN: unofficial candidates received one hundred seven	(107)

## **U.S. SENATOR**

SHELLEY MOORE CAPITO received fifteen thousand six hundred and twenty-five	(15,625)
PAULA JEAN SWEARENGIN received eleven thousand and thirty-three	(11,033)
DAVID MORAN received six hundred and forty-six	(646)
WRITE-IN received twenty-three	(23)

**GOVERNOR**

JIM JUSTICE received fourteen thousand and ten	(14,010)
BEN SALANGO received ten thousand five hundred and sixty-three	(10,563)
DANIEL P. "DANNY" LUTZ received one thousand five hundred and fifty-four	(1,554)
ERIKA KOLENICH received six hundred and ninety-one	(691)
WRITE-IN: S. Marshall Wilson received four hundred forty-two	(442)
WRITE-IN: Michael Folk received one	(1)
WRITE-IN: unofficial candidates received one hundred seventy-four	(174)

**SECRETARY OF STATE**

MAC WARNER received fourteen thousand two hundred and ninety	(14,290)
NATALIE TENNANT received twelve thousand six hundred and thirty-five	(12,635)
WRITE-IN received eighteen	(18)

**AUDITOR**

JOHN "JB" MCCUSKEY received fourteen thousand seven hundred and sixty-two	(14,762)
MARY ANN ROEBUCK CLAYTOR received eleven thousand seven hundred and sixty-one	(11,761)
WRITE-IN received twenty-two	(22)

**TREASURER**

RILEY MOORE received fifteen thousand nine hundred and seventy-three	(15,973)
JOHN D. PERDUE received ten thousand eight hundred and fifty-seven	(10,857)

WRITE-IN received  
twenty (20)

**COMMISSIONER OF AGRICULTURE**

KENT LEONHARDT received  
fourteen thousand five hundred and ninety-six (14,596)

BOB BEACH received  
eleven thousand seven hundred and fifty-one (11,751)

WRITE-IN received  
twenty-four (24)

**ATTORNEY GENERAL**

PATRICK MORRISEY received  
fifteen thousand nine hundred and seventy-eight (15,978)

SAM BROWN PETSONK received  
eleven thousand one hundred and five (11,105)

WRITE-IN received  
fourteen (14)

IN WITNESS WHEREOF, WE, THE SAID BOARD OF CANVASSERS  
HAVE HEREUNTO SIGNED OUR NAMES THIS 3<sup>rd</sup> DAY OF DECEMBER, 2020.

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Clerk's Signature





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

Name: **Sandy McDonald, Deputy County Administrator**

Department or Organization: County Commission

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **December 3, 2020**

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

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

Subject (*Wording to be placed on agenda*): **Approval of the 2021 Holiday Schedule**

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*):

**Motion to approve the 2021 Holiday Schedule**

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 COMMISSION HOLIDAY SCHEDULE 2021**

<b>New Year's Day</b>	<b>Friday, January 1, 2021</b>
<b>Martin Luther King's Day</b>	<b>Monday, January 18, 2021</b>
<b>President's Day</b>	<b>Monday, February 15, 2021</b>
<b>Memorial Day</b>	<b>Monday, May 31, 2021</b>
<b>West Virginia Day</b>	<b>Monday, June 20, 2021</b>
<b>Independence Day</b>	<b>Monday, July 4, 2021</b>
<b>Labor Day</b>	<b>Monday, September 6, 2021</b>
<b>Columbus Day</b>	<b>Monday, October 11 2021</b>
<b>Veteran's Day</b>	<b>Thursday, November 11, 2021</b>
<b>Thanksgiving Day</b>	<b>Thursday, November 25, 2021</b>
<b>Day after Thanksgiving</b>	<b>Friday, November 26, 2021</b>
<b>Christmas Eve</b>	<b>½ Day, Thursday, December 23, 2021</b>
<b>Christmas Day</b>	<b>Friday, December 24, 2021</b>
<b>New Year's Eve</b>	<b>½ Day, Thursday, December 30, 2021</b>
<b>New Year's Day</b>	<b>Friday, December 31, 2021</b>

**IN ADDITION TO THE DAYS LISTED ABOVE, THE COMMISSION WILL OBSERVE AS HOLIDAYS, ANY NATIONAL, STATE OR OTHER ELECTION DAY THROUGHOUT THE COUNTY, AND ALL DAYS WHICH MAY BE APPOINTED OR RECOMMENDED BY THE GOVERNOR, OF THIS STATE, OR THE PRESIDENT OF THE UNITED STATES, AS DAYS OF THANKSGIVING, OR FOR THE GENERAL CESSATION OF BUSINESS. ANY DAY OR PART THEREOF, DESIGNATED BY THE GOVERNOR AS TIME OFF WITHOUT CHARGE OF ANNUAL LEAVE FOR STATE EMPLOYEES STATE WIDE WILL AUTOMATICALLY BE DESIGNATED AS TIME OFF FOR COUNTY EMPLOYEES WITHOUT CHARGE AGAINST ANNUAL LEAVE FOR COUNTY EMPLOYEES. ANY ENTIRE OR PART STATE WIDE DAY OFF DESIGNATED BY THE GOVERNOR MAY, FOR ALL COURTS BE TREATED AS IF IT WERE A LEGAL HOLIDAY, AS PROVIDED FOR IN 2-2-1 OF THE WEST VIRGINIA CODE, AS AMENDED.**

**Date: December 3rd, 2020**

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**PRESIDENT, JEFFERSON COUNTY COMMISSION**



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



Name: Michelle Gordon, Finance Director

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: **December 3, 2020**

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

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

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

- **Highmark One-time Premium Credit Issued: Discuss options for the employee portion of the premium credit– Discussion / Action**

Please provide the County Commission with a description of your request or presentation, including any background information: We were notified that Highmark has provided a one-time health insurance premium credit to the County. The total credit to the County is \$207k. Of that, 174k offsets the County's portion of health insurance premiums and 33k is attributable to employee paid deductions.

The Department of Labor (DOL) has not issued guidance that specifically addresses how employers should handle any COVID-19-related premium credits under ERISA. However, the DOL has addressed how ERISA's fiduciary rules apply to medical loss ratio (MLR) rebates that employers receive from their carriers under the Affordable Care Act's MLR rules. **While the premium credits are not the same as MLR rebates (for example, the credits are applied to future premium obligations and not actually paid out to the employer), the same general fiduciary rules apply to both situations.**

The DOL establishes that if the employer and participants each paid a fixed percentage of the premiums, the percentage of the rebate equal to the percentage of the cost paid by participants is a plan asset under ERISA. The County must decide how to use these funds for the exclusive benefit of the plan's participants and beneficiaries. For example, the credit could be shared with participants in the form of a premium holiday, reduced payroll deductions over a period of time or benefit enhancements.

Guidance has indicated that employers typically pass the employee portion of the credit on to employees in the form of a "premium holiday" and this is also my recommended approach. To do this, health insurance deductions would not be withheld from employee paychecks for the month of December as a "premium holiday". This would impact employee's enrolled in the plan as of 11/30/2020 and the paychecks received on 12/10/2020 and 12/24/2020.

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

If so, how much? \$ **NA**

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 a health insurance, employee premium holiday for the month of December 2020 for existing plan participants.**

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



614 Market Street  
P.O. Box 1948  
Parkersburg, WV 26101  
Phone: (866)763-9469

**ADDITIONAL ITEMS**

INVOICE NUMBER: 201120016579  
INVOICE MONTH(S): December 2020  
PREPARED DATE: 11/20/2020

BILL ACCOUNT NUMBER: 1238880001  
BILL ACCOUNT NAME: Jefferson County Commission  
CLIENT NUMBER: 123888  
CLIENT NAME: Jefferson County Commission

Process Date	Group Number	Product	Description	Coverage Period	Amount
<b>Other Charges:</b>					
11/20/2020	09098587	PPO	Premium Billing Credit	12/01/2020-12/31/2020	(\$206,146.06)
<b>Product: PPO</b>					
<b>Group: 09098587</b>					
<b>Product: PPO</b>					
<b>Group: 09098588</b>					
11/20/2020	09098588	PPO	One-Time Premium Relief Credit for December 2020 Medical Coverage		(\$206,146.06)
<b>Product: PPO</b>					
<b>Group: 09098588</b>					
<b>Product: PPO</b>					
<b>Group: 09098588</b>					
11/20/2020	09098588	PPO	Premium Billing Credit	12/01/2020-12/31/2020	(\$871.65)
<b>Product: PPO</b>					
<b>Group: 09098588</b>					
<b>Product: PPO</b>					
<b>Group: 09098588</b>					
<b>Other Charges:</b>					
<b>Additional Items Total:</b>					
					(\$207,017.71)







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

Name: **Stephanie Grove, County Administrator**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1<sup>st</sup> Choice: **December 3, 2020**

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

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

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

- **Remote Work Policy - Discussion/Action**
- **COVID Quarantine and Return To Work Policy - Discussion/Action**

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

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

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

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

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

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

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

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

Contact information:

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

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

[Click here to enter text.](#)



**NOTICE  
JEFFERSON COUNTY COMMISSION  
MEETING CANCELLATION**

The County Commission of Jefferson County will not meet the week of December 28, 2020. The regular meeting scheduled on Thursday, December 31, 2020, has been canceled. The Commission will resume its regular session on Thursday, January 7, 2021, at 9:30 a.m.

**By Order of The County  
Commission of Jefferson County  
Jane M. Tabb, President**

## Jessica Carroll

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**From:** WebmastervJCC <webmaster@jeffersoncountywv.org>  
**Sent:** Sunday, November 22, 2020 11:48 PM  
**To:** JCCInfo  
**Subject:** Jefferson County Commission, WV: Website Form Notification

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

**Form Name:** County Commission Contact  
**Date & Time:** 11/22/2020 11:47 PM  
**Response #:** 1637  
**Submitter ID:** 5182  
**IP address:** 73.191.125.216  
**Time to complete:** 19 min. , 12 sec.

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### Survey Details

#### Page 1

**1. Name**

League of Women Voters of Jefferson County

**2. Email**

President@lwv-jcww.org

**3. Questions or Concerns**

This request is submitted for the Public Comment section of the December 3, 2020 County Commission meeting:

The League of Women Voters of Jefferson County is very pleased that the County Commission has appointed a Broadband Committee to make recommendations on how to improve broadband access in the County.

The Committee is now reviewing the consultant's recommendations. However, we are concerned that the work schedule, as of now, includes no public workshop or meetings to allow residents to comment on the findings.

This makes it all the more important that the County Commission, upon receiving the Committee Report, schedule a Public Workshop. A Public Workshop would allow the public to ask questions of, and receive answers from, the County Commissioners. Because the broadband issue is such an important topic of widespread interest, a "give and take" conversation between the Commissioners, Committee members, the consultants, and the public is vital.

We respectfully ask that the County Commission schedule such a Public Workshop.

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

Yes



State of West Virginia  
John B. McCuskey  
State Auditor

Office of the State Auditor  
Local Government Services  
200 West Main Street  
Clarksburg, West Virginia 26301

Toll Free: (877) 982-9148  
Telephone: (304) 627-2415  
Fax: (304) 340-5090  
[www.wvsao.gov](http://www.wvsao.gov)

November 7, 2020

Dear: West Virginia Assessors  
West Virginia Prosecuting Attorneys  
West Virginia Sheriffs

I realize that some of you may be leaving office on December 31, 2020. I want to thank you for your service and commitment to your constituents and remind you of this code section.

**§7-7-7a. Limit of budget expenditures.**

(a) No county clerk, circuit clerk, joint clerk of the county commission and circuit court, if any, sheriff, county assessor or prosecuting attorney may, without the approval of the county commission, spend or obligate, before the end of the calendar year, more than fifty percent of the funds allocated for his or her office in the fiscal year budget, in any fiscal year where the person holding the office is leaving office due to either resignation or the results of an election.

(b) As used in subsection (a) of this section, "spend or obligate" includes, but is not limited to, increasing employee salaries to a level that would create a deficit in the budget if paid during the remainder of the fiscal year in addition to other anticipated expenditures.

As always, if you should have any questions or we can assist you in anyway, please let us know.

Sincerely,

A handwritten signature in cursive script that reads "Ora L. Ash".

Ora L. Ash, Deputy State Auditor  
Local Government Services

xc: All West Virginia County Commissions



*Jim Justice*  
*Governor of West Virginia*

November 17, 2020

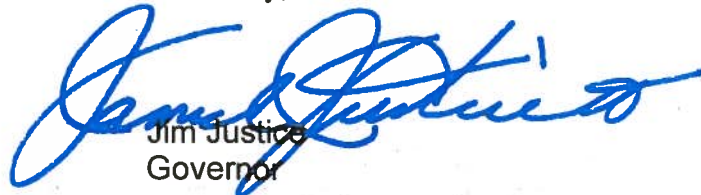
The Honorable Jane M. Tabb  
President  
Jefferson County Commission  
PO Box 250  
Charles Town, WV 25414

Dear Commissioner Tabb:

I am pleased to inform you that I have approved a Victims of Crime Act (VOCA) Victim Assistance grant award to the Jefferson County Commission, in the amount of \$111,273.00. This grant will fund staff in the Jefferson County Prosecuting Attorney's Office to provide direct services to crime victims in Jefferson County.

Please let me know if our Division of Administrative Services, Justice and Community Services Section staff or I can be of further assistance.

Sincerely,



Jim Justice  
Governor

JJ/anm

c: Matthew Harvey



*Jim Justice*  
*Governor of West Virginia*

November 19, 2020

The Honorable Jane Tabb  
President  
Jefferson County Commission  
PO Box 250  
Charles Town, WV 25414

Dear Commissioner Tabb:

I am pleased to inform you that I have approved a Justice Assistance Grant (JAG) award of \$15,000.00 to the Jefferson County Commission. These funds will be utilized to support the position of a Prevention Resource Officer

Please let me know if our Justice and Community Services' staff or I can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Justice".

Jim Justice  
Governor

JJ/anm

cc: Ms. Deborah Lowe



STATE OF WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
BUREAU FOR PUBLIC HEALTH  
OFFICE OF ENVIRONMENTAL HEALTH SERVICES

Bill J. Crouch  
Cabinet Secretary

Ayne Amjad, MD, MPH  
Commissioner & State Health Officer

November 17, 2020

**CERTIFIED MAIL (No. 7018 1130 0002 3180 6469)  
RETURN RECEIPT REQUESTED**

MICHAEL A. LOWREY  
ADMINISTRATIVE CONTACT  
ROCK SPRING CHURCH  
1425 W.WASHINGTON STREET  
HARPERS FERRY, WV 25425-6807

RE: ADMINISTRATIVE ORDER EE-20-39  
ROCK SPRING CHURCH  
PWSID #: WV9919090  
JEFFERSON County

The Water System is being issued the following Administrative Order (Order) due to failure to comply with the public health laws of the State of West Virginia by the West Virginia Bureau for Public Health, Office of Environmental Health Services (OEHS). The OEHS is authorized to take this enforcement action pursuant to West Virginia Code § 16-1-9 and § 16-1-9a.

The OEHS has determined that the ROCK SPRING CHURCH Water System is in violation of the provisions of *West Virginia State Public Water Systems 64 CSR § 3* as incorporated by *Federal Safe Drinking Water Regulations 40 C.F.R. 141*. The Water System was previously informed of the violations listed below and given the opportunity to make corrections to return to compliance. The Water System failed to make the required corrections, necessitating the issuance of this Order.

The OEHS makes the following findings:

1. ROCK SPRING CHURCH is the owner of the ROCK SPRING CHURCH public water system (PWS), PWS Identification Number WV9919090, as defined by *West Virginia State Public Water Systems 64 CSR § 3-10*, "a public water system means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves at least twenty-five individuals" and "non-community, non-transient water system means a public water system which is not a community system and that regularly serves at least 25 of the same persons over 6 months per year." (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141*).
2. According to information provided to the OEHS, the System serves approximately 120 persons and has 1 service connection. Therefore, Respondent's System is a "public water system" and a "non-community, non-transient water system" as defined by *West Virginia State Public Water Systems 64 CSR § 3-10* and *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.2*.
3. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to monitor for Nitrite once every three (3) years. By failing to sample and analyze for Nitrite during the triennial monitoring period of 1/1/2017 to 12/31/2019, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.23*)
4. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for inorganic chemicals (IOC) once every three (3) years. By failing to sample and analyze IOC during the triennial monitoring period of 1/1/2017 to 12/31/2019, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.23*)
5. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for Arsenic once every three (3) years. By failing to sample and analyze for Arsenic during the triennial monitoring period of 1/1/2017 to 12/31/2019, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.23*)
6. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for volatile organic chemicals (VOC) once every three (3) years. By failing to sample and analyze for VOC during the triennial monitoring period of 1/1/2017 to 12/31/2019, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.24*)

7. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for synthetic organic chemicals (SOC) once every three (3) years. By failing to sample and analyze for SOC during the triennial monitoring period of 1/1/2017 to 12/31/2019, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.24*)
8. *West Virginia State Public Water Systems 64 CSR § 3-10 and 3-12.4* require a public water system to notify each customer of the Lead tap result and submit a copy of the notification and the Lead Tap Certification following every Lead sample collected. By failing to notify and submit the notification and certification for the monitoring periods ending on 12/31/2016, 12/31/2017, 12/31/2018, and 12/31/2019, the Water System violated *64 CSR § 3-10 and 3-12.4*. (See *Federal Safe Drinking Water Regulation 40 C.F.R. § 141.85*)
9. *West Virginia State Public Water Systems 64 CSR § 3-10* require the Water System to issue public notices of its violations of the monitoring requirements of 40 C.F.R. § 141. By failing to issue public notices during the monitoring periods of 1/1/2018 to 12/31/2018 (Lead and Copper), and 1/1/2014 to 12/31/2016 (TTHM, HAA5), the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. §§ 141.203-204 and 141.31*)
10. *West Virginia State Public Water Systems 64 CSR § 3-10* require the Water System to submit to the OEHS copies of all public notices issued as required by 40 C.F.R. §§141.203-204. By failing to submit copies to the OEHS of all public notices as required by 40 C.F.R. §§141.203-204, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. §§ 141.203-204 and 141.31(d)*)

Pursuant to the above findings, OEHS issues the following Order for Compliance:

1. The Water System shall, within thirty (30) days of receipt of this Order, comply with the requirement of *64 CSR § 3-10* by sampling and analyzing for Nitrite. (See *Federal Safe Drinking Water Regulations 40 C.F.R. §141.23*)
2. The Water System shall, within thirty (30) days of receipt of this Order, comply with the requirement of *64 CSR § 3-10* by sampling and analyzing for IOC. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.23*)

3. The Water System shall, within thirty (30) days of receipt of this Order, comply with the requirement of *64 CSR § 3-10* by sampling and analyzing for Arsenic. (*See Federal Safe Drinking Water Regulations 40 C.F.R. § 141.23*)
4. The Water System shall, within thirty (30) days of receipt of this Order, comply with the requirement of *64 CSR § 3-10* by sampling and analyzing for VOC. (*See Federal Safe Drinking Water Regulations 40 C.F.R. § 141.24*)
5. The Water System shall, within thirty (30) days of receipt of this Order, comply with the requirement of *64 CSR § 3-10* by sampling and analyzing for SOC. (*See Federal Safe Drinking Water Regulations 40 C.F.R. § 141.24*)
6. The Water System shall, within thirty (30) days of receipt of this Order, comply with *West Virginia State Public Water Systems 64 CSR § 3-10 and 12.4* by notifying each customer of their Lead tap result and submitting a copy of the notification and Lead Tap Certification. (*See Federal Safe Drinking Water Regulations 40 C.F.R. § 141.85*)
7. The Water System shall, within thirty (30) days of receipt of this Order, comply with *West Virginia State Public Water Systems 64 CSR § 3-10* by issuing the public notices identified in item 9 of the above "Findings" section. (*See Federal Safe Drinking Water Regulations 40 C.F.R. §§ 141.203-204*)
8. The Water System shall, commencing immediately after completing the requirements in item 9 of the above "Findings" section, comply with the requirements of *West Virginia State Public Water Systems 64 CSR § 3-10* by submitting copies of the aforementioned public notices to the OEHS. (*See Federal Safe Drinking Water Regulations 40 C.F.R. § 141.31(d)*)
9. The Water System shall submit the required sampling analysis data results, required reports, and/or plans for returning to compliance to: **Bureau for Public Health, Office of Environmental Health Services, Environmental Engineering Division, Attention: Compliance & Enforcement, 350 Capitol Street, Room 313, Charleston, WV 25301-3713**. Include a completed copy of Attachment A with each Administrative Order program plan, data result, and/or required report submittal.

MICHAEL A. LOWREY  
ROCK SPRING CHURCH  
Order No EE-20-39  
Page 5

Please review this Order carefully as it requires specific action by the water system. Failure to comply with this Order will result in further enforcement action by this Office, up to and including civil penalties and/or criminal charges.

Questions regarding the Order should be directed to Dan Mace, Office of Environmental Health Services, 350 Capitol Street, Room 313, Charleston, WV 25301-3713 or by phone at 304-356-4326.

This Order becomes effective on the date issued below.

ISSUED BY:  DATED: 11-17-2020  
Michelle L. Cochran, Director  
Office of Environmental Health Services

pc: Andy Dinsmore, SDWA/Wetlands Section Chief, Enforcement Division, U.S. EPA  
Anye Amjad, MD, MPH, Commissioner and State Health Officer  
David Acord, Director, Water and Wastewater Division, WV Public Service Commission  
Jane M. Tabb, President, JEFFERSON County Commission  
Gillian Beach, Sanitarian, JEFFERSON County Health Department  
Britt Ludwig, WV BPH General Counsel

**EFFECT ON OTHER PERMITS AND LAWS**

This Order in no way relieves the Water System of the responsibility to comply with other permits issued to the Water System by the OEHS or other government agencies or to comply with other federal, state, or local laws. Compliance with this Order is not a defense to any action commenced pursuant to such other authorities. Issuance of this Order does not prohibit the OEHS from taking other civil or criminal action authorized under the law.

**ADMINISTRATIVE DUE PROCESS**

The Water System has the right to request a contested case hearing if it wishes to challenge this enforcement action. If the Water System chooses to request a hearing, it must submit a written request to this Office within thirty (30) calendar days of receipt of this Order.

MICHAEL A. LOWREY  
ROCK SPRING CHURCH  
Order No EE-20-39  
Page 7

**ATTACHMENT A: DATA MANAGEMENT COVER SHEET**  
**ADMINISTRATIVE ORDER NO EE-20-39**  
**WEST VIRGINIA BUREAU FOR PUBLIC HEALTH**  
**OFFICE OF ENVIRONMENTAL HEALTH SERVICES**  
**ENVIRONMENTAL ENGINEERING DIVISION**

Attention Owner/Operator: Each Administrative Order data submission requires completed copy of Attachment A to receive credit.

PWSID No: WV9919090

PWS Name: ROCK SPRING CHURCH

Data Submitted: \_\_\_\_\_

Data Submitted by: \_\_\_\_\_

Date Submitted: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**DO NOT WRITE BELOW THIS LINE, FOR OFFICE USE ONLY:**

---

Date Received by C&E Office Assistant/Initials    \_\_\_\_ / \_\_\_\_ / \_\_\_\_    \_\_\_\_\_

Date Received by C&E Compliance Officer/Initials    \_\_\_\_ / \_\_\_\_ / \_\_\_\_    \_\_\_\_\_

Date Data Entered by Data Management/Initials    \_\_\_\_ / \_\_\_\_ / \_\_\_\_    \_\_\_\_\_



STATE OF WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
BUREAU FOR PUBLIC HEALTH  
OFFICE OF ENVIRONMENTAL HEALTH SERVICES

Bill J. Crouch  
Cabinet Secretary

Ayne Amjad, MD, MPH  
Commissioner & State Health Officer

November 12, 2020

**CERTIFIED MAIL (No. 7018 1130 0002 3179 7200)  
RETURN RECEIPT REQUESTED**

CAROL R. MATHERS  
ADMINISTRATIVE CONTACT  
POTOMAC FARMS WATER CO  
432 CARTER AVENUE  
HARPERS FERRY, WV 25425

RE: **ADMINISTRATIVE ORDER EE-20-34**  
POTOMAC FARMS WATER CO  
PWSID #: WV3301947  
JEFFERSON County

The Water System is being issued the following Administrative Order (Order) due to failure to comply with the public health laws of the State of West Virginia by the West Virginia Bureau for Public Health, Office of Environmental Health Services (OEHS). The OEHS is authorized to take this enforcement action pursuant to West Virginia Code § 16-1-9 and § 16-1-9a.

The OEHS has determined that the POTOMAC FARMS WATER CO Water System is in violation of the provisions of *West Virginia State Public Water Systems 64 CSR § 3* as incorporated by *Federal Safe Drinking Water Regulations 40 C.F.R. 141*. The Water System was previously informed of the violations listed below and given the opportunity to make corrections to return to compliance. The Water System failed to make the required corrections, necessitating the issuance of this Order.

The OEHS makes the following findings:

1. POTOMAC FARMS WATER CO is the owner of the POTOMAC FARMS public water system (PWS), PWS Identification Number WV3301947, as defined by *West Virginia State Public Water Systems 64 CSR § 3-10*, "a public water system means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves at least twenty-five individuals" and "community water system means a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents." (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.2*)
2. According to information provided to the OEHS, the System serves approximately 65 persons and has 23 service connections. Therefore, Respondent's System is a "public water system" and a "community water system" as defined by *West Virginia State Public Water Systems 64 CSR § 3-10* and *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.2*.
3. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to maintain a concentration below the maximum contaminant level (MCL) at all times for Nitrate. By failing to maintain a Nitrate concentration below the MCL for the quarterly monitoring periods of 4/1/20120 to 6/30/2020 and 7/1/2020 to 9/30/2020, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.23*)
4. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for inorganic chemicals (IOC) once every three (3) years. By failing to sample and analyze IOC during the triennial monitoring period of 1/1/2017 to 12/31/2019, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.23*)
5. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for Arsenic once every three (3) years. By failing to sample and analyze for Arsenic during the triennial monitoring period of 1/1/2017 to 12/31/2019, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.23*)
6. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for volatile organic chemicals (VOC) once every three (3) years. By failing to sample and analyze for VOC during the triennial monitoring period of 1/1/2017 to 12/31/2019, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.24*)

7. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for synthetic organic chemicals (SOC) once every three (3) years. By failing to sample and analyze for SOC during the triennial monitoring period of 1/1/2017 to 12/31/2019, the Water System violated 64 CSR § 3-10. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.24*)
8. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for Total Trihalomethanes (TTHM) once per year at the approved location. By failing to sample and analyze for TTHM during the annual monitoring period of 1/1/2018 to 12/31/2018, the Water System violated 64 CSR § 3-10. (See *Federal Safe Drinking Water Regulation 40 C.F.R. § 141.629*)
9. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for Total Trihalomethanes (TTHM) once per quarter at the approved location. By failing to sample and analyze for TTHM during the quarterly monitoring periods of 1/1/2019 to 3/31/2019, 4/1/2019 to 6/30/2019, 7/1/2019 to 9/30/2019, 10/1/2019 to 12/31/2019, 1/1/2020 to 3/31/2020, and 4/1/2020 to 6/30/2020, the Water System violated 64 CSR § 3-10. (See *Federal Safe Drinking Water Regulation 40 C.F.R. § 141.629*)
10. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for Total Haloacetic Acid (HAA5) once per year at the approved location. By failing to sample and analyze for HAA5 during the annual monitoring period of 1/1/2018 to 12/31/2018, the Water System violated 64 CSR § 3-10. (See *Federal Safe Drinking Water Regulation 40 C.F.R. § 141.629*)
11. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to sample and analyze for Total Haloacetic Acid (HAA5) once per quarter at the approved location. By failing to sample and analyze for HAA5 during the quarterly monitoring periods of 1/1/2019 to 3/31/2019, 4/1/2019 to 6/30/2019, 7/1/2019 to 9/30/2019, 10/1/2019 to 12/31/2019, 1/1/2020 to 3/31/2020, and 4/1/2020 to 6/30/2020, the Water System violated 64 CSR § 3-10. (See *Federal Safe Drinking Water Regulation 40 C.F.R. § 141.629*)
12. *West Virginia State Public Water Systems 64 CSR § 3-10* require a public water system to conduct monitoring and reporting for lead and copper (Pb/Cu) once every three (3) years. By failing to sample and analyze for Pb/Cu during the triennial monitoring period of 1/1/2017 to 12/31/2019, the Water System violated 64 CSR § 3-10. (See *Federal Safe Drinking Water Regulations 40 C.F.R. §§ 141.86 and 141.90*)

13. *West Virginia State Public Water Systems 64 CSR § 3-10* require the Water System to submit completed Consumer Confidence Reports (CCR) once per year. By failing to submit a completed CCR for the annual reporting period of 1/1/2019 to 12/31/2019, the Water System violated *64 CSR § 3-10*. (See *Federal Safe Drinking Water Regulations 40 C.F.R. §§ 141.151-141.155*)

Pursuant to the above findings, OEHS issues the following Order for Compliance:

1. The Water System shall, within thirty (30) days of receipt of this Order, submit a corrective action plan, including schedule to comply with the requirement of *64 CSR § 3-10* by reducing the Nitrate concentration below the Nitrate MCL. (See *Federal Safe Drinking Water Regulations 40 C.F.R. §§ 141.23*)
2. The Water System shall, within thirty (30) days of receipt of this Order, comply with the requirement of *64 CSR § 3-10* by sampling and analyzing for IOC. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.23*)
3. The Water System shall, within thirty (30) days of receipt of this Order, comply with the requirement of *64 CSR § 3-10* by sampling and analyzing for Arsenic. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.23*)
4. The Water System shall, within thirty (30) days of receipt of this Order, comply with the requirement of *64 CSR § 3-10* by sampling and analyzing for VOC. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.24*)
5. The Water System shall, within thirty (30) days of receipt of this Order, comply with the requirement of *64 CSR § 3-10* by sampling and analyzing for SOC. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.24*)
6. The Water System shall comply with *West Virginia State Public Water Systems 64 CSR § 3-10* by monitoring for TTHM during the month of November 2020. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.134*)
7. The Water System shall comply with *West Virginia State Public Water Systems 64 CSR § 3-10* by monitoring for HAA5 during the month of November 2020. (See *Federal Safe Drinking Water Regulations 40 C.F.R. § 141.134*)

8. The Water System shall, during the month of December 2020, conduct tap water monitoring for Pb/Cu in accordance with the requirements of 64 CSR § 3-10. (See *Federal Safe Drinking Water Regulations 40 C.F.R. §§ 141.86 and 141.90*)
9. The Water System shall, within thirty (30) days of receipt of this Order, comply with 64 CSR § 3-10 by submitting the annual CCR for the year of 1/1/2019 to 12/31/2019. (See *Federal Safe Drinking Water Regulations 40 C.F.R. §§ 141.151-141.155*)
10. The Water System shall submit the required sampling analysis data results, required reports, and/or plans for returning to compliance to: **Bureau for Public Health, Office of Environmental Health Services, Environmental Engineering Division, Attention: Compliance & Enforcement, 350 Capitol Street, Room 313, Charleston, WV 25301-3713**. Include a completed copy of Attachment A with each Administrative Order program plan, data result, and/or required report submittal.

Please review this Order carefully as it requires specific action by the water system. Failure to comply with this Order will result in further enforcement action by this Office, up to and including civil penalties and/or criminal charges.

Questions regarding the Order should be directed to Dan Mace, Office of Environmental Health Services, 350 Capitol Street, Room 313, Charleston, WV 25301-3713 or by phone at 304-356-4326.

This Order becomes effective on the date issued below.

ISSUED BY:  DATED: 11-12-2020  
Michelle L. Cochran, Director  
Office of Environmental Health Services

pc: Andy Dinsmore, SDWA/Wetlands Section Chief, Enforcement Division, U.S. EPA  
Anye Amjad, MD, MPH, Commissioner and State Health Officer  
David Acord, Director, Water and Wastewater Division, WV Public Service Commission  
Jane M. Tabb, President, JEFFERSON County Commission  
Gillian Beach, Sanitarian, JEFFERSON County Health Department  
Britt Ludwig, WV BPH General Counsel

**EFFECT ON OTHER PERMITS AND LAWS**

This Order in no way relieves the Water System of the responsibility to comply with other permits issued to the Water System by the OEHS or other government agencies or to comply with other federal, state, or local laws. Compliance with this Order is not a defense to any action commenced pursuant to such other authorities. Issuance of this Order does not prohibit the OEHS from taking other civil or criminal action authorized under the law.

**ADMINISTRATIVE DUE PROCESS**

The Water System has the right to request a contested case hearing if it wishes to challenge this enforcement action. If the Water System chooses to request a hearing, it must submit a written request to this Office within thirty (30) calendar days of receipt of this Order.

CAROL R. MATHERS  
POTOMAC FARMS WATER CO  
Order No EE-20-34  
Page 7

**ATTACHMENT A: DATA MANAGEMENT COVER SHEET**  
**ADMINISTRATIVE ORDER NO EE-20-34**  
**WEST VIRGINIA BUREAU FOR PUBLIC HEALTH**  
**OFFICE OF ENVIRONMENTAL HEALTH SERVICES**  
**ENVIRONMENTAL ENGINEERING DIVISION**

Attention Owner/Operator: Each Administrative Order data submission requires completed copy of Attachment A to receive credit.

PWSID No: WV3301947

PWS Name: POTOMAC FARMS WATER CO

Data Submitted: \_\_\_\_\_

Data Submitted by: \_\_\_\_\_

Date Submitted: \_\_\_\_/\_\_\_\_/\_\_\_\_

**DO NOT WRITE BELOW THIS LINE, FOR OFFICE USE ONLY:**

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Date Received by C&E Office Assistant/Initials      \_\_\_\_/\_\_\_\_/\_\_\_\_      \_\_\_\_\_

Date Received by C&E Compliance Officer/Initials      \_\_\_\_/\_\_\_\_/\_\_\_\_      \_\_\_\_\_

Date Data Entered by Data Management/Initials      \_\_\_\_/\_\_\_\_/\_\_\_\_      \_\_\_\_\_



November 18, 2020

Stephanie Grove  
County Administrator  
Jefferson County  
124 E. Washington Street  
P.O. Box 250  
Charles Town, WV 25414

***RE: Important Information—Price Changes***

Dear Ms. Grove,

At Comcast, we are always committed to delivering the entertainment and services that matter most to our customers in Jefferson County, as well as exciting experiences they won't find anywhere else. We are also focused on making our network stronger in order to meet our customers' current needs and future demands.

As we continue to invest in our network, products, and services, the cost of doing business rises. Rising programming costs, most notably for broadcast TV and sports, continue to be the biggest factors driving price increases. While we absorb some of these costs, these fee increases affect service pricing. As a result, starting December 20, 2020, prices for certain services and fees will be increasing, including the Broadcast TV Fee and the Regional Sports Network Fee. Please see the enclosed customer notification for more information.

We know you may have questions about these changes. If I can be of any further assistance, please contact me at 410-497-0365.

Sincerely,

A handwritten signature in black ink that reads "Andre J. Fountain".

Andre Fountain  
Senior Specialist, Government & Community Affairs  
Comcast Beltway Region

Enclosure: Customer Notification

# Important Information Regarding Your Xfinity Services and Pricing

Effective December 20, 2020

Dear Xfinity Customer,

Thank you for trusting us to keep your home connected. We know how important reliable service is to you now more than ever, and are grateful that you've chosen Xfinity to support you during this time. Therefore, we are writing to let you know about an **upcoming price change**.

We're focused on making our network stronger, while maintaining access to great content, in order to meet our customers' current needs and future demands. Our efforts have allowed us to meet the challenges of 2020 head on—particularly in terms of supporting the increased demand for Internet connectivity. This has required **investment in our high-capacity network**, which is costly and impacts our pricing. In addition, TV networks charge us fees to bring their content like sports and entertainment to you, and those **programming costs continue to rise**.

The **price of your service will increase** starting with your next bill so we can continue to provide the best-performing, most reliable services in the country, including:

- **The ultimate entertainment experience**, with live TV, sports, streaming, and music together—and you can search across everything instantly with our award-winning Voice Remote
- **The fastest, most reliable Internet** on the largest Gig-speed network available
- **Peace of mind** that your personal information is safe, private, and secure—we do not monitor, track, or sell any information about your Internet usage
- **Strong WiFi coverage** in your home with the xFi Gateway and access to 20 million secure Xfinity WiFi hotspots nationwide
- **Protection from online threats** with Advanced Security, now free with your xFi Gateway (a \$72 per year value)
- **Great streaming** included with access to all your favorite streaming apps, plus hundreds of awesome TV shows, movies, documentaries, sports, and news from Peacock Premium (a \$4.99 per month value)

**Additional details on these price changes are enclosed** in this bill. If you currently have a promotional offer or minimum term agreement with your services, those prices will stay the same throughout your promotional period or contract term. However, equipment charges, charges for additional features, taxes, and other fees (including the Regional Sports Network Fee and Broadcast TV Fee) may change. When your promotional offer or contract term ends, your bill will reflect our new package prices. For additional information, go to [xfinity.com/pricechange](https://www.xfinity.com/pricechange).

Thank you for your trust and for choosing Xfinity.

Sincerely,

Your Xfinity Team

# Important Information Regarding Xfinity Services and Pricing

Effective December 20, 2020

TRIPLE PLAY PACKAGES	Current	New
<b>Standard+ More</b>	\$129.99	\$130.99
<b>with Xfinity Mobile save</b>	n/a	\$10.00

DOUBLE PLAY PACKAGES	Current	New
<b>Standard+</b>	\$109.99	\$110.99

XFINITY® TV	Current	New
<b>Broadcast TV Fee</b>	\$14.75	\$19.25
<b>Regional Sports Fee</b>	\$8.75	\$10.75
<b>Choice TV</b>	\$25.00	\$30.00
<b>Sports &amp; News</b>	\$28.25	\$30.00
<b>Deportes</b>	\$7.00	\$5.00
<b>TV Box Limited Basic</b>	\$4.60	\$7.10
<b>TV Box</b>	\$4.60	\$7.10
<b>Service to Additional TV</b>	\$9.95	\$7.50
<b>Service to Additional TV - with DVR Service</b>	\$19.95	\$17.50
<b>Service to Additional TV - with CableCARD or compatible customer owned device</b>	\$4.95	\$0.00

PAY-PER-VIEW AND ON DEMAND SUBSCRIPTION SERVICES	Current	New
<b>Gaiam TV Fit &amp; Yoga On Demand</b>	\$6.99	\$7.99
<b>UP Faith and Family On Demand</b>	\$4.99	\$5.99
<b>Gaia On Demand</b>	\$9.99	\$11.99
<b>AMC + On Demand</b>	\$4.99	\$6.99
<b>WE tv + On Demand</b>	\$4.99	\$5.99
<b>Docurama On Demand</b>	\$2.99	\$4.99

INSTALLATION (Effective 1/1/2021)	Current	New
<b>Professional Installation - Initial Installation of Service</b>	\$79.99	\$100.00
<b>In-Home Service Visit - After Initial Installation of Service</b>	\$40.00	\$70.00

XFINITY® Internet	Current	New
<b>Performance Starter - Xfinity Internet Service Only</b>	\$49.95	\$54.95
<b>Performance - Xfinity Internet Service Only</b>	\$77.95	\$80.95
<b>Performance Pro - Xfinity Internet Service Only</b>	\$92.95	\$95.95

XFINITY® Internet (continued)	Current	New
<b>Blast! - Xfinity Internet Service Only</b>	\$97.95	\$100.95
<b>Extreme Pro - Xfinity Internet Service Only</b>	\$102.95	\$105.95
<b>Gigabit - Xfinity Internet Service Only</b>	\$107.95	\$110.95

Ranson/Jefferson County/ Martinsburg/ Berkeley

*Important Information – Price Changes  
November 18, 2020  
Additional Information*

In addition to the price changes listed in the enclosed general **Important Information Regarding Xfinity Services and Pricing**, customers receiving the services below will receive a bill message regarding the pricing change to their service.

**Bill Message Text:**

*“Pricing Update: In addition to the price changes listed in Important Information Regarding Xfinity Services and Pricing, on December 20, 2020, the price of [package or service name from below] will increase/decrease from \$XX.XX to \$XX.XX per month plus taxes and fees. You can find more information at [xfinity.com/pricechange](http://xfinity.com/pricechange)”*

<b>XFINITY® TV</b>	<b>Current</b>	<b>New</b>
Choice TV with TV Box	\$30.00	\$37.50
Service to Additional TV with TV Adapter	\$6.99	\$7.50
<b>SERVICES NO LONGER AVAILABLE FOR NEW SUBSCRIPTIONS</b>	<b>Current</b>	<b>New</b>
Total Premium Package	\$59.95	\$64.95
Economy Double Play	\$85.22	\$89.90
Digital Premier Package	\$132.22	\$126.70
Double Play Bundle with Blast! Internet	\$124.90	\$129.90

**Harpers Ferry/ Bolivar PSD**  
P. O. BOX 235  
192 LAKE QUIGLEY DRIVE  
HARPERS FERRY, WEST VIRGINIA 25425  
(304)-535-2390 FAX (304)-535-2524

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THE HARPERS FERRY-BOLIVAR PUBLIC SERVICE DISTRICT CONDUCTED THE OCTOBER MEETING AT THE BOLIVAR TOWN HALL, LOCATED AT 60 PANAMA STREET, BOLIVAR WEST VIRGINIA. THE MEETING WAS HELD ON OCTOBER 9th, 2020.

The meeting was called to order at 8:00 a.m.

Those in attendance were:

David Simmons-Chairman Term 6/30/2021  
Mike Lowrey-Secretary Term 6/30/2022  
Helen Dettmer-Treasurer Term 6/30/2024

Eddy Tennant-Operations Supervisor

Motion by Mr. Lowrey, seconded by Mr. Simmons to approve the September minutes, approved.

Motion by Mr. Lowrey, seconded by Ms. Dettmer to approve the September revenue checking account financial statement, approved.

Motion by Ms. Dettmer, seconded by Mr. Lowrey to approve the September security deposits account financial statement, approved.

Motion by Ms. Dettmer, seconded by Mr. Lowrey to approve the September Phase II construction account financial, approved.

Motion by Mr. Lowrey, seconded by Ms. Dettmer to approve the September working capital reserve account, approved.

Discussion on the plant radiator quote from the Power Connection, to remove, test and repair the radiator. The quote was \$5,180.20.

Motion by Mr. Simmons, seconded by Mr. Lowrey to accept the Power Connection quote for repairs on the plant radiator, approved.

Discussion on the District's petition to WV PSC to ratify our existing tariff in regards to sewer tap costs to District.

Motion by Mr. Simmons, seconded by Ms. Dettmer to accept petition to the WV PSC to ratify the District's existing tariff, approved.

Discussion on the District's CUP\$\$ plan to be completed by staff as soon as possible.

Discussion on the CARES Act help to customers. The Board asked if the money can be used only for customers effected by COVID 19 or at least prioritized for those customers over the chronic or frequent delinquent customers. Mr. Tennant will contact Region 9 to determine how the funds will be disbursed.

Discussion on COVID protocols remain the same staff both at the plant. Continue to monitor temperature daily.

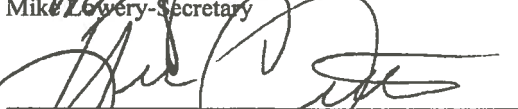
The meeting was adjourned at 9:50 a.m.



David Simmons-Chairman



Mike Lowery-Secretary



Helen Dettmer-Treasurer