

AGENDA
JEFFERSON COUNTY COMMISSION
FIRST QUARTERLY SESSION - JANUARY-MARCH 2021
THURSDAY, JANUARY 07, 2021
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. Commission and staff will be attending this meeting in-person; however, members of the public will not be admitted to the Commission meeting room at this time. Please continue to participate virtually.*

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. 9:30 a.m. County Commission Organization
 - a. Selection of President
 - b. Selection of Vice President
 - c. Committee Assignments

APPROVAL OF MINUTES

- December 17, 2020 - Regular Meeting

APPROVAL OF REQUISITIONS

- January 7, 2021

APPROVAL OF ACCOUNTS PAYABLE

- December 22, 2020
- December 29, 2020
- January 7, 2021

APPROVAL OF MANUAL CHECKS

- December 23, 2019
- December 30, 2021
- January 8, 2021

APPROVAL OF PAYROLL

- December 24, 2020

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT (20 minutes) ****You may participate in public comment during the virtual meeting by raising your hand. Please submit comments via email to info@jeffersoncountywv.org. Your comments will be included in the minutes and agenda correspondence. Please include your name.**

PRESENTATIONS

2. 10:00 a.m. Jane Tabb, Commissioner
- Staff Participation in County Commission meeting - Discussion/Action
3. 10:10 a.m. Angela Banks, Assessor
- Exonerations - Discussion/Action
4. 10:15 a.m. Lee Thorne, District 5 Manager, WV Department of Highways
- WVDOH Introduction and Update - Discussion/Action
5. 10:30 a.m. Chris Livingston, Dead Rock Contractor Services, LLC.
- Zoning Map Amendment Rezoning Request for Dead Rock Contractor Services - Discussion/Action
6. 10:45 a.m. Douglas S. Rockwell, Citizen
- Reimbursement request for attorney fees and costs incurred in challenging the finding by the Commission that Zoning Text Amendment (ZTA) 19-03 was consistent with the Comprehensive Plan - Discussion/Action
7. 11:00 a.m. Interviews and Appointments to the Jefferson County Board of Zoning Appeals - two three-year terms ending January 1, 2024 and two alternate terms ending January 1, 2022 and January 1, 2024 - Discussion/Action
8. 11:15 a.m. **BREAK**
9. 11:30 a.m. Jeffrey Polczynski, Director, Jefferson County Emergency Communications
- Appointment Requests - Four Full-Time Public Safety Dispatchers - Discussion/Action

10. 11:40 a.m. Roger Goodwin, Chief County Engineer
 - Bond release request for Seneca Crossing, LLC - Seneca Crossing Subdivision, Lots 1-3 (Files #18-25-SD) - Discussion/Action
 - Bond release request for Berkeley Medical Center - Lot 1 Seneca Crossing Subdivision (File #19-3-S) - Discussion/Action

11. 11:50 a.m Russell Burgess, Director, Department of Internet Technology
 - Approval to advertise for Department of Information Technology Support/Helpdesk Technician - Discussion/Action
 - Approval of Homeland Security & Emergency Management Grant for Cybersecurity - Discussion/Action

12. 12:05 p.m. Michelle Gordon, Finance Director
 - Review of FY2022 Budget Charge for Departments - Discussion/Action

13. 12:30 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 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

NEW BUSINESS

14. Review and approval of the 2021 Notice of the Board of Review and Equalization - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

- Annual Leave Accrual and Maximum Overages - Discussion/Action
- Continuation of COVID-19 Policy 216-A - Discussion/Action

COUNTY COMMISSION REPORTS

15. **ADJOURN**

CORRESPONDENCE/INFORMATION

Jefferson County Historic Landmarks Commission 2020 Year End Report of Projects Completed

Letter from the West Virginia Public Service Commission re: Disbursement of Wireless E-911 Subscriber Fees

Notice of Intent to Appoint to the Jefferson County Planning Commission

Notice of Intent to Appoint to the Jefferson County Emergency Services Agency

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.



AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 7, 2021**

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

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

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

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.](#)

**Assignment to Boards,
Commissions & Organizations**

<i>Organization</i>	<i>Commissioner 2020</i>	<i>Commissioner 2021</i>
Approval of Bills	Compton	
Board of Health	Hudson	
Building Repair & Security Courthouse Committee	Lorenzetti	
Liaison Charles Town Utility Board	Hudson	
Community Corrections Committee - Day Report Center	Lorenzetti	
Development Authority	Noland	
E-911 Council	Tabb	
Extension Service	Tabb	
Farmland Protection Board	Tabb	
Jefferson County Convention & Visitors Bureau	Noland	
Jefferson County Emergency Services Agency / Fire & Rescue	Tabb	
Historic Landmarks Commission	Hudson	
Homeland Security/LEPC	Tabb	
Legislative Liaison	County Administrator	
MPO Interstate Council/HEPMPO	Noland	
Eastern Panhandle Transit Authority (EPTA)	Tabb	
Parks and Recreation	Compton	
Planning Commission	Lorenzetti	
Region 9	Noland	
Solid Waste Authority	Compton	
Water Advisory Committee	Hudson	
Workforce Investment Act Liaison	Lorenzetti	

County Commission Recurring Monthly Meetings

	Monday	Tuesday	Wednesday	Thursday	Friday
WK1		7pm – WAC		*9:30am – JCC Mtg.	
WK2	5pm – Farmland Protection Board	1pm – JCCOA *7pm – Planning Commission	1pm – Community Criminal Justice Board 7pm – Historic Landmarks		*9:30 am – Board of Health
WK3	4pm- EPTA	3pm – Development Authority 7pm – JCESA	7:30 am - LEPC (March, June, Sept., Dec.) 12pm – JCCVB 4pm – 911 Advisory Committee (Jan, April, July, Oct) 7pm – Parks and Rec.	*9:30 – JCC Mtg.	
WK4	7pm – Solid Waste Authority	*7pm - Planning Commission (as needed)			* 10-12pm - Board of Health (as needed)

*meetings held at the Jefferson County Commission meeting room - Old Charles Town Library

Minutes

Jefferson County Commission

Thursday, December 17, 2020

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, Vice President, Caleb Hudson, Josh Compton and Patricia Noland. Also present were Stephanie Grove, County Administrator; Sandy McDonald, Deputy County Administrator, and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, December 17, 2020 meeting is available on the Jefferson County Commission website.)

PLEDGE OF ALLEGIANCE

Commissioner Lorenzetti led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the November 9, 2020 General Election Canvass Minutes as presented. Motion seconded and unanimously approved with Commissioner Lorenzetti abstaining.

Motion by Ms. Noland to approve the November 10, 2020 General Election Canvass Minutes as presented with Commissioners Lorenzetti and Compton abstaining. Motion seconded and unanimously approved.

Motion by Mr. Compton to approve the December 3, 2020 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

Motion by Ms. Noland to approve the December 10, 2020 Special Session Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF REQUISITIONS

Motion by Ms. Noland to approve the Requisitions for December 17, 2020 in the amount of \$53,083.02 to include Requisition Nos. 21015, 21023, and 21025. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#		VENDOR NAME		AMOUNT
84093		AMANDA JOHNSON		\$ 74.76
84094		AMERIFLEX		\$ 128.00
84095		AT&T		\$ 165.75
84096		BOLAND TRANE SERVICES INC		\$ 1,771.00
84097		BUREAU OF CHILD SUPPORT		\$ 248.31
84098		CACH LLC		\$ 276.76
84099		CAPITAL ELECTRIC		\$ 97.02
84100		CASTO & HARRIS INC		\$ 19,177.65
84101		COMPILED TECHNOLOGIES LLC		\$ 20,360.00
84102		CREAMERS WRECKER SERVICE		\$ 140.00
84103		CRYSTAL SPRING		\$ 2.78
84104		DESIGN NINE INC		\$ 20,178.70
84105		DISTRICT COURT OF MARYLAND		\$ 7.00
84106		DISTRICT COURT OF MARYLAND		\$ 8.50
84107		DODSON SEPTIC SERVICE LLC		\$ 285.00
84108		EFTPS IRS TAXES		\$ 98,739.96
84109		EMPOWER RETIREMENT		\$ 5,308.36
84110		ESS ELECTION SYSTEMS & SOFTWARE		\$ 4,675.00
84111		FEDEX		\$ 114.66
84112		FIDELITY POWER SYSTEMS		\$ 436.25
84113		FIFTH THIRD BANK		\$ 50,496.47
84114		GREG JONES		\$ 42.74
84115		GUTTMAN OIL CO		\$ 3,081.07
84116		JEFFERSON SECURITY BANK		\$ 4,634.00
84117		JEFFERSON CO SCHOOLS		\$ 1,080.00
84118		MARY K. HURLEY		\$ 65.00
84119		MICROMAIN CORPORATION		\$ 995.00
84120		NATIONAL VISION ADMIN.		\$ 1,804.97
84121		NATIONWIDE RETIREMENT SOLUTIONS		\$ 849.00
84122		R.E. MICHEL CO. LLC		\$ 1,035.44
84123		SHERIFF OF JEFFERSON COUNTY		\$ 23.08
84124		STATE TAX DEPARTMENT		\$ 820.33

84125		THE HARTFORD		\$ 2,355.85
84126		THE HARTFORD		\$ 3,501.36
84127		WHOLESALE TIRES INC.		\$ 96.58
84128		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 16,412.36
84129		WV DIVISION OF LABOR		\$ 90.00
84130		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 44,920.37
84131		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 166.49
84132		WV REGIONAL JAIL & CORRECTION FACILITY AUTH		\$ 60,650.25
84133		XEROX CORPORATION		\$ 1,031.39
84134		XEROX FINANCIAL SERVICES		\$ 499.62
84135	SG/010	JEFFERSON DAY REPORT		\$ 42,073.30
84136	GS/004	GENERAL CO FUND/004		\$ 9,737.00
84137	GS/004	WV STATE AUDITOR		\$ 16,480.00
TOTAL				\$ 435,137.13

Motion by Mr. Compton to approve the Accounts Payable for December 10, 2020 in the amount of \$435,137.13. Motion seconded and unanimously approved.

CHECK#		VENDOR NAME		AMOUNT
84139		AMANDA MASTERS		\$ 262.20
84140		CRYSTAL SPRING		\$ 4.53
84141		DOING BETTER BUSINES		\$ 1,177.46
84142		FEDEX		\$ 22.30
84143		FRANKLIN & PROKOPIK P.C.		\$ 3,060.00
84144		GAIL MCMILLION		\$ 42.39
84145		HIGHMARK WV		\$ 3,922.48
84146		JANE JONES		\$ 1,410.29
84147		JOSEPH KENT		\$ 2,820.27
84148		KATHRYN KING		\$ 879.36
84149		LECTOR DENISE RIDEOUTT		\$ 3,083.63
84150		MILLERS SUPPLIES AT WORK		\$ 46.62
84151		MYRON GREGORY		\$ 2,645.50
84152		POTOMAC EDISON		\$ 27,120.72
84153		RICE TIRES CO		\$ 1,064.56
84154		TERRY PALMER		\$ 1,775.89
84155		WHOLESALE TIRES INC.		\$ 96.58

TOTAL			\$ 49,434.78
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Motion by Ms. Tabb to approve the Accounts Payable for December 17, 2020 in the amount of \$49,434.78. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

CHECK#		VENDOR NAME	AMOUNT
716	HD/8	ATTENTI US INC	\$ 3,155.20
717	HD/8	FIFTH THIRD BANK	\$ 57.60
845	AV/56	FIFTH THIRD BANK	\$ 258.35
846	AV/56	JUSTTECH INC	\$ 162.73
332	FP/57	JEFFERSON CO FARMLAND PROT.	\$ 91,674.32
1751	CO/246	FIFTH THIRD BANK	\$ 44,794.28
TOTAL			\$ 140,102.48

Motion by Mr. Compton to approve the Manual Checks for December 11, 2020 in the amount of \$140,102.48. Motion seconded and unanimously approved.

MANUAL CHECKS			
Check#	Fund	VENDOR	Amount
847	AV/56	SEGRA	\$ 625.24
1261	IP/249	SHERIFF JEFFERSON CO -SCHOOL	106,410.40
1262	IP/249	SHERIFF JEFFERSON CO - LAW	1,142.51
1263	IP/249	SHERIFF JEFFERSON CO - PARKS	7,934.57
1264	IP/249	SHERIFF JEFFERSON CO - EMS	860.51
TOTAL			\$ 116,973.23

Motion by Mr. Lorenzetti to approve the Manual Checks for December 18, 2020 in the amount of \$116,973.23. Motion seconded and unanimously approved.

PAYROLL APPROVAL

Motion by Ms. Noland to approve the Payroll for December 10, 2020 in the amount of \$272, 611.68. Motion seconded and unanimously approved.

PRESENTATION OF RESOLUTIONS

Ms. Grove read Resolutions of Recognition for Commissioners Ralph Lorenzetti and Patsy Noland to thank them for their years of service working for the people of Jefferson County.

- **Motion by Ms. Tabb to approve the Resolution of Recognition for Ralph Lorenzetti as presented. Motion seconded and unanimously approved.**

- **Motion by Ms. Tabb to approve the Resolution of Recognition for Patsy Noland as presented. 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 approval of the PRO Grant Contract
 - **Motion by Mr. Compton to approve the PRO Public Resource Officer Grant Contract as presented by the Sheriff and authorize the President of the Commission to sign the associated documents. Motion seconded and unanimously approved.**

2. Matt Harvey, Prosecuting Attorney
 - a. Annual Leave Accrual Maximums
 - **Motion by Mr. Compton to approve the Prosecuting Attorney's Office employee accrual of more than 240 vacation hours through December 31, 2021 with the understanding that the Commission will not be paying over**

240 hours should the employee leave employment with County and any overages will be paid out of the Prosecutor's budget. Motion seconded and unanimously approved.

b. Approval of the VOCA Grant

- **Motion by Ms. Tabb to approve the VOCA Grant contract as presented and authorize the President of the Commission to sign the associated documents. Motion seconded and unanimously approved.**

3. Jacki Shadle, Clerk of the County Commission – requested the approval to advertise for a vacant position within the Clerk's Office.

- **Motion by Mr. Compton to approve the advertisement of two vacant assistant clerk positions with the Clerk's Office. Motion seconded and unanimously approved.**

4. Laura Storm, Circuit Clerk – requested approval to fill a vacancy within the Circuit Clerk's Office.

- **Motion by Ms. Noland to approve the transfer of Deanna Davis from the Clerk of the County Commission's Office to the Circuit Clerk's Office at a salary of \$37,000 with all benefits and accrued time transferring with her, effective January 4, 2021. Motion seconded and unanimously approved.**

5. Broadband Study Presentation

6. Michelle Gordon, Finance Director

- a. Review and Approval of FY2021 State Budget Revision 2 for the General County Fund
- **Motion by Ms. Noland to approve FY21 State Budget Revision 2 for the General County Fund as presented by Ms. Gordon. Motion seconded and unanimously approved.**

- b. FY21 COVID19 Emergency Financial Policy – it was the consensus of the Commission to extend the COVID19 Emergency Financial Policy until March 31, 2021, at which time it would be reassessed.
 - c. Review of the FY22 Budget Charge for Departments – the Commission requested Ms. Gordon present this information again during the January 7, 2021 regularly scheduled County Commission meeting.
 - d. Review of the FY21 Financials as of 11/30/2020 – the Commission requested Ms. Gorgon present this information again during the January 7, 2021 regularly scheduled County Commission meeting.
7. Roger Goodwin, Chief County Engineer – requested approval of the partial release of construction bond security for Roderick Planes, LLC – Aspen Greens Subdivision, Phase 1A (File #07-15).
- **Motion by Ms. Noland to authorize a partial release of Performance Bond #1000956765 with United States Surety Company in the amount of \$184,106.00 from the construction bond for Roderick Planes, LLC – Aspen Greens Subdivision, Phase 1A (File #07-15). Motion seconded and unanimously approved.**
8. Stephen S. Allen, Director, Jefferson County Homeland Security and Emergency Management – requested the signature of the Integrated Public Alert and Warning Systems (IPAWS) Memorandum of Agreement
- **Motion by Ms. Tabb to approve the signing of the Memorandum of Agreement between the Jefferson County Commission and FEMA authorizing the continued use of IPAWS. Motion seconded and unanimously approved.**
9. Elizabeth Wheeler, Director, Jefferson County Farmland Protection Board – requested the approval of purchase of one Agricultural Conservation Easement.
- **Motion by Ms. Tabb to approve the purchase by the Jefferson County Farmland Protection Board for the Jefferson County Farmland Protection Program one conservation easement on the property in Jefferson County owned by T.L. Magaha and Sons, Inc. (Property LLL 3). Motion seconded and unanimously approved.**
10. 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 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 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

Mr. Cochran provided updates on multiple items in open session.

NEW BUSINESS

11. Discuss request for funding: COVID-19 Pandemic Block Grant \$100,000

- **Motion by Ms. Noland to approve the COVID-19 Pandemic Block Grant disbursement of \$22,280.00 for the Jefferson County Emergency Service Agency and \$11,778.93 to the Jefferson County Commission - Department of Internet Technology. Motion seconded and unanimously approved.**

12. Set date, time, and location for the first regular meeting of 2021

- **Motion by Mr. Compton to set January 7, 2021 at 9:30 am both on GoTo Webinar and in-person for the first meeting of 2021. Motion seconded and unanimously approved.**

13. Approval of Contract for Professional Services – Broadband Study Grant

- **Motion by Ms. Noland to approve the contract for all Professional Services for the Broad Band Study Grant and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded and unanimously approved.**

14. Decision – 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

- **Motion by Ms. Noland to approve Zoning Text Amendment ZTA20-02 as presented. Motion seconded and passes on a vote of 4-1 with Commissioner Lorenzetti opposing.**

15. Decision – 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

- **Motion by Mr. Compton to approve Zoning Text Amendment ZTA20-01 as presented. Motion seconded but fails on a vote of 2-3 with Commissioner Tabb, Noland, and Lorenzetti opposing.**

16. Decision – 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 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)

- **Motion by Ms. Tabb to approve the Zoning Map Amendment (rezoning) request for Planning Commission File #20-1-Z as presented and find the amendment compatible with the Comprehensive Plan. Motion seconded and unanimously approved with Commission Lorenzetti abstaining.**

COUNTY ADMINISTRATOR REPORTS

- Discuss Civil and Non-Civil employees Annual Leave Accrual Maximums
 - **Motion by Ms. Noland to reconsider the motion passed on December 3, 2020 and approve the carryover of 300 hours leave accrual for deputies through December 31, 2020. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to extend the carryover of 300 hours leave accrual for the non-civil service deputy employee within the Sheriff's Department through December 31, 2020. Motion seconded and unanimously approved.**

17. The Commission adjourned at 9:47 p.m. on a motion by Mr. Compton. Motion was seconded and unanimously approved.

Jane M. Tabb, PRESIDENT

Respectfully submitted
Jessica Carroll
Executive Administrative Assistant

REQUISITIONS TO BE APPROVED

January 7, 2021

DEPARTMENT	Requisition No.	AMOUNT	VENDOR	DESCRIPTION
OTHER BUILDINGS	21026	\$7,816.00	KONE, Inc.	Elevator Code Compliance Repairs
COUNTY COMMISSION	21027	\$30,900.00	PERRY & ASSOCIATES	FY20 Single Audit
GRAND TOTAL		\$ 38,716.00		

Jessica Carroll

From: Sandra McDonald
Sent: Monday, December 28, 2020 9:54 AM
To: Jessica Carroll
Subject: Fwd: Pending requisition approval

Sent from my iPhone

Begin forwarded message:

From: "noreply@munis.com" <noreply@munis.com>
Date: December 28, 2020 at 9:40:02 AM EST
To: Sandra McDonald <Sandy@jeffersoncountywv.org>
Subject: Pending requisition approval

User lkuhn has entered the requisition 21026 (fiscal year 2021) for department 425 with the commodity code and a general description of ELEVATOR CODE COMPLIANCE REPAIRS.

This requisition can be accessed for approval in the Requisition Approval program in MUNIS.

This is a Munis system generated message. Please do not reply to this unmonitored mailbox.

· "Other Bids"
KONE, INC.
\$ 7,816.00



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

Purchase Requisition

Page 1 of 1

Bill To

COUNTY COMMISSION
 124 EAST WASHINGTON ST
 PO BOX 250
 CHARLES TOWN, WV 25414

Ship To

COUNTY COMMISSION
 124 EAST WASHINGTON ST
 PO BOX 250
 CHARLES TOWN, WV 25414

Requisition Number	21027
Requisition Date	12/29/2020
Required By	
Ship Via	
Freight Terms	0.000
Description	FY20 Audit RFP 20-325 -Single Audit
Fiscal Year	2021
Shipping Reference	FY20 Single Audit RFP 20-325

Vendor

PERRY & ASSOCIATES CPA'S
 313 SECOND ST
 MARIETTA, OH 45750

VENDOR NUMBER	VENDOR NAME	DEPARTMENT	REQUESTOR
25151	PERRY & ASSOCIATES CPA'S	COUNTY COMMISSION	Michelle Gordon

ITEM #	DESCRIPTION	QUANTITY	UOM	UNIT PRICE	EXTENDED PRICE
	FY20 Audit RFP #20-325 - Single Audit GL #: 001401-422400	1.0000	EACH	\$30,900.0000	\$30,900.00

County Administrator

Sales Tax Total \$0.00

Requisition Total \$30,900.00



Certified Public Accountants, A.C.

Cost Proposal for Audit Services

**JEFFERSON COUNTY COMMISSION AND THE JEFFERSON COUNTY HISTORIC
LANDMARKS COMMISSION
JEFFERSON COUNTY**

For Fiscal Periods July 1, 2019 through June 30, 2020

RFP# 20-325

Date of Proposal: December 10, 2020

Contact: Jodey L. Altier, CPA Audit Partner

313 Second Street, Marietta OH 45750 740-373-0056

**Ohio Department of Administrative Services Equal Opportunity Division's Encouraging
Diversity, Growth and Equity (EDGE) Program Certification**

**313 Second St.
Marietta, OH 45750
740.373.0056**

**1907 Grand Central
Ave. Vienna, WV 26105
304.422.2203**

**150 West Main St.
St. Clairsville, OH 43950
740.695.1569**

**1310 Market St., Suite 300
Wheeling, WV 26003
304.232.1358**

**749 Wheeling Ave., Suite 300
Cambridge, OH 43725
740.435.3417**

www.perrycpas.com



Certified Public Accountants, A.C.

313 Second St.
Marketta, OH 45750
740.373.0056

1907 Grand Central Ave.
Vienna, WV 26105
304.422.2203

150 West Main St.
St. Clairsville, OH 43950
740.695.1569

1310 Market Street, Suite 300
Wheeling, WV 26003
304.232.1358

749 Wheeling Ave., Suite 300
Cambridge, OH 43725
740.435.3417

December 10, 2020

Michelle Gordon, Finance Director
Jefferson County Commission
PO Box 250
124 E Washington Street
Charles Town, WV 25414

Dear Ms. Gordon and the Commission Members:

In response to your Request for Proposal for audit services for the Jefferson County Commission, Jefferson County (the County) for the fiscal period July 1, 2019 through June 30, 2020, Perry & Associates Certified Public Accountants, A.C. (the Firm) is pleased to provide to you our fixed fee bid of \$30,900.00.

The County has requested their audit to consist of the County and the Jefferson County Historic Landmarks Commission. The above price includes performing all these services. This includes our hourly fees and out-of-pocket expenses as detailed in Exhibit A.

I hereby certify that I am entitled to represent Perry & Associates CPAs, A.C., empowered to submit this bid and authorized to sign a contract with the Jefferson County Commission, Jefferson County, (the County). We look forward to working with you again.

Respectfully submitted,

Jodey L. Altier, CPA, CFF
President, Managing Partner of Perry & Associates Certified Public Accountant, A.C.

Tax - Accounting - Audit - Review - Compilation - Agreed Upon Procedure - Consultation - Bookkeeping - Payroll - Litigation Support - Financial Investigations
Members: American Institute of Certified Public Accountants
• Ohio Society of CPAs • West Virginia Society of CPAs • Association of Certified Fraud Examiners • Association of Certified Anti-Money Laundering Specialists •

RSM US Alliance member firms are separate and independent businesses and legal entities that are responsible for their own acts and omissions, and each are separate and independent from RSM US LLP. RSM US LLP is the U.S. member firm of RSM International, a global network of independent audit, tax, and consulting firms. Members of RSM US Alliance have access to RSM International resources. Through RSM US LLP but are not member firms of RSM International.



Exhibit A

Bid Summary and Certification

The Firm of Perry and Associates CPA's, A.C. proposes to conduct audit services for the Jefferson County Commission and the Jefferson County Historic Landmarks Commission, Jefferson County, for the fiscal year ending June 30, 2020 and to issue the results on or before the specified date of March 24, 2021, for the amount of \$30,900.00. The firm's employees assigned to and who will conduct this audit, their level of audit responsibility, credentials, experience, and hourly rates are as follows:

	CPA Yes/No	Years of Governmental audit Experience	Has prior experience this entity Yes/No	Has prior experience this entity Type Yes/No	Hours	Rate/ Hour	Total
President/CEO:							
Jodey L. Altier	Yes	23	Yes	Yes	15	\$50.00	\$750.00
Principal and Quality Control & Technical Specialist:							
Cynthia J. Reid	Yes	21	No	Yes	15	\$50.00	\$750.00
Principal:							
Jessica E. Heldman	Yes	12	No	Yes	15	\$50.00	\$750.00
Audit Manager:							
Chris Barkley	No	5	No	Yes	74	\$50.00	\$3,700.00
Mariah P. Richards	No	5	Yes	Yes	74	\$50.00	\$3,700.00
Ryan C. Lynn	Yes	5	No	Yes	97	\$50.00	\$4,850.00
Staff Auditors	No	6	No	Yes	328	\$50.00	\$16,400.00
Total					<u>618</u>		<u>\$30,900.00</u>

Staff auditors will be assigned as needed.

BREAKDOWN OF TOTAL AUDIT/REVIEW HOURS

Planning and Supervision	<u>85</u>	Review Report (Conclusions) Preparation	<u>75</u>
Field Work: General	<u>386</u>	Non-Audit Services	<u>0</u>
Federal Grants	<u>64</u>		
		Total Hours	<u>618</u>

The Firm will not provide this entity with any services that would violate professional standards issued by the American Institute of Certified Public Accountants and *Government Auditing Standards* issued by the Comptroller General of the United States.

In the preparation of this bid there was no conflict of interest or collusion between the Firm and the audit committee members or another representative of the entity. Further, the Firm did not influence, directly or indirectly, the audit committee members or any entity personnel in the scoring of the bid proposals and/or the awarding of the contract.

Respectively submitted,



Jodey L. Altier, CPA, CFF, President/CEO
Perry & Associates Certified Public Accountants, A.C.

December 10, 2020

Michelle Gordon

From: David Decker <ddecker@deckerandcompany.com>
Sent: Thursday, November 19, 2020 3:16 PM
To: Michelle Gordon
Subject: RE: RFP #20-325 for Jefferson County

Ms. Gordon,

We have received your RFP for audit services however we are unable to submit a bid as we do not perform Single Audits. Thank you.

David W. Decker, CPA
Member

Decker & Company PLLC
Warm Springs Business Center
64 Warm Springs Avenue
Martinsburg, WV 25404
304-263-0200
304-263-0737 fax

ddecker@deckerandcompany.com
www.deckerandcompany.com

[Click Here to upload files securely to ShareFile](#)

Notice: The information contained herein is confidential and is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, fax, or email and destroy all copies of this communication.

From: Michelle Gordon <mgordon@jeffersoncountywv.org>
Sent: Thursday, November 19, 2020 1:02 PM
Subject: RFP #20-325 for Jefferson County

Request for Proposal for Audit / Review Services

You are invited to submit a proposal for Audit / Review Services in accordance with the requirements set forth in the attached *request for proposal* (RFP). The Jefferson County Commission is seeking written proposals to perform our annual examination in accordance with the standards, requirements, terms, and conditions specified by the WV State Auditor's Office, Chief Inspector Division's *Procedures Manual for Procuring and Conducting Audits and Reviews of Local Governments*, which is incorporated into the attached RFP by reference.

This letter is not binding. An electronic PDF version of your proposal and cost must be received no later than **December 10, 2020 at 4:30 pm** or your proposal will be disqualified.

I anticipate that the company whose proposal is the best solution for Jefferson County will be selected on Tuesday, January 15, 2021. All respondents will be notified whether they are disqualified, rejected, or unsuccessful although responsive before the end of January 2021.

If you have questions, please email or call me at 304.724.8425.

Sincerely,
Michelle

Michelle Gordon
Finance Director, Jefferson County
Jefferson County Commission
124 East Washington Street
PO Box 250
Charles Town, WV 25414
O: 304.724.8425
F: 304.725.5611
mgordon@jeffersoncountywv.org
www.jeffersoncountywv.org

Michelle Gordon
Finance Director, Jefferson County
Jefferson County Commission
124 East Washington Street
PO Box 250
Charles Town, WV 25414
O: 304.724.8425
F: 304.725.5611
mgordon@jeffersoncountywv.org
www.jeffersoncountywv.org

Michelle Gordon

From: Bernie Kahl <BernieKahl@thkcpas.com>
Sent: Thursday, November 19, 2020 1:08 PM
To: Michelle Gordon
Subject: RE: RFP #20-325 for Jefferson County

Michelle,

Thank you for the request for audit proposal, but we will be unable to submit a proposal this year.

Have a Happy Thanksgiving.

Bernie

Bernie Kahl, C.P.A.
Turnbull, Hoover & Kahl, P.A.

13179 Garrett Highway, Suite E
Oakland, MD 21550
Telephone 301-334-2820
Fax 301-334-3634

217 Glenn St., Suite 200
Cumberland, MD 21502
Telephone 301-759-3270

www.thkcpas.com

PRIVILEGED AND CONFIDENTIAL

This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any use of, disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please delete this communication and contact me at the above email address. Thank you.

DISCLAIMER

Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties.

From: Michelle Gordon [mailto:mgordon@jeffersoncountywv.org]
Sent: Thursday, November 19, 2020 1:02 PM
Subject: RFP #20-325 for Jefferson County

Request for Proposal for Audit / Review Services

You are invited to submit a proposal for Audit / Review Services in accordance with the requirements set forth in the attached *request for proposal* (RFP). The Jefferson County Commission is seeking written proposals to perform our annual examination in accordance with the standards, requirements, terms, and conditions specified by the WV State Auditor's Office, Chief Inspector Division's *Procedures Manual for Procuring and Conducting Audits and Reviews of Local Governments*, which is incorporated into the attached RFP by reference.

This letter is not binding. An electronic PDF version of your proposal and cost must be received no later than **December 10, 2020 at 4:30 pm** or your proposal will be disqualified.

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If you have questions, please email or call me at 304.724.8425.

Sincerely,
Michelle

Michelle Gordon
Finance Director, Jefferson County
Jefferson County Commission
124 East Washington Street
PO Box 250
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124 East Washington Street
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F: 304.725.5611
mgordon@jeffersoncountywv.org
www.jeffersoncountywv.org

DESCRIPTION	FUND 001 CO.		TOTAL
Gross Wages	\$415,903.52		\$415,903.52
6.2% Tax Payable OASDI	\$25,600.96		\$25,600.96
1.45% Tax Payable HI	\$5,987.32		\$5,987.32
Fed Withholding	\$40,847.42		\$40,847.42
WV State Withholding	\$18,352.30		\$18,352.30
PERS Retirement Deduct 4.5%	\$10,182.75		\$10,182.75
PERS Retirement Deduct 6%	\$4,880.15		\$4,880.15
Hosp. Pre-Taxed	\$428.00		\$428.00
Cancer/ICU Pre-Taxed	\$605.87		\$605.87
Cancer/ICU Not Pre-Taxed	\$939.76		\$939.76
Optional Life Not Pre Taxed	\$1,742.67		\$1,742.67
Christmas Club	\$4,674.00		\$4,674.00
Wage Attach #1	\$248.31		\$248.31
Wage Attach #2	\$1,246.35		\$1,246.35
Wage Attach #3			\$0.00
DSRS Retirement Deduct 8.5%	\$7,832.30		\$7,832.30
457 - Nationwide	\$849.00		\$849.00
457I - Empower	\$4,602.82		\$4,602.82
457R - Roth	\$705.00		\$705.00
MD State Tax	\$884.98		\$884.98
D/VF	\$1,950.42		\$1,950.42
VA State Tax	\$116.81		\$116.81
Colonial(Plus)	\$47.84		\$47.84
Uniforms			\$0.00
Total Deductions	\$132,725.03	\$0.00	\$132,725.03
Net Wages Total	\$283,178.49	\$0.00	\$283,178.49
Payroll Date	December 24, 2020		

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jane Tabb

Department or Organization: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: Jan. 7, 2021

Date Requested – 2nd Choice: _____

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

Subject (Wording to be placed on agenda):

Staff participation in County Commission meetings.

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

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

To protect the health and safety of all staff, staff shall participate in County Commission meetings remotely until the WV County Alert system places Jefferson County in the green.

Are documents attachments? Yes NoX

If not, explain:

Is a projector needed? Yes No X

Contact information:

Email address: vinemont.farm@frontiernet.net

Phone number: 304.725.4325

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Angie Banks, Assessor

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

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 7, 2021**

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

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

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

✚ **Exonerations – Discussion/Action**

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

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

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

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

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

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

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

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text.](#)

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Lee Thorne – District 5 District Manager for the WVDOH

Department or Organization: **WVDOH**

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: **1/7/2021**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): WVDOH Introduction and Update

Please provide the County Commission with a description of your request or presentation, including any background information: We would like the opportunity to introduce some new members of our team, provide an update of the good things we have been doing in the area, give a brief presentation of our SWAT program and promote partnership.

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: Kelly McWhorter

Email Kelly.L.McWhorter@wv.gov; Darby.J.Clayton@wv.gov

Phone Number: 681-320-2001 and/or 304-434-2140

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

WEST VIRGINIA
Department of Transportation
Division of Highways
District Five



Governor's SWAT Program

Presented by Lisa Jones Kisamore
District Five SWAT Coordinator

THE GOVERNOR'S SWAT PROGRAM

- ❖ **Stands for Safety with Action Today**
- ❖ **The SWAT Program was created by Governor Justice in 2018 to ensure that citizen concerns are addressed in a timely manner.**
- ❖ **A website, email address, and phone number was created to simplify the process for citizens to relay their road work requests. The concerns are directly routed to the correct district/department without the citizen having to look up the contact information.**

**THE GOVERNOR'S SWAT PROGRAM
WEBSITE**

<http://transportation.wv.gov/wvroads>

1-833-WVROADS

WVROADS@WV.GOV



Safety With Action Today

Submit a Roadwork Request to the

Highways Response Team

1 833 WVRoads | WVRoads@WV.gov

Attention! Don't submit this request while driving!

Requests are handled Monday through Friday, 7:30 AM to 4:00 PM. This form should NOT be used to report any kind of highway emergency or criminal activity. Report highway emergencies to 911 or the local State Police.

Fields marked with * are required.

Please submit the form only one time for each issue

Location Information

County*

Select One

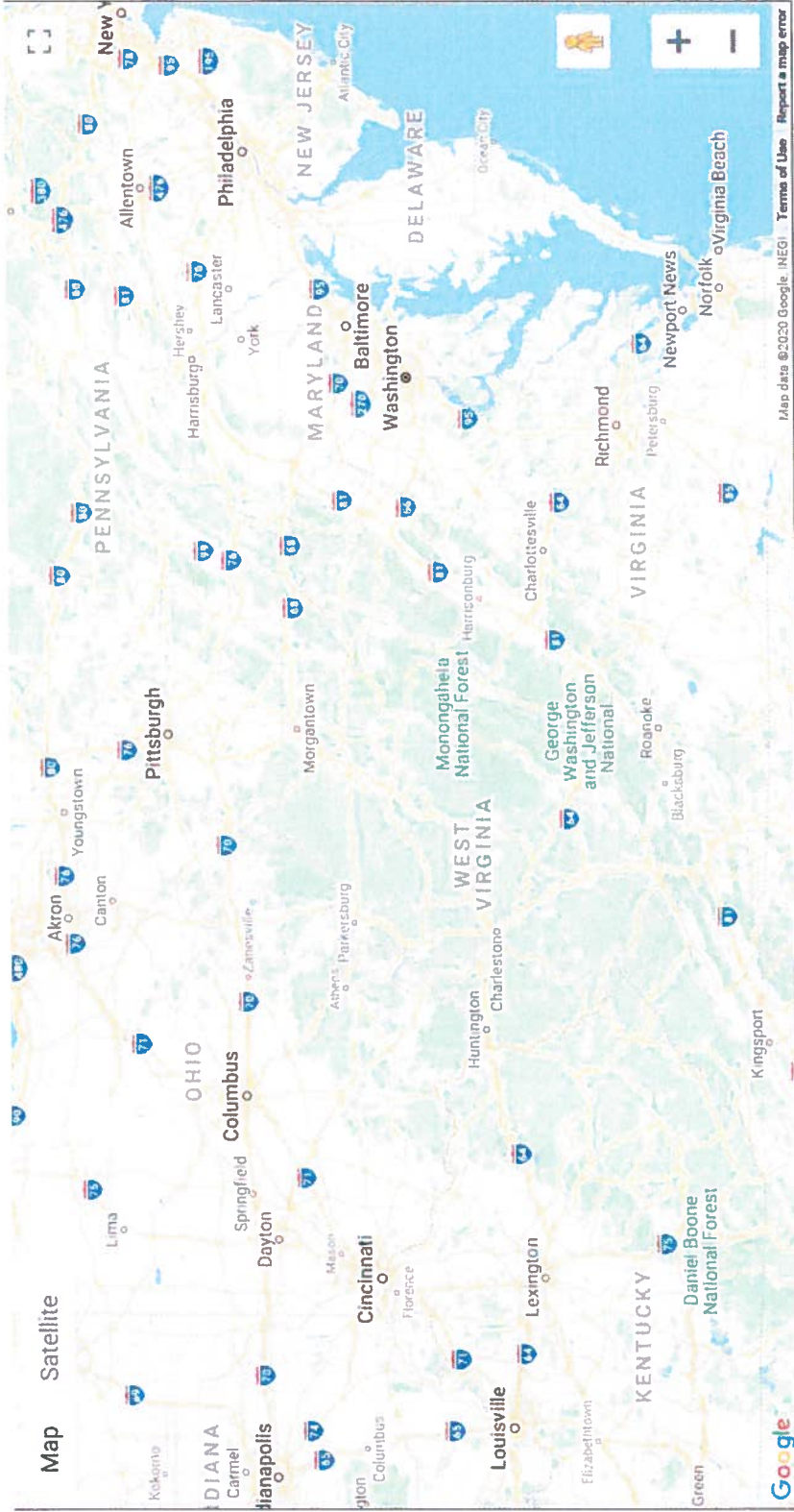
Route Number: (If available, can be obtained from the DOH road sign)*

Road Name:*

Landmark:*

GPS Information

Use the map to find the location of the request. Clicking the map will drop a marker and update the GPS. Latitude Longitude. (Don't worry if you drop a marker



GPS Information

Description of Issue (Be as specific as possible):

Description of Issue (Be as specific as possible):*

Your Information

Your First Name:*

Your Last Name:*

Your Email Address:*

Your Mailing Address:*

City:*

Your Zip Code*

Your Home Phone Number:*

Your Business Number:

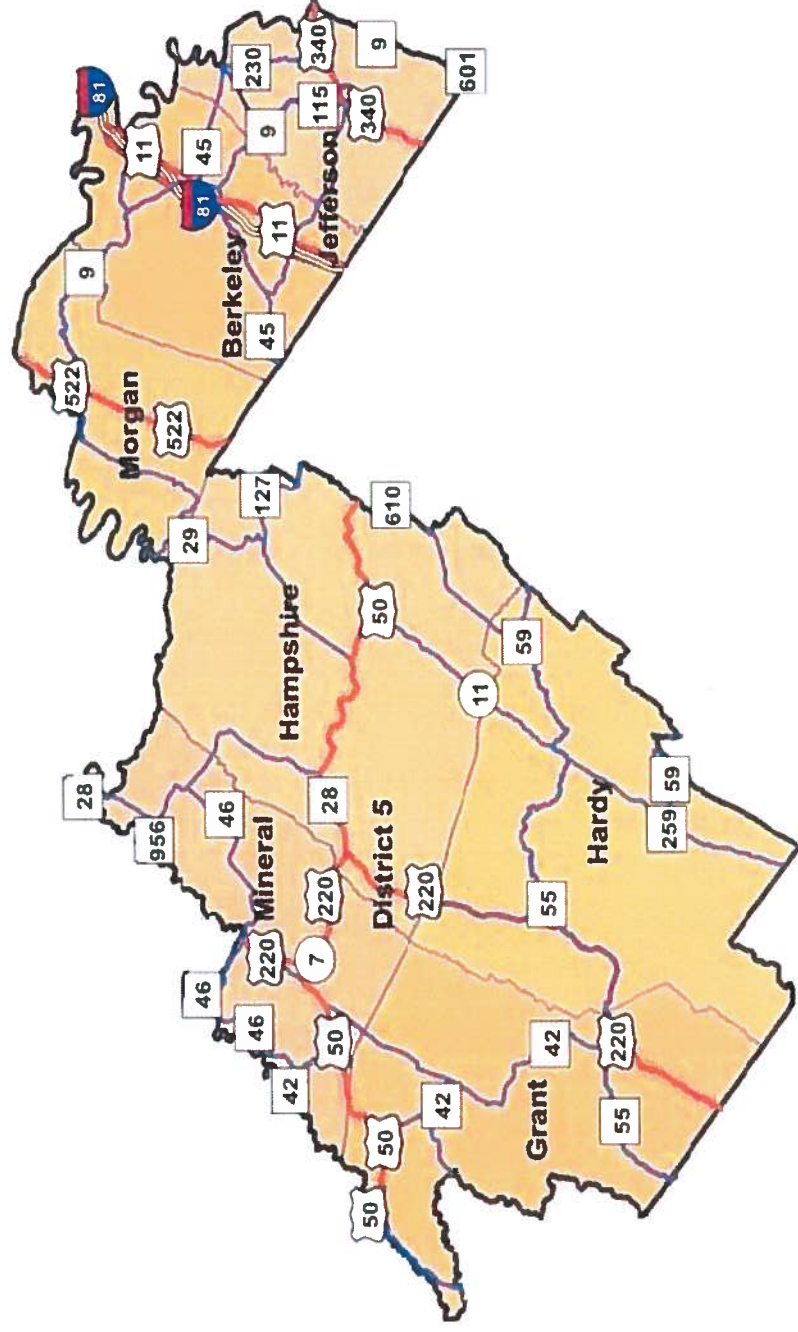
Your Cell Phone Number:

Submit Request



DISTRICT FIVE HANDLES ALL CITIZEN CONCERNS FOR THE FOLLOWING COUNTIES:

- ❖ Berkeley
- ❖ Grant
- ❖ Hampshire
- ❖ Hardy
- ❖ Jefferson
- ❖ Mineral
- ❖ Morgan



THE PROCESSING OF CITIZEN CONCERNS

- 1. The citizen sends an email, writes a letter, or calls the Department of Transportation, the Governor's Office, Secretary White's Office, or an elected official to voice their road concerns.**
- 2. The citizen's concerns are then forwarded to District Engineer Lee Thorne, Maintenance Engineer Travis Ray, and the District SWAT Coordinator.**

- 3. The SWAT Coordinator logs the citizen concern into the district spreadsheet and then forwards it to the appropriate department along with a due date.**
- 4. The selected department then investigates the citizen's concerns and contacts the citizen within seven business days with a resolution and an estimated completion date, if work is needed. If the concern is Snow Removal Ice Control (SRIC) related; the concern gets addressed the same business day.**

- 5. The selected department then send the details of their correspondence with the citizen to the SWAT Coordinator for processing.**
- 6. The SWAT Coordinator updates the case information on the district spreadsheet and sends the details to the Charleston Correspondence Office for updating of their files as well.**

- 7. If work was promised, the selected department sends the SWAT Coordinator notification that the work has either been completed or is delayed, by the estimated completion date. If delayed, the department sends the citizen a new estimated completion date.**

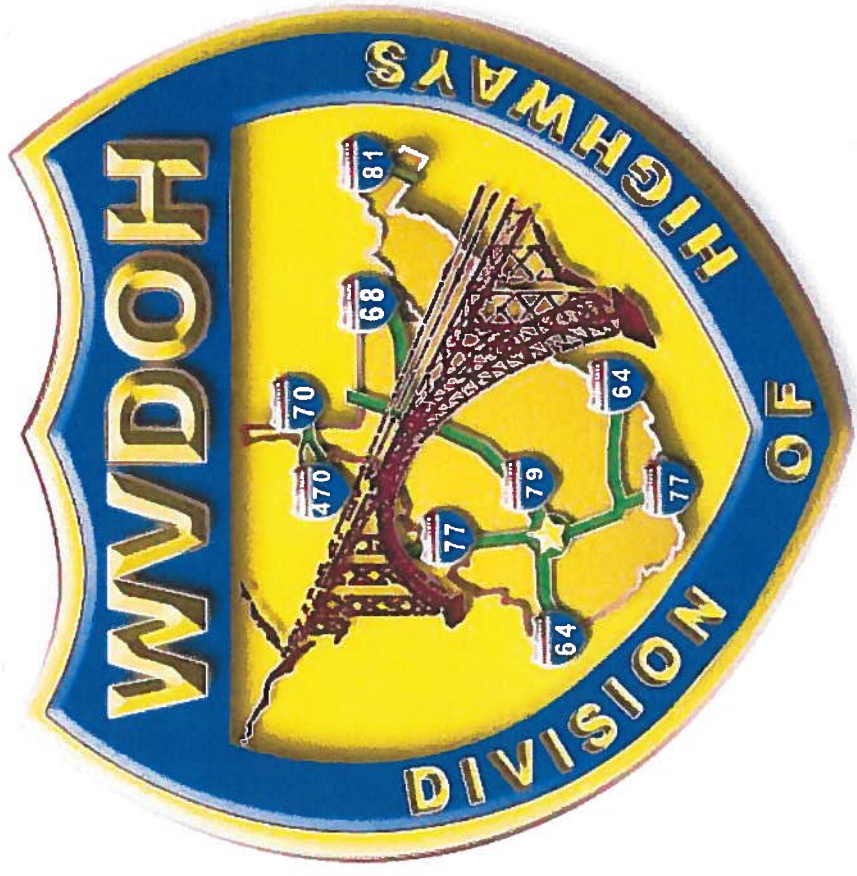
- 8. All changed and completion information are also sent to the Charleston Correspondence Office for their files as well.**

THE DISTRICT FIVE SWAT OFFICE

- ❖ **The District Five SWAT Office has handled 2755 citizen concerns since this program began in 2018.**
- ❖ **This is not counting direct requests that have come in directly to the district office or individual county offices by phone, in person, letter, or email.**
- ❖ **Contact information for our office is:**
 - ❖ **Lisa.R.Kisamore@wv.gov**
 - ❖ **(681) 320-2004**

THANK YOU!!

QUESTIONS?



AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Chris Livingston

Department or Organization: **Dead Rock Contractor Services, LLC.**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **January 7, 2021**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Zoning Map Amendment Rezoning Request for Dead Rock Contractor Services, LLC**

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

- ✦ We're submitting a request for public hearing (with the County Commission) and referral to the Jefferson County Planning Commission to review the zoning map amendment request for property identified in the Harper Ferry District (4), Map Number 9, Parcels 23 & 27 at 0 Shipley School Road, Harpers Ferry, WV, 25425.

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

If so, how much? \$

Provide exact financial impact/request:

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

- ✦ I move to accept the request for the Zoning Map Amendment for Dead Rock Contractor Services, LLC., refer the request to the Jefferson County Planning Commission for review of Comprehensive Plan Consistency, and to schedule a public hearing on the rezoning request on _____, 2020 at _____ a.m./p.m. to receive input from the public regarding the request.

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

Departments of Planning and Zoning

Received

2020 2 9

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

File Number: _____

Staff Initials: _____

Application Fee: \$ _____

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

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

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

Zoning Map Amendment (Rezoning)

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

Name: Dead Rock Contractor Services LLC
Mailing Address: 15 Burberry Lane, Charles Town WV 25414
Phone Number: 540-450-7555 Email: DeadRockCS@gmail.com

Name: Chris Livingston
Mailing Address: 15 Burberry Lane, Charles Town WV 25414
Phone Number: 540-450-7555 Email: DeadRockCS@gmail.com

Name: Same as above
Mailing Address: _____
Phone Number: _____ Email: _____

Physical Address: 0 Shipley School Road
City: Harpers Ferry State: WV Zip Code: 25425
Tax District: 04 Map No: 9 Parcel No: 23 & 27
Parcel Size: A & B Deed Book: 1029 Page No: 643

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

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

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

Describe the use for the property and describe why the Zoning Map Amendment is necessary for the property.

We would like to use the property for a contractors office with storage. We propose to install a garage / storage building with an office space. We would park company vehicles outside of the building in a designated parking area. We do not want to live on the property or have a residence on the property. There are other commercial properties in the same area With similar proposed buildings For example Meadows Farms Nursery.

The proposed Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Zoning Ordinance.

Our use would not be any different than Meadows Farm Nursery or other commercial properties in the area. Our facility would not increase traffic on Shipley School Road which is rated for commercial traffic.

Describe the transportation characteristics (i.e., type and frequency of traffic, adequacy of existing infrastructure) and local characteristics from when the original ordinance was adopted.

The property is not in a neighborhood and the road is a commercial grade road. We use light trucks and cargo vans so there would not be any heavy industrial vehicles causing undo wear and tear to the road.

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

- Yes, I request that the Planning and Zoning Staff present the petition
- No, I prefer to present the petition

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Douglas S Rockwell

Department or Organization:

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: ~~December 17, 2020~~ Jan 7, 2021
If a specific date is needed, please provide reason for specific date:

Date Requested – 2nd Choice:

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

Please provide the County Commission with a description of your request or presentation, including any background information: Request reimbursement of attorney fees and cost incurred in challenging the finding by the Commission that ZTA 19-03 was consistent with the Comprehensive Plan.

Is this a funding request? Y/N yes
If so, how much? \$15,000.00
Provide exact financial impact/request:

Recommended motion (*Please type out the wording of the motion that you would like the Commission to approve*): Payment be made to Douglas S . Rockwell in the amount of \$15,000. for attorney fees and costs incurred by Plaintiffs in C. A. No.CC19-2020-C125 and Nos.CC19-2020-C-132-137. This payment will be full satisfaction of any and all claims the Plaintiffs MAY have against the County arising from these civil actions.

Attach supporting documents for request, or request may be denied. Invoice will be attached.
If not attached, explain:

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

Contact information: Douglas S. Rockwell
Email address: cdrockwell@hotmail.com

Phone Number:

304-724-6845

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

The Law Office of
Kathy M. Santa Barbara, PLLC
Kathy M. Santa Barbara, Esquire

518 West Stephen Street, Martinsburg, West Virginia 25401
Telephone (304) 264-0000 Facsimile (304) 263-2527
kathy@ksblawofc.com

December 11, 2020

Mr. Douglas S. Rockwell
P.O. Box 727
Charles Town, WV 25414

Re: v. JC Commission (Solar Text Amendment)

TOTAL PROFESSIONAL FEES:	\$ 17,268.75
TOTAL EXPENSES:	\$ 2,278.04
GRAND TOTAL:	\$ 19,546.79

The Law Office of Kathy M. Santa Barbara, PLLC

518 West Stephen Street
Martinsburg, WV 25401
kathy@ksblawofc.com
304-264-0000

EIN#: 45-1142244

Invoice submitted to:

Mr. Douglas S. Rockwell
P.O. Box 727
Charles Town, WV 25414

December 11, 2020

In Reference To: v. JC Commission (Solar Text Amendment)

Invoice #20546

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
	Time		
10/29/2020	KSB Teleconference with Mr. Rockwell.	0.25 300.00/hr	75.00
	KSB Teleconference with Mr. Aitcheson; voicemail from Mr. Aitcheson; e-mail to Mr. Rockwell with Folk Complaint.	0.50 300.00/hr	150.00
	KSB Review of JCC Agenda; pull information from Comprehensive Plan; check minutes; review information from Mr. Rockwell.	1.50 300.00/hr	450.00
	CLM Conference with counsel; teleconference with Jefferson County Commission re: copy of signed, approved minutes - she will email to counsel.	0.25 75.00/hr	18.75
10/30/2020	KSB Begin draft of Petition; teleconferences with Mr. Rockwell and Mr. Aitcheson; e-mails from and to Mr. Rockwell and Mr. Aitcheson; teleconferences and e-mails with Charles Smith, Zach Curry, Jeanine Jalil, Chris Burke, Attorney Stroech, Mr. Aitcheson, and Mr. Perry; pull deeds for all plaintiffs; work on Petition and Verifications; e-mails to all plaintiffs with Verifications.	6.75 300.00/hr	2,025.00
11/1/2020	KSB Review of Comprehensive Plan and Zoning Ordinance; read case law; work on Petition; teleconference with Mr. Rockwell; research writs of cert; complete Petition; teleconference with Mr. Rockwell; e-mail to Mr. Rockwell and Mr. Aitcheson with Petition.	5.25 300.00/hr	1,575.00
11/2/2020	KSB Draft and e-mail Verification to Mr. Rockwell; teleconference with Mr. Rockwell and Mr. Aitcheson; begin revision of Petition; check Rule 65 and case law; draft count for injunction; e-mail to Mr. Rockwell with	2.00 300.00/hr	600.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	same; telephone calls to Mr. Rockwell's voicemail.		
11/2/2020	KSB Teleconference with Mr. Rockwell; e-mails to all clients; conference with legal assistant re: Mr. Smith; conference with legal assistant re: exhibits and filing.	0.75 300.00/hr	225.00
	CLM Conference with counsel to compile exhibits; teleconference with Mr. Smith - does not have time to review complaint or sign verification; conference with counsel re: removing Mr. Smith from Complaint; e-file Complaint with Court.	1.00 75.00/hr	75.00
11/9/2020	KSB Teleconference with deputy Clerk re: filing; telephone call to Ms. Storm re: same; check Rules re: same.	0.25 300.00/hr	75.00
11/10/2020	KSB Review of Rules 3 and 20; telephone call from Ms. Storm re: conversations with Judge and Supreme Court.	0.50 300.00/hr	150.00
11/11/2020	KSB Teleconference with Mr. Rockwell re: issues under Rule 3; research case law under Rule 3; begin draft of Motion.	1.25 300.00/hr	375.00
11/12/2020	KSB Complete Motion and Memo of Law; draft proposed Order; conference with legal assistant re: same.	1.00 300.00/hr	300.00
	CLM E-file Motion and proposed Order re: separate civil actions with court; telephone call from Judge McLaughlin's assistant re: proposed hearing date; conference with counsel re: same.	0.50 75.00/hr	37.50
	CLM E-file six (6) additional complaints; memo to and from process server re: same; download all filed complaints; conference with counsel; prepare service documents.	1.75 75.00/hr	131.25
11/13/2020	KSB Draft Motion and Memo of Law re: Temporary Restraining Order and Preliminary Injunction; draft Temporary Restraining Order; telephone call to Attorney Cochran's office; e-mail to Mr. Rockwell; e-mail to Attorney Cochran with Petition, Motion to Docket and Order; conference with legal assistant re: filing; e-mail to Attorney Cochran with Motion; e-mail to Attorney Cochran with proposed Order; teleconference with Mr. Rockwell; e-mails from and to Mr. Aitcheson.	4.50 300.00/hr	1,350.00
	CLM E-file Motion for Preliminary Injunction/Temporary Restraining Order and proposed Order (x7) with the Court.	0.75 75.00/hr	56.25
11/16/2020	CLM Prepare conflict letter; teleconference with Judge McLaughlin's assistant; e-file conflict letter with Court.	0.25 75.00/hr	18.75
	CLM Letter to Clerk enclosing check for Security Bond; conference with counsel re: same.	0.25 75.00/hr	18.75
	KSB E-mails from and to Mr. Rockwell; e-mail to all clients with pleadings and status; review Jefferson County Commission Motion to Continue; e-mails to and from Attorney Cochran; teleconference with Judge's assistant re: scheduling hearing; e-mail to clients with Motion and Order and requesting dates not available; e-mails from clients re:	1.25 300.00/hr	375.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	same.		
11/16/2020	KSB Teleconference with Mr. Rockwell re: status and moving forward.	0.75 300.00/hr	225.00
11/17/2020	KSB Review of e-mails from clients and voicemail from Mr. Rockwell re: dates available; telephonic scheduling conference with court and Attorney Cochran; draft proposed Order as directed by Court; e-mail to clients with new hearing date and time; e-mail to Attorney Cochran with proposed Order for approval.	1.50 300.00/hr	450.00
11/18/2020	KSB Teleconference with Mr. Rockwell; pull relevant presentations by Zoning Administrator; conference with legal assistant re: subpoenas; e-mail to Attorney Cochran; e-mail from Attorney Cochran's assistant; conference with legal assistant re: filing proposed Order.	1.00 300.00/hr	300.00
	CLM Conference with counsel; prepare two Subpoenas for Preliminary Injunction hearing; memo to and from process server re: same; e-file proposed Order with Court.	0.75 75.00/hr	56.25
11/19/2020	KSB Teleconference with Mr. Rockwell; conference with legal assistant re: subpoenas and service of same; telephone call from Attorney Snowden re: Wild Hill Solar proposal.	0.75 300.00/hr	225.00
11/20/2020	KSB E-mail from Attorney Cochran and reply; telephone call to County Deputy Administrator (left voicemail); telephone call from Mr. Rockwell; review Attorney Snowden e-mail and forward to Mr. Rockwell and Mr. Aitcheson; e-mail to NLRG re research and reply; teleconference with Sandra at County Commission re: certified copies.	1.00 300.00/hr	300.00
	CLM Conference with process server re: subpoenas and service of complaint.	0.25 75.00/hr	18.75
11/23/2020	KSB Review of e-mails from Mr. Rockwell and Mr. Aitcheson; review Zoning Administrator's memos and attachments re: Special Event Facilities & Commercial Cemeteries Text Amendments; review JCDA letter to JC Commission; download American Planning Association article re: Planning for Utility Scale Solar Energy Facilities and read; review e-mail from Attorney Cochran and reply; work on letters to Planning Commission and County Commission with lists of certified copies needed.	2.25 300.00/hr	675.00
	KSB Long teleconference with Attorney Rohrbaugh; conference with legal assistant re: service; telephone calls to Mr. Rockwell's voicemail; e-mail from Judge's assistant and reply; teleconference with Mr. Rockwell; e-mail to Judge McLaughlin's assistant; telephone call from Attorney Rohrbaugh; begin e-mail to all clients re: continuance of December 1 hearing; e-mail from Mr. Aitcheson and reply.	1.25 300.00/hr	375.00
11/24/2020	KSB E-mail from Mr. Aitcheson; review Rohrbaugh Motion and e-mail to Mr. Rockwell; review voicemail from Mr. Rockwell; teleconference with Mr. Rockwell; review Rohrbaugh proposed Order; draft response to County's Motion and proposed Order; e-mail from Judge's assistant	2.75 300.00/hr	825.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	re: December 1 hearing; draft proposed Agreed Order of Settlement; e-mail to Mr. Rockwell with same.		
11/24/2020	KSB Research intervention.	0.50 300.00/hr	150.00
	KSB Review of Motion to Intervene; brief review of Motion to Dismiss; e-mail to Mr. Rockwell and Mr. Aitcheson with same; teleconference with Mr. Rockwell.	1.50 300.00/hr	450.00
11/25/2020	KSB Teleconference with Mr. Rockwell; accept revisions to order; e-mail to all clients re: same and December 1 hearing; e-mails from and to Mr. Aitcheson; e-mails from Mr. Perry and Mr. Jalil; reply e-mail to Mr. Jalil; telephone call from Mr. Burke; teleconference with Mr. Rockwell; e-mails to Attorney Rohrbaugh.	1.25 300.00/hr	375.00
	KSB E-mail from and to NLRG with Motion to Intervene and timeline; e-mail from NLRG and reply.	0.25 300.00/hr	75.00
11/29/2020	KSB Office conference with Mr. Rockwell; revise Agreed Order; double check zoning districts; telephone call to Mr. Rockwells' voicemail; telephone call from Mr. Rockwell; pull zoning map and Future Land Use Guide from County website; e-mail to all clients re: same; e-mail to Ms. Tabb; e-mail to Zoning Administrator; e-mail to Attorney Rohrbaugh; e-mails from Mr. Aitcheson, Mr. Perry, Mr. Jalil and Mr. Burke.	1.50 300.00/hr	450.00
11/30/2020	KSB E-mail from Mr. Curry; e-mail from Zoning Administrator; e-mails from and to Attorney Rohrbaugh; e-mail from Mr. Rockwell and revise Agreed Order; long teleconference with Attorney Rohrbaugh; e-mails to and from Attorney Rohrbaugh re: judicial notice; review of Horus WV Motion to Intervene; e-mails to and from Mr. Rockwell and Mr. Aitcheson; teleconference with Mr. Rockwell.	1.75 300.00/hr	525.00
12/1/2020	KSB Teleconference with Attorney Rohrbaugh re exhibits, stipulations/judicial notice, position on intervention, etc; telephonic hearing with Court and all counsel; telephone call from Mr. Rockwell; draft proposed Order and e-mail to Attorney Rohrbaugh; e-mails from and to Attorney Rohrbaugh re: same; e-mail to Judge's law clerk; e-mails (2) from Judge's law clerk; revise order; conference with legal assistant re: filing same; teleconference with Mr. Rockwell.	2.75 300.00/hr	825.00
12/2/2020	KSB Review of fax from Mr. Rockwell; teleconference with Mr. Rockwell; begin draft of letter to Attorney Rohrbaugh; telephone call from Attorney Rohrbaugh; brief teleconference with Attorney Rohrbaugh; e-mail to Ms. Tabb with prior e-mail sent on Sunday per her request; e-mail to Attorney Rohrbaugh; review order as entered; e-mail to all clients with copy of order and status.	1.75 300.00/hr	525.00
12/3/2020	KSB E-mails to Attorney Rohrbaugh.	0.25 300.00/hr	75.00

		<u>Hrs/Rate</u>	<u>Amount</u>
12/4/2020	KSB E-mail to Judge Hammer's law clerk re: any extension of COVID Order beyond December 5th; review letter from Attorney Rohrbaugh; telephone call and e-mail to Mr. Rockwell; teleconference with Mr. Rockwell; e-mail to research group; e-mails from law clerk and Attorney Skinner; review Order re: change of venue; teleconference with Mr. Rockwell; e-mail to Attorney Rohrbaugh; e-mail to all plaintiffs; teleconference with Attorney Rohrbaugh.	1.50 300.00/hr	450.00
12/6/2020	KSB Review of voicemail from Mr. Rockwell and revise Agreed Order; teleconference with Mr. Rockwell; further revise order and e-mail to Mr. Rockwell; teleconference with Mr. Rockwell; e-mail to Attorney Rohrbaugh re: same; telephone call from Mr. Rockwell.	0.75 300.00/hr	225.00
12/7/2020	KSB Review of e-mail from Attorney Rohrbaugh; teleconference with Attorney Rohrbaugh; e-mail to Mr. Rockwell; teleconferences with Mr. Rockwell; teleconferences with Attorneys Rohrbaugh and Cochran; e-mail to Attorneys Rohrbaugh and Cochran.	1.25 300.00/hr	375.00
12/8/2020	KSB Conference with legal assistant re: subpoenas and witness/mileage checks; check WV Code re: same; review NLRG Memo; teleconference with Mr. Rockwell.	1.25 300.00/hr	375.00
	CLM Conference with counsel; prepare Subpoenas; memo to and from process server re: service; brief meeting with process server re: service; memos from process server re: service successfully executed on both parties.	0.50 75.00/hr	37.50
12/9/2020	KSB E-mail from Attorney Rohrbaugh with new proposed Agreed Order; telephone calls to Mr. Rockwell's home and cell numbers; conference with legal assistant; teleconferences with Mr. Rockwell; e-mail to Attorney Rohrbaugh; telephone call to Attorney Rohrbaugh; long teleconference with Attorneys Rohrbaugh and Cochran; e-mail from Attorney Rohrbaugh and forward to Mr. Rockwell.	2.25 300.00/hr	675.00
12/10/2020	KSB Telephone call from Attorney Rohrbaugh re: vote; e-mail to all clients with Agreed Order; conference with legal assistant re: filing; e-mail to all clients with order as entered.	0.50 300.00/hr	150.00
SUBTOTAL:		[62.25	17,268.75]
For professional services rendered		62.25	\$17,268.75
Additional Charges :			
Expense			
10/30/2020	Research expense.		35.53

	<u>Amount</u>
10/30/2020 Photocopies - Jefferson County Clerk's website.	22.50
11/2/2020 Filing fee - Complaint (Aitcheson 20-C-125).	208.00
11/6/2020 Service Fee - Complaint re: Jane Tabb.	35.00
11/12/2020 Filing fee - Complaint (The Fields,LLC 20-C-132).	208.00
Filing fee - Complaint (Curry 20-C-133).	208.00
Filing fee - Complaint (Burke 20-C-134).	208.00
Filing fee - Complaint (Jalil 20-C-135).	208.00
Filing fee - Complaint (Perry 20-C-136).	208.00
Filing fee - Complaint (Rockwell 20-C-137).	208.00
11/16/2020 Bond fee re: Temporary Restraining Order (\$1.00 for each civil action).	7.00
Postage	0.50
11/20/2020 Service Fee - Subpoenas re: Jane Tabb.	65.00
Service Fee - Subpoenas re: Alexandria Beaulieu.	65.00
11/23/2020 Service Fee - Complaint (x7) re: Jacqueline Shadle, Clerk.	95.00
11/24/2020 Legal Research fees.	161.05
11/30/2020 Research expense.	161.46
12/8/2020 Witness fee (Jane Tabb)	10.00
Witness fee (Alexandra Beaulieu).	10.00
Mileage (Alexandra Beaulieu)..	11.70
Mileage (Jane Tabb).	12.30
Service Fee (Subpoenaes for December 15th hearing).	130.00
SUBTOTAL:	[2,278.04]
Total costs	\$2,278.04
Total amount of this bill	\$19,546.79

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jessica Carroll

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **January 7, 2021**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Interviews and Appointments to the Jefferson County Board of Zoning Appeals – two three-year terms ending January 1, 2024 – 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

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, January 7, 2021, or as soon thereafter as the Commission may decide:

Board of Zoning Appeals -two (2) three-year terms ending January 1, 2024 and two alternate positions ending January 1, 2022 and January 1, 2024, respectively.

Alternates: Alternate members shall have all powers and duties of a regular Board member when sitting on a case and shall continue to participate in the case until a final decision is reached. Alternate members shall serve by rotation based upon seniority of appointment to the Board.

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

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

Jessica Carroll

From: Matthew McKinney <mckinemymatt16@gmail.com>
Sent: Thursday, December 3, 2020 3:28 PM
To: Jessica Carroll
Subject: Re: Notice of Term Expiration - JCBZA

Ms. Carroll -

Thank you for your email. It has given me great pride to have served the residents and tax payers of Jefferson County in my current capacity as a Board of Zoning Appeals member. I would like to extend my commitment to the Jefferson County Board of Zoning Appeals for another term.

Truly yours,

Matt McKinney
Jefferson County Board of Zoning Appeals
(301)514-7834

On Thu, Dec 3, 2020 at 3:09 PM Jessica Carroll <jcarroll@jeffersoncountywv.org> wrote:
Mr. McKinney -

Please see attached and feel free to contact me should you have any questions.

Thank you,

Jessica Carroll
Executive Administrative Assistant
Jefferson County Commission
PO BOX 250
Charles Town, WV 25414
(p) - 304-728-3284
(f) - 304-725-7916

Jessica Carroll

From: dcatterton@frontiernet.net
Sent: Wednesday, December 9, 2020 9:12 AM
To: Jessica Carroll
Cc: Alexandra Beaulieu; Jennilee Hartman
Subject: Re: Notice of Term Expiration - JCBZA

Good Morning,

It would be an honor and a privilege to continue as a Member of the Board of Zoning Appeals.

Thank you.

Best,

Deirdre J. Catterton
703-431-1940

On Thursday, December 3, 2020, 03:12:11 PM EST, Jessica Carroll <jcarroll@jeffersoncountywv.org> wrote:

Ms. Catterton -

Please see attached and feel free to contact me should you have any questions.

Thanks,

Jessica Carroll
Executive Administrative Assistant
Jefferson County Commission
PO BOX 250
Charles Town, WV 25414
(p) - 304-728-3284
(f) - 304-725-7916

Jessica Carroll

From: Danesia Chicchirichi <dechicc@comcast.net>
Sent: Thursday, December 31, 2020 3:00 PM
To: Jessica Carroll
Subject: BZA Board

Good Afternoon,

I have enclosed a brief bio for consideration as an alternate on the BZA board.

Hello, my name is Danesia Chicchirichi. I have been a Jefferson County resident for over 20 years. I reside in Charles Town with my husband and two children.

I was previously the Community Liaison at the Jefferson County Chamber of Commerce where I enjoyed organizing events for the Chamber such as the Public Service Banquet, High School Job Shadowing Program, Monthly Membership Informational Meetings, Mixers, Volunteers at the Mountain Heritage Arts & Crafts Festival, and other Chamber events.

I have served in the past on the board of directors for New Hopewell Center for the Arts, was a Girl Scout Leader & Volunteer for over 7 years, volunteered at the Ranson Parks & Recreation events (such as Pizza with Santa & Ranson Festival) and Down Town Charles Town events such as WV Fest.

I enjoy volunteering in the community and meeting new people. Thank you for your consideration as an alternate for the BZA board.

Respectfully,
Danesia Chicchirichi

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

Name: Jeffrey A. Polczynski, ENP-Director of Communications

Department or Entity: Emergency Communications

Estimation of amount of time needed for appointment: 10 Minutes

Date Requested – 1st Choice: January 7, 2021

Date Requested – 2nd Choice: _____

If a specific date is needed, please provide reason for specific date: **Timing in regards to coordinating onboarding of employees**

Subject: **Appointment Requests – Four Full-Time Public Safety Dispatchers**

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

The purpose of this agenda item is to request permission to appoint four individuals to fill slots in the existing twelve vacant positions.

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

Motion to approve the appointment of the four public safety dispatchers presented; with their notated salaries and salary increase post training; per the attachment.

Attachments:

Request Appointments – Four Full-Time Public Safety Dispatchers_Jan2021



Jefferson County Emergency Communications DEPARTMENTAL MEMORANDUM

TO: The County Commission of Jefferson County

FROM: Jeffrey Polczynski, ENP - Director

DATE: December 28, 2020

SUBJECT: Request Appointments – Four Full-Time Public Safety Dispatchers

The purpose of this memorandum is to request the approval to employ the following four Public Safety Dispatchers at the notated salary. The candidates will fill vacancies in authorized staffing.

The Emergency Communications Center management staff has worked tirelessly to seek qualified candidates and through these efforts returned optimistic prospective employees. These efforts would not have been accomplished without the assistance from personnel from our neighboring agencies in Frederick, Loudoun and Washington Counties. Staff from these three Counties have routinely assisted in sitting on the oral board evaluation panels and have interviewed and vetted dozens of candidates.

It is important to note that in our recent hiring and training cycle, the ECC brought on board six individuals of which, only three remain. These three are in their final stages of training (fire dispatching). Through the last phase in training six individuals, the ECC has concluded that it is extremely difficult and taxing on the current staff to train more than four at any given time. In my last recommendation to you, I noted that bringing six individuals maxed out the training capabilities (space, resources, personnel/coaches). This nine month process has taxed the trainers as well as those not training whereby these individuals constantly work the same positions for months on end. Without getting into too much depth in how training is performed, the training management staff recommends to management that bringing four personnel onboard at any given time appears to be the best solution for both the training staff as well as affording the best instruction for the new trainees.

Currently the ECC has four viable candidates that have completed all processes including psychological and background investigations and are recommended for hire. The ECC has several more candidates in the processing stage and will continue pursuing the vacant and overfill positions authorized by the County.

Training is a focus at the ECC and will be for some time. We saw great success in our last dispatch academy with the quality training of two disciplines at the same time. (Calltaking and Law Dispatching).

SALARIES

All candidates were offered the wage of \$37,750 which is the first step in the Grade 4 salary range. Each candidate was offered the standard wage increase once full training has been completed. The candidates are presented in order of total overall scoring.

CANDIDATES

1. Mallory Spinks – Currently works in the healthcare field monitoring cardiac care patients. Customer service background.
2. Megan Farias – Current Jefferson County Commission employee working in Maintenance Department. Training as an EMT in a local volunteer fire department. Lives locally in Jefferson County
3. Carrie Orr – Lifelong resident of Jefferson County. Customer service background in the food services industry.
4. Amanda Duvall – Trained correctional officer and holds associates degree in Criminal Justice.

Upon approval, these individuals will be placed into the next dispatch academy likely to begin in February 2021.

Please do not hesitate to contact me for further questions.

Respectfully Submitted,



Jeffrey Polczynski, ENP
Director of Communications

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Roger Goodwin

Department or Organization: Engineering, Planning & Zoning

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: January 7, 2021

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

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

Subject (*Wording to be placed on agenda*): Two Partial Bond Release requests

1. Seneca Crossing, LLC – Seneca Crossing Subdivision, Lots 1-3 (Files #18-25-SD)
2. Berkeley Medical Center - Lot 1 Seneca Crossing Subdivision (File #19-3-S)

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

1. Complete release of Irrevocable Letter of Credit #300025580-44 with United Bank, Chantilly, VA construction bond security for Seneca Crossing, LLC – Seneca Crossing Subdivision, Lots 1-3 (File #18-25-SD).
2. Complete release of Irrevocable Letter of Credit #4832790-44 with United Bank, Chantilly, VA construction bond security for Berkeley Medical Center – Lots 1 Seneca Crossing Subdivision (File #19-3-S).

Is this a funding request? Y/NO

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

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

1. I authorize a complete release of Irrevocable Letter of Credit #300025580-44 with United Bank in the amount of \$480,985.00 construction bond amount for Seneca Crossing, LLC – Seneca Crossing Subdivision, Lots 1-3 (File #18-25-SD).
2. I authorize a complete release of Irrevocable Letter of Credit #4832790-44 with United Bank in the amount of \$258,642.00 construction bond amount for Berkeley Medical Center – Lot 1 Seneca Crossing Subdivision (File #19-3-S).

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

Construction Bond Release Letter

Bond Release Request Report

Site Map

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS



JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT
Jane M. Tabb

VICE PRESIDENT
Ralph Lorenzetti

COMMISSIONER
Caleb Wayne Hudson

COMMISSIONER
Josh Compton

COMMISSIONER
Patricia A. Noland

January 7, 2021

Mr. Robert M. Anderson, Assistant Vice President
United Bank
14048 Park East Circle, Suite 100
Chantilly, Virginia 20150

RE: Irrevocable Letter of Credit #300025580-45 dated November 27, 2019, Construction Bond
Surety for Seneca Crossing LLC - Seneca Crossing Subdivision, Lots 1-3 (File #18-25-SD).

Dear Mr. Anderson:

The Jefferson County Commission authorizes a complete release of the remaining \$480,985.00 from the construction bond amount for Seneca Crossing, LLC – Seneca Crossing Subdivision, Lots 1-3 (File #18-25-SD). This project is located on the south side of Route 45 Martinsburg Pike and MacLaine Way. The work appears to be 100%.

In summary, you are hereby authorized to fully release the above referenced Irrevocable Letter of Credit, originally issued in amount of \$1,183,721.00. Please contact the Jefferson County Department of Engineering, Planning & Zoning - Office of Engineering at (304) 728-3257 if you have any questions.

Sincerely,

President
Jefferson County Commission

cc: Mr. Paul J. Raco
P. J. Raco Consulting, LLC
PO Box 548
Charles Town, WV 25414
Department of Engineering, Planning & Zoning
Office of Engineering

County Administrator
Stephanie Grove

Deputy County Administrator
Sandy Slusher McDonald

BOND REDUCTION or RELEASE REQUEST - REPORT

Date Received 12 / 09 / 2020

J C P C. File No S 10 - 25 - SD

Consultant/Engineer/Firm Name: FOX & ASSOC.

Mailing Address: 981 Mt AETNA ROAD

City: HAGERSTOWN

State: MD

Zip: 21740

Contact Person: MICHAEL SHIFFLER

Phone: 301 733-8509

Project/Subdivision Name: SENECA CROSSING COMMERCIAL SUBDIVISION

Section/Phase _____

Lots _____

Review Comments:

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

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

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

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

Comments: ALL WORK APPEARS COMPLETE,
IN COMPLIANCE WITH PRELIMINARY PLAT

Approved for:
Bond Release
By: [Signature] Date: 12/14/2020
County Engineer

Original Bond Amt \$ 1,029,322² + 15% Cont \$ 154,398² = Total Original Bond Amt \$ 1,183,721

Total Current Bond Amount \$ 400,285.00

Cost of Work Remaining \$ 0.00 + Contingency Amount \$ 0.00

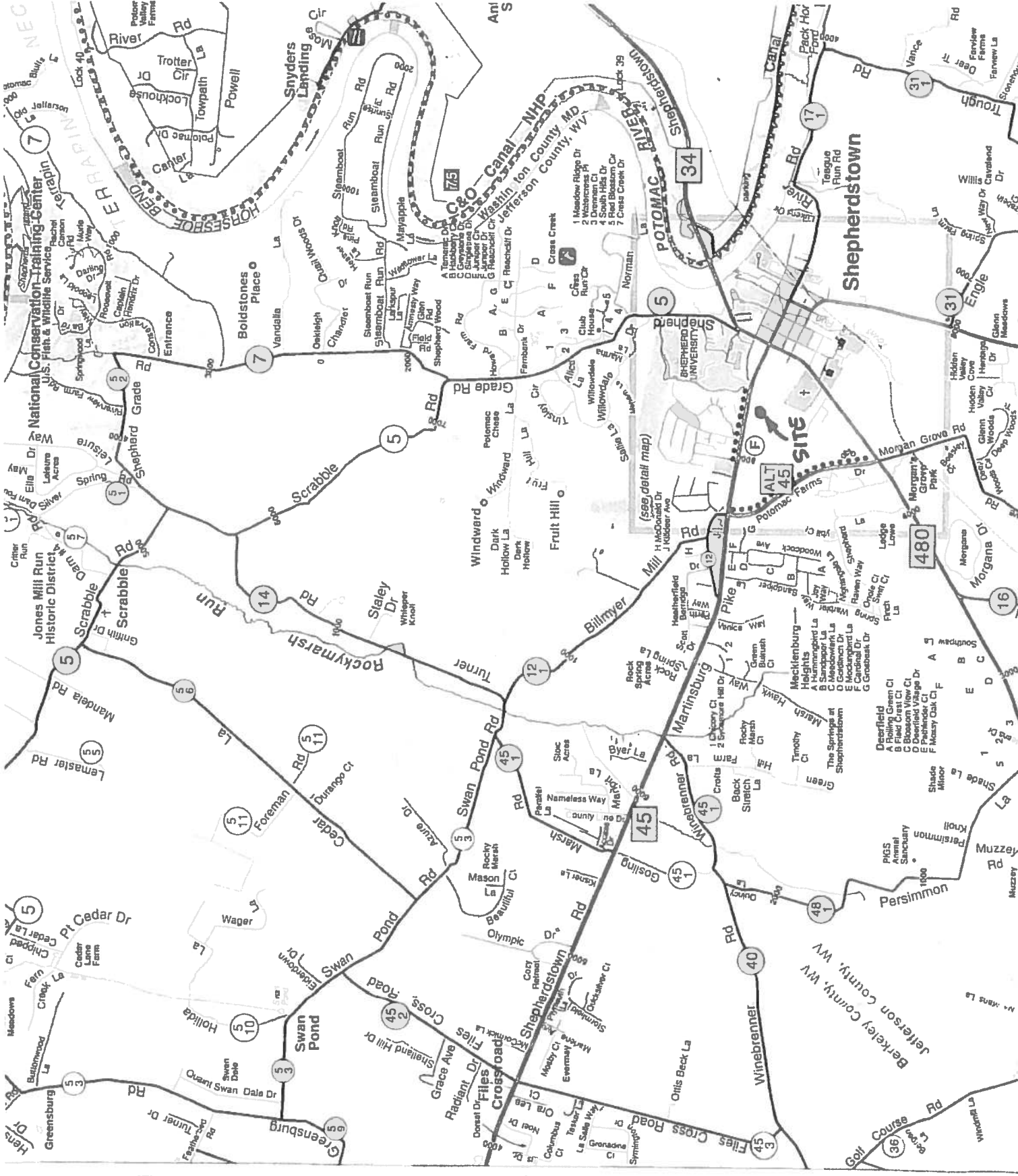
= Approved for Revised Bond Amount \$ 0.00

Reviewed By: Joseph L. Kent P.E.

Title: L.O.I.

Signature: [Signature]

Date: 12 / 14 / 2020



40 Fairgrounds...D-5
 41 Judicial Center...J-3
 42 Public Services Cir...D-5
 43 Solid Waste Authority
 44 Water Station...C-6
 45 Division of Highways...C-6
 46 Division of Motor Vehicles...E-5
 47 State Police...D-5
 48 Inversly Time Fruit Research
 49 Educational Center...D-4

Industrial and Business
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The National Register Historic Places
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JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT

Jane M. Tabb

VICE PRESIDENT

Ralph Lorenzetti

COMMISSIONER

Caleb Wayne Hudson

COMMISSIONER

Josh Compton

COMMISSIONER

Patricia A. Noland

January 7, 2021

Mr. Robert M. Anderson, Assistant Vice President

United Bank

14048 Park East Circle, Suite 100

Chantilly, Virginia 20150

RE: Irrevocable Letter of Credit #4832790-44 dated December 19, 2019, Construction Bond Surety for Berkeley Medical Center – Lot 1 Seneca Crossing Subdivision (File #19-3-S).

Dear Mr. Anderson:

The Jefferson County Commission authorizes a complete release of the remaining \$258,642.00 from the construction bond amount for Berkeley Medical Center – Lot 1 Seneca Crossing Subdivision (File #19-3-S). This project is located on the south side of Route 45 Martinsburg Pike at 60 MacLaine Way. The work appears to be 100% complete.

In summary, you are hereby authorized to fully release the above referenced Irrevocable Letter of Credit, originally issued in amount of \$481,801. Please contact the Jefferson County Department of Engineering, Planning & Zoning - Office of Engineering at (304) 728-3257 if you have any questions.

Sincerely,

President

Jefferson County Commission

cc: Mr. Paul J. Raco

P. J. Raco Consulting, LLC

PO Box 548

Charles Town, WV 25414

Department of Engineering, Planning & Zoning

Office of Engineering

County Administrator
Stephanie Grove

Deputy County Administrator
Sandy Slusher McDonald

BOND REDUCTION or RELEASE REQUEST - REPORT

Date Received 12 / 09 / 2020 J.C.P.C. File No 19 - 3-S

Consultant/Engineer/Firm Name: Fox & Assoc.

Mailing Address 981 Mt Aetna Road

City: HAGERSTOWN State: MD Zip: 21740

Contact Person: MICHAEL SHIFFLEN Phone: 301 + 733-8509

Project/Subdivision Name: BERKELEY MEDICAL CENTER

Section/Phase: SENECA CROSSING Lots: 1

Review Comments:

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

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

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

Bonding Policy & Unit Cost Figures attached for your use.

Comments: ALL WORK APPEARS COMPLETE

Approved for:
Bond Release
By: [Signature] Date: 12/14/2020
County Engineer Date

Original Bond Amt \$ 418,957.25 15% Cont \$ 62,843.25 Total Original Bond Amt \$ 481,801

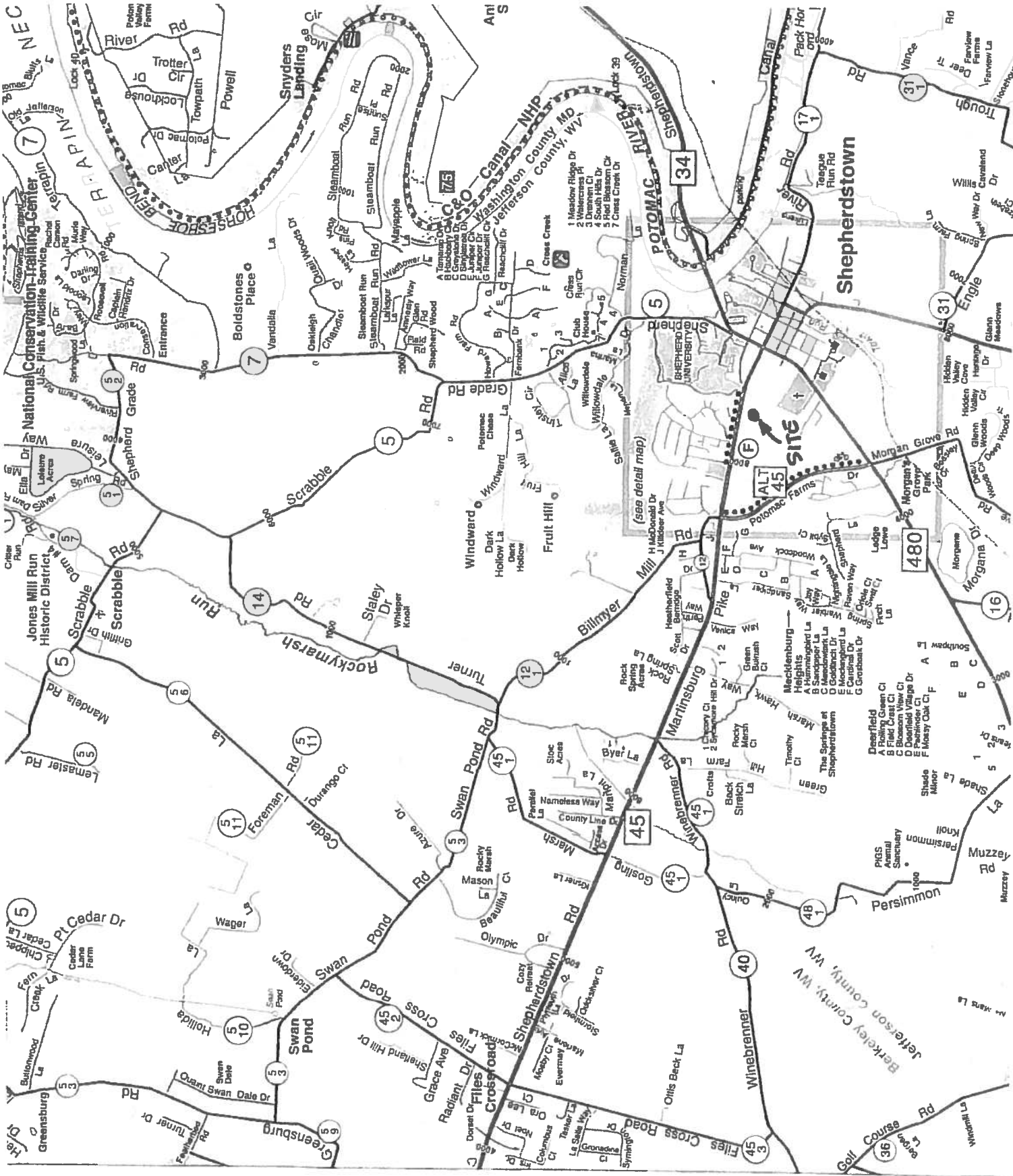
Total Current Bond Amount \$ 258,642.00

Cost of Work Remaining \$ 0 + Contingency Amount \$ 0

= Approved for Revised Bond Amount \$ 0

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

Signature: [Signature] Date: 12 / 14 / 2020



20 Fairgrounds...D-6
 20 Judicial Center...J-3
 20 Public Services Ch...D-5
 20 Solid Waste Authority
 20 State Police...D-5
 20 University of West Virginia
 20 Wildlife Service

Industrial and Business
 ks
 100 Industrial Park...D-6
 100 Business Park...D-5
 100 Outside business Park...C-8

Shopping Centers
 100 Toward (future)...E-6
 100 Hills...A-4
 100 Crossings...K-2
 100 Square...P-1
 100 Marketplace...E-6
 100 on Square...I-1
 100 Inset Village...E-7

Courses
 100 Creek...F-2
 100 Hill...C-6, J-12
 100 Hollow...F-7

Other
 100 Welfare Society...C-6
 100 Nathan Trail Conservancy...K-6
 100 & Girls Club of Jeff Co...J-3
 100 er Center...O-1
 100 as Town Races & Stots
 100 .K-2
 100 Center...O-1
 100 's Tyler Moore Civil War
 100 her...O-2
 100 son County Museum...J-3
 100 son County Network Ctr...E-5
 100 Opera House...J-3
 100 g Ridge Foundation...E-12
 100 Center...J-2
 100 located at Shepherdstown...R-2
 100 'at Point Highway...B-9

The National Register
 Historic Places

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AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Russell Burgess**

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

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

Date Requested – 1st Choice: **January 7, 2021**

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

Date Requested – 2nd Choice: **January 21, 2021**

Subject (*Wording to be placed on agenda*): **Advertise for Department of Information Technology Support/Helpdesk Technician Level 1**

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

- **The Department of Information Technology would like to fill the above full time position that was opened up in June of 2020 due to employee resignation. Because of the COVID-19 pandemic the position was not filled at the time of resignation. This position is necessary for the Information Technology Department to successfully support all county employees and operations. Salary would be listed as \$35,000.00 per year full time employee.**

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 Information Technology Department to Advertise for Department of Information Technology Support/Helpdesk Technician Level 1 at salary of \$35,000.00 per year full time employee.**

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Russell Burgess**

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

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: **January 7, 2021**

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

Date Requested – 2nd Choice: **January 21, 2021**

Subject (*Wording to be placed on agenda*): **Approval of HomeLand Security Emergency Management Grant for Cybersecurity Software**

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

- **The Department of Information Technology was awarded a grant for the purchase/installation/training of software for network analysis to baseline, monitor, detect and address cybersecurity issue's and anomalies that may be detected through unauthorized and erroneous configuration changes.**

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 Grant from the Homeland Security Grant program for the Department of Information Technologies Cybersecurity Software initiative and to have the Commission President sign the attached document to return to Homeland Security State Administration Agency.**

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Russell Burgess**

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

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: **January 7, 2021**

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

Date Requested – 2nd Choice: **January 21, 2021**

Subject (*Wording to be placed on agenda*): **Approval of HomeLand Security Emergency Management Grant for Cybersecurity Software**

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

- **The Department of Information Technology was awarded a grant for the purchase/installation/training of software for network analysis to baseline, monitor, detect and address cybersecurity issue's and anomolies that may be detected through unauthorized and erroneous configuration changes.**

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 Grant from the Homeland Security Grant program for the Department of Information Technologies Cybersecurity Software initiative and to have the Commission President sign the attached document to return to Homeland Security State Administration Agency.**

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

State of West Virginia

Homeland Security State Administrative Agency

Homeland Security Grant Program

CFDA Number:

97.067

OASIS - GRTAWD Document ID

Sub-Grant #

20-SHS-16

Federal Grant Number

EMW-2020-SS-00003

Sub-Grant Period

From: 9/1/2020

To: 8/31/2023

Major Program: HSGPHS

Program: HSLCS

Program Period: HS 2020

Sub-Grant Award

Sub-Grantee Name and Address

FEIN

55-6000333

Jefferson Co Commission

P.O. Box 250

Charles Town, WV 25414-0241

DUNS

074-741-4548

OASIS ID#

000000211969

Total Grant Award Amount:

\$9,485

By signing and accepting this award the sub-grantee agrees to comply with all special conditions and assurances included in the application. I certify that this project will be implemented as described in the attached application.

Sub-Grantee Authorized Official: _____

(Agency Head - Mayor, Commission President, etc)

Title: _____

Date: _____

For Homeland Security SAA Use Only Below

Homeland Security Grant Program Certification

The attached application has been reviewed, and the proposed project and expenditures as described in the application fall within all state and federal guidelines which govern the Homeland Security Grant Program and sufficient funds exist to make this award.

I have reviewed this sub-grant award. All project activities fall within West Virginia's Homeland Security Strategy Goals and Objectives and the proposed expenditures are within the grant guidelines.

HSSAA Grant Representative: _____

Printed Name: _____

Date: _____

I hereby authorize the awarding of funds to support the project as described in the attached application.

HSSAA Director: _____

Printed Name: _____

Date: _____

Homeland Security Grant Program

Applicant: Jefferson County Commission

Jurisdiction Name: Jefferson Co Commission

Project Title: CyberSecurity Network Analysis and Monitoring

	<u>Matching Funds</u>	<u>Requested Funds</u>	<u>Total Approved</u>
Planning	\$0	\$0	\$0
Organization	\$0	\$0	\$0
Equipment	\$0	\$9,485	\$9,485
Training	\$0	\$0	\$0
Exercise	\$0	\$0	\$0
	\$0	\$9,485	\$9,485

Grant Amount: \$9,485 **Law Enforcement?** No

Core Capability 1: Cybersecurity

Core Capability 2: Operational Coordination

Core Capability 3: Infrastructure Systems

Project Description:
(including gap)

Stipulations / Requirements: A copy of the final report needs to be provided to the Homeland Security State Administrative Agency.

Applicant Information

Agency Name:	Jefferson County Commission
Primary Discipline:	Information Technology
Type of Agency:	County
Address:	P.O. Box 250
City, State, Zip:	Charles Town, WV 25414
Phone:	304-728-5605
County:	JEFFERSON
WV DHSEM Region:	Region 3

Project Director:	Russell Burgess
Address:	116 E Washington Street
City, State, Zip:	Charles Town, WV 25414
Phone:	304-728-5605
Email:	rburgess@jeffersoncountywv.org

Vendor Agency (OASIS):	Jefferson Co Commission
Vendor Address (OASIS):	P.O. Box 250
City, State, Zip (OASIS): (include +4 Zip code)	Charles Town, WV 25414-0241
Fiscal Point of Contact:	Michelle Gordon
Fiscal Officer Phone:	(304) 724-8425 or (304) 725-7916
Fiscal Officer Email:	mgordon@jeffersoncountywv.org

OASIS Vendor ID #:	000000211969
Applicant DUNS: (9 digits for DUNS)	074-741-4548
Applicant FEIN:	55-6000333

Project Summary

Project Title: CyberSecurity Network Analysis and Monitoring

**Project Description:
(including gap)**

Currently the Jefferson County Homeland Security and Emergency Operations Center network does not have network analysis capability that would allow us to baseline, monitor, detect and address cybersecurity issue's and anamolies. This was brought to our attention by network scanning by an outside source highlighting deficiencies in our network preparedness. We propose the use of Solarwinds Network Configuration Manager Software under the FEMA Authorized Equipment Listing 04SW-04-NETW to accomplish the above stated goals. The entities that will benefit from this project are the Jefferson County Homeland Security and the Jefferson County Emergency Communications and Operations Center. This request is for Solarwinds Network Configuration Manager Software and Training on best use of the software. We do not currently have this item in inventory.

How was this gap identified?

In the space below, please provide the year the THIRA was completed and submitted; the year and basic findings of a real-world event; and/or the Exercise name and the year the exercise was completed.

Jurisdictional THIRA? N/A

Real-World Event? Recently submitted Nationwide Cybersecurity Review

Exercise AAR/IP? N/A

2020 Priorities: Not Applicable

Core Capability 1: Cybersecurity
Core Capability 2: Operational Coordination
Core Capability 3: Infrastructure Systems

WV Homeland Security Strategy Coordination:

Objective 10.10 -- Strengthen networking infrastructure by upgrading outdated infrastructure and introducing technologies that vastly improve security within state and local government agencies

Milestones:

- Milestone 1:** Request for Proposal for Pricing
- Milestone 2:** Choose Vendor
- Milestone 3:** Purchase Equipment
- Milestone 4:** Installation of Equipment
- Milestone 5:** Testing for successful implementation
- Milestone 6:** Resiliency Testing
- Milestone 7:** Full Deployment
- Milestone 8:**

Sustainment

Does your organization have the capacity to implement this project and the ability to sustain the project objectives (including equipment maintenance and replacement) beyond the grant period?

Yes

Will a contractor be used on this project?

If Yes, please complete contractor tab.

No

Project Status

NEW - No grant-funded projects within last 5 years have addressed this capability

Estimated Time to Complete Project?

0-3 Months

Homeland Security Justification

The FY2020 Homeland Security Grant Program requires that projects address the following elements. In the space provided below, please describe how the proposal will achieve the required elements.

- Supports terrorism preparedness;
- Supports closing capability gaps or sustaining capabilities identified in the community's THIRA; and
- Supports the overcoming of existing logistical, technological, legal, policy, and other impediments to collaborating, networking, sharing information, cooperating, and fostering a culture of national preparedness with federal, state, tribal, and local governments, as well as other regional, and nonprofit partners in efforts to prevent, prepare for, protect against, and respond to acts of terrorism, to meet its target capabilities, support the national security mission of DHS and other federal agencies, and to otherwise reduce the overall risk to the high-risk urban area, the State, or the Nation.

How it supports terrorism preparedness

This software will support our terrorism preparedness by giving us the capabilities to keep our systems up and operational during emergency operations and cyber attacks.

How did we identify our issues with network security issue's ? Identifying security risks, open ports, etc
Currently do not have cybersecurity network analysis capability

How will this grant close this gap

This software will allow us to baseline, monitor, detect and address cybersecurity issue's and anomalies.

How it supports closing capability gaps

This software will close capability gaps in helping us understand deficiencies in dealing with cyber attacks and network attacks.

In addition, explain how the proposed project will:

- Prevent a threatened or an actual act of terrorism;
- Prepare for all hazards and threats, while explaining the nexus to terrorism preparedness;
- Protect citizens, residents, visitors, and assets against the greatest threats and hazards, relating to acts of terrorism; and/or
- Respond quickly to save lives, protect property and the environment, and meet basic human needs in the aftermath of an act of terrorism or other catastrophic incidents

This project will allow us to harden our network defenses to prevent both threatened and/or actual terrorism events against our network operations center.

This project helps us prepare for hazards and threats by keeping our network operational during emergency situations and allow us to continue communications with citizens, visitors and our current assets.

This project will help us maintain our network so that we have the capability to respond quickly to save lives, protect property, the environment and assist with meeting basic human needs during terrorist or catastrophic events.

Planning

Use this section only if applying for funding for Planning activities.

<u>Proposed Activity</u>	<u>Justification/Explanation</u>	<u>Applicant Funds</u>	<u>Requested Grant Funds</u>	DHSEM Use Only Approval Status
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
Totals		\$0	\$0	\$0

Additional Justification (optional):

Organization

<u>Proposed Activity</u>	<u>Justification/Explanation</u>	<u>Applicant Funds</u>	<u>Requested Grant Funds</u>	DHSEM Use Only Approval Status
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
Totals		\$0	\$0	\$0

Additional Justification (optional):

Equipment

Use this section only if applying for funding to purchase Equipment.

<u>Equipment Item*</u>	<u>AEL**</u>	<u>Requested Quantity</u>	<u>Justification/Explanation</u>	<u>Applicant Funds</u>	<u>Requested Grant Funds</u>	DHSEM Use Only Approval Status
Solarwinds Network Configuration Manager	04SW-04-NETW	1	This software will support our terrorism	\$0	\$9,485	Approved
Totals				\$0	\$9,485	\$9,485

Additional Justification (optional):

Training

Use this section only if applying for funding to conduct Training.

<u>Training Requested*</u>	<u>Justification/Explanation</u>	<u>Applicant Funds</u>	<u>Requested Grant Funds</u>	DHSEM Use Only Approval Status
Totals		\$0	\$0	\$0

Additional Justification:

Exercise

Use this section only if applying for funding to conduct Exercises.

<u>Exercise*</u>	<u>Justification/Explanation</u>	<u>Applicant Funds</u>	<u>Requested Grant Funds</u>	DHSEM Use Only Approval Status
Totals		\$0	\$0	\$0

Additional Justification:

Contractor Description Form

Will a Contractor be Used?

No

For what categories will contractor be used?

Planning

No

Equipment

No

Training

No

Exercise

No

What is the total estimated cost for contractor?

If using a contractor, please make special note of Special Condition #45.

Explain how the contractor will be used:

Explain why your agency is unable to complete project without a contractor:

Explain how your agency will monitor work of the contractor:

Please provide any additional justification for contractor:

Conditions and Assurances

This program is conditioned upon and subject to compliance with the following Conditions and Assurances. By attaching a signature to page one (1) of this grant application, the applicant certifies and assures that it will comply with the following Conditions and Assurances, Regulations, Policies, Guidelines and Requirements of the Homeland Security State Administrative Agency (HS SAA), as further clarified in the Policies and Procedures Manual for this program; U.S. Department of Homeland Security guidance; and **all other** relevant Federal/State regulations, policies, and guidelines. These Conditions and Assurances apply to all **Homeland Security Grant Program** federal and agency funds expended for purposes associated with this project. All correspondence to the HS SAA, which is required and/or occurs as a result or action of any of the following Conditions and Assurances, or as a result of the administration of any HS SAA grant program, should be addressed to:

WV Division of Homeland Security and Emergency Management
Homeland Security State Administrative Agency
1900 Kanawha Blvd., East, Charleston, WV 25305

1 **Laws of West Virginia:**

This application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by the HS SAA.

2 **Legal Authority:**

The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

3 **Relationship:**

The relationship of the sub-grantee to the HS SAA shall be that of an independent contractor, not that of a joint enterprise. The sub-grantee shall have no authority to bind the HS SAA for any obligation or expense without the express prior written approval from the HS SAA.

4 **Operational Within 90 Days:**

If the project is not operational within 90 days of the specified project starting date, the grantee must submit a statement to HS SAA explaining the delay in implementation. Upon receipt of the 90-day letter, HS SAA may cancel the project and redistribute the funds to other project areas and/or eligible applicants.

5 **Civil Rights Compliance:**

Sub-grantee will comply with all federal civil rights laws, including Title VI of the Civil Rights Act, as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

6 **Written Approval of Changes:**

The sub-grantee must obtain prior written approval from HS SAA for all project changes (programmatic, fiscal or otherwise).

7 **Press Release:**

Release of information pertaining to this sub-grant must include the following information:

1. Grant amount;
2. State involvement (WV Division of Homeland Security and Emergency Management); and,
3. Federal involvement (U.S. Dept. of Homeland Security).

8 **Compliance with Federal Rules and Regulations:**

Sub-grantee will comply with Title 2, Part 200 of the Code of Federal Regulations (***Super Circular***). The Super Circular supersedes Circulars A-21, A-87, A-89, A-102, A-110, A-122, A-133.

9 Program Accountability – Federal Audit Requirement – Super Circular:

If an audit must be conducted pursuant to the Super Circular, a copy of the audit shall be submitted to HS SAA as well as to the Federal clearinghouse.

The Federal clearinghouse address is as follows:

Federal Audit Clearinghouse
Bureau of the Census
1201 E. 10th Street
Jeffersonville, IN 47132

10 Program Accountability – State Audit Requirements:

Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended, sets forth the audit requirements of corporations, associations or other organizations which receive state funds or grants. These audit requirements do not apply to units of local and state government. If applicable, this grant shall adhere to the audit requirements set forth in §12-4-14 at the time of award. All funds disbursed by HS SAA are appropriated by the WV Legislature; therefore all funds disbursed are considered state funds. The HS SAA will notify the Legislative Auditor when a sub-grant is awarded which falls under the requirements of the WV Code.

As of 9/13/05, the requirements set forth by §12-4-14 are as follows: Any corporation, partnership, association, individual or other legal entity (not to include a state spending unit or a local government as defined in § 6-9-1a of the West Virginia Code, as amended) which receives one or more state grants or sub-grants in the amount of \$50,000 or more in the aggregate in a state fiscal year shall file with the HS SAA a Report of the disbursement of these state funds. An OMB A-133 Audit or an audit conducted by a certified public accountant may be substituted for the Report. The Report shall be filed within two years of the end of the fiscal year in which the grant or sub-grant closes. The Report shall be made by an independent certified public accountant and the scope of the Report is limited to showing how the state grant or sub-grant funds were spent. The Report does not have to be a full-scope audit or review of the entity receiving state funds. Any entity failing to file a required Report is barred from subsequently receiving state grant or sub-grant funds until the Report is filed and is otherwise in compliance with the provisions of West Virginia Code. If a Report is not required under this section of the WV Code then the grantee or sub-grantee shall file with HS SAA a sworn statement of expenditures made under the grant or sub-grant.

The Sub-grantee assures that it has read, understands and is in full compliance with all requirements as set forth in Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with this section of the West Virginia Code, as amended.

11 Access to Records, Equipment, Training, & Exercises:

The HS SAA, through any authorized representative, shall have access to and the right to examine all records, books, papers, documents, equipment, training, and/or exercises related to the sub-grant and to relevant books and records of contractors.

12 Conflict of Interest:

No public official or employee of the sub-grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can be expected to result in any private/public benefit to that individual or that individual's immediate family.

13 National and State Evaluation Efforts:

The Sub-grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

14 Political Activity:

The restrictions of the Hatch Act, Pub. L. 93-433, 5 U.S.C. Chapter III, (as amended), concerning the political activity of government employees are applicable to state grantee staff members and other state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by Title I grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns, except they may not be candidates for office.

15 **Obligation of Project Funds:**

Funds may not, without prior written approval from the HS SAA, be obligated prior to the effective start date or subsequent to the termination date of the project period. All invoices must be dated within the approved sub-grant period.

16 **Elements of a Viable Continuity Capability:**

The Continuity Plan is the roadmap for the implementation and management of the Continuity Program. The National Continuity Policy: Federal Continuity Directive 1 and Federal Continuity Directive 2 outline the following ten (10) overarching continuity requirements: Essential Functions, Orders of Succession, Delegations of Authority, Continuity Facilities, Continuity Communications, Vital Records Management, Human Capital, Tests-Training-Exercises, Devolution of Control & Direction, and Reconstitution. If utilizing sub-grant funding for the development of a Continuity Plan, the Plan must address each of these ten (10) elements in order to be eligible to be reimbursed for approved/allowable costs.

17 **Use of Funds:**

Funds awarded through the HS SAA may be expended **ONLY** for the purposes and activities specifically covered by the sub-grantee's approved project description and budget. Any change in the project or the budget must receive **PRIOR** approval from DHSEM-SAA.

18 **Release of Information:**

All records, papers and other documents kept by recipients of grant funds are required to be made available to the HS SAA. These records and other documents submitted to the HS SAA and its grantees, including plans and application for funds, reports, etc., are subsequently required to be made available to the U.S. Department of Homeland Security under the terms and conditions of the Federal Freedom of Information Act, 5. U.S.C. §552.

The HS SAA recognizes that some information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under federal control is subject to requests made pursuant to the Freedom of Information Act, 5. U.S.C. §552, **all** determinations concerning the release of information of this nature are made on a case-by-case basis by the Federal Division of Homeland Security FOIA Office, and may likely fall within one or more of the available exemptions under the Act.

Sub-grantees must consult applicable state and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive in nature. Applicants may also consult the HS SAA regarding concerns or questions about the release of potentially sensitive information under state and local laws.

19 **Allowable and Unallowable Costs:**

Allowable costs incurred under this grant shall be determined in accordance with the Super Circular.

20 **Non-supplanting:**

Federal funds must be used to supplement existing funds for program activities and may not replace (supplant) non-Federal funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from Federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The sub-grantee hereby certifies that Federal funds made available under this grant will not be used to supplant state and local funds.

21 **Matching Contribution:**

If matching funds are allocated, the applicant assures that those funds shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Cash matching contributions are subject to the same expenditure guidelines established by the HS SAA and the U.S. Department of Homeland Security for this grant program. All sub-grantees must maintain records that clearly show the source, the amount and the timing of all cash matching contributions. There is no waiver provision for any cash match requirements.

22	Project Income:
<p>All income earned by the sub-grantee as a result of the conduct of this project, must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by the HS SAA and the U.S. Department of Homeland Security for this grant program. All sub-grantees must maintain records that clearly show the source, the amount and the timing of all project income. There is no waiver provision for the project income requirement.</p>	
23	Consultant Fees:
<p>Approval of this sub-grant does not necessarily indicate an approval of specific consultant rates. Please discuss rates with the HS SAA.</p>	
24	Purchasing:
<p>When making purchases relevant to the sub-grant, the sub-grantee will abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government.</p>	
25	Reports:
<p>Each sub-grantee shall submit reports as deemed reasonably necessary by the HS SAA for monitoring, stewardship and evaluation of programmatic and fiscal responsibilities.</p>	
26	Environmental & Historical Preservation (EHP):
<p>Sub-grantee shall comply with all applicable Federal, State, and local EHP requirements and shall provide any information requested to ensure compliance with applicable laws.</p>	
27	Suspension of Funding:
<p>HS SAA may suspend, in whole or in part, terminate, or impose other sanctions on any sub-grantee funds for the following reasons:</p> <ul style="list-style-type: none"> • Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program; • Failure to submit reports; • Filing a false certification in this application or in another report or document; or, • Other just cause. 	
28	Sanctions for Noncompliance:
<p>In the event of the sub-grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, the HS SAA may impose such contract sanctions, as it may deem appropriate, including but not limited to:</p> <ul style="list-style-type: none"> • Withholding of payments to the sub-grantee until the sub-grantee complies; • Cancellation, termination or suspension of the contract, in whole or in part; or, • Refrain from extending any further assistance to the sub-grantee until satisfactory assurance of future compliance has been received. 	
29	Immigration and Naturalization Verification:
<p>The sub-grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of Federal funds to verify that employees are eligible to work in the United States.</p>	
30	Use of Grant Funds to Enact Laws:
<p>Sub-grantee understands and agrees that shall not use any sub-grant funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.</p>	

31	Property Accountability:
<p>The sub-grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a sub-grant by the HS SAA. This obligation continues as long as the property is retained by the sub-grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from the HS SAA. Sub-grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program, with copies provided to the HS SAA. The HS SAA reserves the right to inspect and review any equipment purchased with this sub-grant</p>	
32	Communications Equipment:
<p>With respect to communications initiatives and equipment, the sub-grantee agrees to the following: Communications equipment shall be compatible with the SAFECOM P25 trunked radio hierarchy and the WV Statewide Interoperable Radio Network. Per WV Code §15-14-4, all communications equipment requests must be reviewed and approved by the Statewide Interoperability Coordinator. www.sirn.wv.gov</p>	
33	Equipment:
<p>Sub-grantees purchasing equipment with grant funds shall adhere to the established bidding procedures for their respective units of government and/or agencies. All equipment shall have a primary function of being used for homeland security purposes, and be available statewide (if practical) for use during emergencies and training/exercise events.</p>	
34	Marking of Equipment and Publications:
<p>Sub-grantee shall ensure that, when practicable, any equipment purchased and publications produced with grant funding shall be prominently marked as follows: "Supported with funds provided by the U.S. Department of Homeland Security and the WV DHSEM."</p>	
35	Patents and/or Copyrights and Rights in Data:
<p>Sub-grantee acknowledges that the HS SAA, and subsequently the U.S. Department of Homeland Security; reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support. Sub-grantee shall consult with the HS SAA regarding the allocation of any patent rights that arise from, or are purchased with, this funding.</p>	
36	Time Extensions:
<p>Time extensions are allowable; however, the HS SAA will review and approve extension requests on a case by case basis only if the extension is warranted. Lack of planning by the sub-grantee is not a justified reason for an extension.</p>	
37	Equal Employment Opportunity Plan:
<p>Each sub-grantee certifies that it has executed and has on file, an Equal Employment Opportunity Plan.</p>	
38	Veterans Preference:
<p>This program includes a provision that grantees utilizing funds to hire additional personnel give suitable preference in employment to military veterans. HS SAA defines "suitable preference" as the requirement that a sub-grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.</p>	
39	Submission/Release of Proposed Publications:
<p>The sub-grantee shall submit one copy of all reports and proposed publications resulting from this agreement to the HS SAA twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements: "This document [product] was prepared under a grant from the United States Department of Homeland Security and the WV Division of Homeland Security and Emergency Management. Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security, nor the State of West Virginia."</p>	

40	Purchase of American-made Equipment/Products:
<p>It is the sense of the Congress, as conveyed through the FY 1997 Appropriations Act, as well as the desire of HS SAA that <u>to the greatest extent practicable</u>, all equipment and products purchased with Federal funds made available under this grant should be American-made.</p>	
41	Personnel Training:
<p>The HS SAA reserves the right to require training as a condition of the sub-grant before or at any time during the project period. Proof of training/certification on grant-funded equipment shall be provided, upon request within 10 business days.</p>	
42	Accounting Requirements:
<p>Sub-grantee shall record all project funds and costs following <u>generally accepted accounting procedures</u>. A unique account number or cost recording shall separate all project costs from the sub-grantee's other or general expenditures. Adequate documentation for all project costs and income shall be maintained. Adequate documentation of financial and supporting material, as defined in the pertinent Administrative Manual, shall be retained and be available for audit purposes.</p>	
43	Financial Guide:
<p>Sub-grantee shall comply with all requirements as set forth in the Financial Guide which governs this program.</p>	
44	Davis-Bacon and Related Acts:
<p>Subgrantee agrees to comply with the Davis-Bacon and Related Acts, which applies to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. The Davis-Bacon Act directs the Department of Labor to determine such locally prevailing wage rates. The Davis-Bacon Act prevailing wage provisions applies to the "Related Acts," under which federal agencies assist construction projects through grants, loans, loan guarantees, and insurance. For prime contracts in excess of \$100,000, contractors and subcontractors must also, under the provisions of the Contract Work Hours and Safety Standards Act, as amended, pay laborers and mechanics, including guards and watchmen, at least one and one-half times their regular rate of pay for all hours worked over 40 in a workweek. The overtime provisions of the Fair Labor Standards Act may also apply to DBA-covered contracts. For more information, check the following US Department of Labor website link. https://www.dol.gov/whd/govcontracts/dbra.htm</p>	
45	Contractor Planning Requirements:
<p>All subgrants utilizing a contractor will submit copies of agendas, notes/minutes, and sign-in sheets for meetings between subgrantee and contractor(s). Subgrantees MUST include a list of planned and completed meeting dates. These documents MUST be submitted with monthly progress reports. Copies of all final work products (i.e. plans, SOPs/SOGs, exercise documentation) must be submitted prior to the final request for reimbursement.</p>	

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

O.M.B. No. 1660-0025
Expires July 31, 2008

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 1.7 hours per response. The burden estimate includes the time for reviewing instructions and searching existing data sources, gathering and maintaining the data needed and completing, and submitting the form. You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (1660-0001). **NOTE: Do not send your completed form to this address.**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying" and 28 CFR Part 17, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the transaction, grant, or cooperative agreement.

1. LOBBYING

As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperating agreement over \$ 100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any other person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal Grant or cooperative agreement, the undersigned shall complete and submit Stand Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

Standard Form-LLL "Disclosure of Lobbying Activities" attached
(This form must be attached to certification if nonappropriated funds are to be used to influence activities.)

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A.

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of a or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause of default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE
(GRANTEE OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17.615 and 17.620-

A. The applicant certifies that it will continue to provide a drug-free workplace by;

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about-

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

- (1) Abide by the term of the statement; and
- (2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring ion the workplace no later than five calendar days after such convictions;

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Michelle Gordon, Finance Director

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: **January 7, 2021**

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

Date Requested – 2nd Choice:

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

- Review of FY22 Budget Charge for Departments – 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? \$ **NA**

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 NO** Internet/Wi Fi **Y/N NO** Telephone for conference call **Y/N NO**

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT

Jane Tabb

VICE PRESIDENT

Ralph Lorenzetti

COMMISSIONER

Josh Compton

COMMISSIONER

Patricia A. Noland

COMMISSIONER

Caleb Wayne Hudson

To: Jefferson County Commission
From: Michelle Gordon, Finance Director
Date: December 17, 2020
Subject: FY22 Budget Charge

Tax Levy Rate

The County realized an increase in tax revenue of approximately \$537,000 in FY20 over FY19 (\$14,365,058 and \$13,827,216 respectively) and is projected to increase by \$154k for FY21 (\$14,519,911). The projected increase for the FY22 preliminary budget is approximately \$618,000, or from \$14,944,397 for FY21's budget to \$15,128,654 for FY22's preliminary budget. Final assessment values are not available from the Assessor until late January or early February.

Preliminary numbers indicate that real property assessed values will increase by 2.3% or \$89 million in FY22 over the total assessed values of \$3.88 billion in FY21. The increase is a result of new construction totaling \$417 million which is offset by a decrease of -8.5% in the market value of existing properties (-\$328 million). During fiscal years 2016-2021, the County realized an average annual growth in the total assessable base of 3.7% with 1.9% of that growth being attributable to new construction. For projection purposes, the percentage increase used for assessable base growth is 2.3% for FY22 tax revenue estimates.

The levy rate is driven by growth in the assessable value of existing properties. New construction does not impact that calculation; however, new construction impacts the final calculation of tax revenue generated. The County reached the maximum levy rate in FY19; and, the class II levy rate remained at the max levy rate of \$28.60 cents per \$100 of assessed value for FY21. Based on preliminary calculations of the FY22 Levy Rate, the decrease in assessable base growth for existing properties will mean that tax rate will remain at the max levy rate of \$28.60 cents per \$100 of assessed value for class II property.

FY22 and Future Year Budget Projections

Revenue and expenditure projections reflect increases or decreases in FY22 and future years based on the historical trend for all accounts except:

- **Video Lottery Revenue-** To estimate FY22's revenue of \$2,114,800, a decrease of -4.4% from FY21's projected revenue (\$2,212,000) was included. The five year projection includes increases in revenue for FY23 and FY24 as the County economy is expected to slowly recover from COVID19 pandemic business closures, and reductions in business hours and capacity. Future years after FY24 reflect that this revenue will return to a flat revenue stream based on COVID19 pandemic destabilization of this revenue.
- **Table Game Revenue-** As a result of the COVID19 pandemic, FY20's actual table game revenue decreased by -20.0% or from \$635,682 in FY19 to \$508,749 in FY20. FY19 was the first year since FY12 that this revenue did not decline. FY21's revised budget is \$479,400. FY21 is projected to end the fiscal year at \$392,170, which is a

County Administrator
Stephanie Grove

Deputy County Administrator
Sandy Slusher McDonald

decrease of -22.9% from FY20. This revenue stream has been impacted by the COVID19 pandemic business closures, and reductions in business hours and capacity and additional decreases were included for FY22. A (6.8%) decrease from FY21's projected revenue (\$392,170) was used to project FY22's revenue (\$365,400). The five year projection includes increases in revenue for FY23 and FY24 as the County slowly recovers from COVID19 pandemic business closures. Future years after FY24 reflect that this revenue will return to a flat revenue stream.

- **Medical Insurance Expense-** Based on discussions with our insurance representative and the anticipated continuance of the Affordable Care Act, we should plan on continued increases for FY22 and future years. For projection purposes, an increase of 5% annually was included. For FY22, that 5% increase amounts to \$115,000. For FY21, an analysis of employer versus employee premiums showed that the County was paying a much higher portion of insurance premiums than that of surrounding government offices. The Commission adopted a plan to close this gap; and that plan will slowly increase the employee portion of insurance premiums from FY21 through FY29.
- **Employee Salaries-**
 - **Merit Increases** - Full-time employees have received regular increases since FY17. In FY19, the County realigned the grade scale and implemented a performance or merit based system for employee annual increases that would become effective on employee hire dates. In the FY22 projections, the cost of a full year for employee merit increases was included at \$195,000. Future increases of 2% were included in FY23 through FY26.
 - **Cost of Living Adjustments (COLA's)**—To ensure that the County is maintaining competitive salaries with neighboring States and other WV Counties, I recommend the continuance of regular COLA's for employees through adjustments of the County's grade scale. The projection includes \$75,000 in FY22 for a COLA. Future years also include 0.7% for COLA's. COLA's are generally determined based on the CPI (Consumer Price Index) for the previous year. The CPI index rate for 2019 is 2.3; and the average for 2020 through October is 1.23.

Budget Charge Items

- Thorough review of Ambulance Fee to ensure that the fee being charged covers the cost of providing services. Review and adjustment of the tiers to accommodate the completion of a plant in Ranson, WV.
- New Fee Consideration (continuance from last fiscal year) - Implementation of a fire fee in accordance with WV Code, §7-17, County Fire Boards. Establish a fire fee to cover the cost of contributions made to support local volunteer fire companies. Authorize Staff to begin the lengthy process:
 1. Contact legislators regarding Dual Fees.
 2. Begin the process established in §7-17-12. County fire service fees; petition; election; dedication; and increase
- Employee COLA

1%	\$110,000
2%	\$218,000
3%	\$327,000
- Review of County Administrative Office building needs assessment that may include debt issuance and the determination of a funding source for debt payments.
- Other

	2 Year Actuals		Projected			Projection				
	Actual	Actual	FY21		Proj	Budget	TREND	TREND	TREND	TREND
	FY19	FY20	Projection	Budget	Chg %	FY22	FY23	FY24	FY25	FY26
Revenue										
Taxes	13,827,216	14,365,058	14,519,911	14,944,397		15,128,654	15,562,885	15,998,485	16,458,385	16,932,085
<i>Tax Revenue % Inc/(Dec)</i>	2.0%	3.9%	1.1%	4.0%		1.2%	2.9%	2.8%	2.9%	2.9%
Tax Penalties	308,187	290,822	300,000	311,080	1.0%	303,000	306,030	309,090	312,180	315,300
Property Transfer	878,427	1,121,056	1,258,000	1,007,000	1.5%	1,276,870	1,296,020	1,315,460	1,335,190	1,355,220
Gas/oil	85,562	100,552	65,027	103,570	2.0%	66,330	67,660	69,010	70,390	71,800
Horse Racing	9,681	6,510	45,000	6,500	2.0%	45,900	46,820	47,760	48,720	49,690
Wine Liquor	43,303	255,144	310,000	250,810	2.0%	316,200	322,520	328,970	335,550	342,260
Hotel Occupancy	768,424	600,516	455,868	844,200	5.0%	638,220	765,860	788,840	828,280	869,690
<i>Hotel Occ % Inc/(Dec)</i>	4.1%	-21.9%	-24.1%	40.6%		40.0%	20.0%	3.0%	5.0%	5.0%
Hotel Occupancy- Other Entity	3,067	38,193	30,000	3,100		30,000	30,000	30,000	30,000	30,000
Waste Coal	5,562	-	-	-		-	-	-	-	-
Bldg Permits	328,778	412,819	430,000	386,640		464,400	496,910	511,820	527,170	532,440
<i>Building Permit % Inc/(Dec)</i>	19.2%	25.6%	4.2%	-6.3%		8.0%	7.0%	3.0%	3.0%	1.0%
Grants	506,093	2,734,578	2,350,024	370,506		320,000	270,000	270,000	270,000	270,000
Payment in lieu of taxes	19,296	22,324	22,000	20,000		22,000	22,000	22,000	22,000	22,000
Sheriff Service Process	17,051	15,175	18,900	18,900		17,900	18,000	18,000	18,000	18,000
Sheriff Earnings	190,623	202,011	190,500	190,500	1.0%	192,300	194,220	196,160	198,120	200,100
Clerk Earnings	192,584	242,582	201,600	198,800	0.5%	211,200	212,260	213,320	214,390	215,460
Circuit Clerk Earnings	59,453	57,547	60,000	60,000	1.0%	60,000	60,600	61,210	61,820	62,440
Prosecuting Earnings	2,133	2,099	2,000	1,841	1.0%	1,893	1,910	1,930	1,950	1,970
Charges for Services	40,860	18,505	58,000	41,100		-	-	-	-	-
Rent	306,906	307,700	316,484	316,484	2.0%	316,484	322,810	329,270	335,860	342,580
Ambulance Billings (In Kind Fire)	-	916,183	920,000	-	1.0%	929,200	957,076	985,788	1,035,000	1,035,000
911 Fees	1,909,532	2,046,615	1,905,700	1,962,900		1,962,900	1,982,500	2,002,300	2,022,300	2,042,500
<i>911 Fees % Inc/(Dec)</i>	8.4%	7.2%	-6.9%	-4.1%		3.0%	1.0%	1.0%	1.0%	1.0%
Franchise Agreements	824,770	538,780	566,000	566,000		577,300	583,100	588,900	594,800	600,700
<i>Franchise Fees % Inc/(Dec)</i>	57.7%	-34.7%	5.1%	5.1%		2.0%	1.0%	1.0%	1.0%	1.0%
IRP fees	18,789	14,694	17,200	17,200	1.0%	19,000	19,190	19,380	19,570	19,770
Jail fees	97,087	81,112	98,000	98,000	0.5%	98,000	98,490	98,980	99,470	99,970
Interest	36,954	41,153	57,490	33,413	0.2%	38,502	38,580	38,660	38,740	38,820
Misc revenue	66,434	58,943	4,300	4,300	1.0%	50,400	50,900	51,410	51,920	52,440
Sheriff Commission	11,514	9,160	11,520	11,600	1.0%	11,600	11,720	11,840	11,960	12,080
Table Games	635,682	508,749	392,170	479,400		365,400	372,700	380,200	380,200	372,600
<i>Table Games % Inc/(Dec)</i>	0.3%	-20.0%	-22.9%	-5.8%		-6.8%	2.0%	2.0%	0.0%	-2.0%
Filing Fees	4,941	-	-	-		-	-	-	-	-
Video Lottery	2,999,873	2,428,346	2,212,202	2,314,600		2,114,800	2,157,100	2,200,200	2,200,200	2,156,200
<i>Video Lottery % Inc/(Dec)</i>	-1.3%	-19.1%	-8.9%	-4.7%		-4.4%	2.0%	2.0%	0.0%	-2.0%
Reimbursements	267,937	193,321	170,000	184,300	1.0%	175,500	177,260	179,030	180,820	182,630
Gain/Loss on Sale of Fixed Assets	10,922	-	-	-		-	-	-	-	-
Charges to other entities	-	-	58,000	-		-	-	-	-	-
Trans from other entities	220	1,530	-	-		-	-	-	-	-
General School Reimbursements	307,276	252,026	264,000	264,000	1.0%	264,000	266,640	269,310	272,000	274,720
Trns Assessor Val fund	510,200	522,609	536,275	536,275	2.0%	526,515	537,050	547,790	558,750	569,930
Total Revenue	25,295,337	28,406,412	27,846,171	25,547,416		27,473,668	28,205,887	28,870,901	29,568,735	30,123,395

	2 Year Actuals		Projected			Projection				
	Actual	Actual	FY21		Proj	Budget	TREND	TREND	TREND	TREND
	FY19	FY20	Projection	Budget	Chg %	FY22	FY23	FY24	FY25	FY26
Expenditures										
Commission	1,928,692	2,036,168	1,878,671	1,907,280	2.0%	1,916,200	1,954,520	1,993,610	2,033,480	2,074,150
Employee Increases (~2% Merit)	-	-	-	-		195,000	198,900	202,878	206,936	211,074
Employee Increases (COLA)	-	-	-	-		75,000	80,300	85,900	91,900	98,300
County Clerk	677,164	740,849	653,325	663,274	2.0%	666,400	679,730	693,320	707,190	721,330
Circuit Clerk	623,346	632,535	500,838	508,465	2.0%	510,900	521,120	531,540	542,170	553,010
Sheriff's Tax Office	506,881	512,826	490,122	497,586	2.0%	499,900	509,900	520,100	530,500	541,110
Prosecuting Attorney	1,806,652	1,839,523	1,686,879	1,712,568	2.0%	1,720,600	1,755,010	1,790,110	1,825,910	1,862,430
Assessor	530,016	509,367	442,592	449,332	2.0%	451,400	460,430	469,640	479,030	488,610
Assesor Valuation Fund	508,508	519,867	528,231	536,275	2.0%	526,515	537,050	547,790	558,750	569,930
State Wide Computer Network	57,865	32,984	54,048	54,871	2.0%	55,100	56,200	57,320	58,470	59,640
Agricultural Agent	122,803	126,621	116,224	117,994	2.0%	118,500	120,870	123,290	125,760	128,280
County Clerk Elections	311,982	321,820	283,471	287,788	2.0%	289,100	294,880	300,780	306,800	312,940
Magistrate Court	2,298	2,963	2,955	3,000	2.0%	3,000	3,060	3,120	3,180	3,240
Insurance Program	-	-	2,347,870	2,383,624	2.0%	2,394,800	2,442,700	2,491,550	2,541,380	2,592,210
Health Increases (5%)	-	-	-	-		115,001	115,000	120,750	126,788	133,127
Maintenance Dept	1,078,105	1,045,787	1,051,767	1,067,784	3.0%	1,083,300	1,115,800	1,149,270	1,183,750	1,219,260
Other Building	710,177	613,514	715,406	726,300	2.0%	729,700	744,290	759,180	774,360	789,850
Data Processing (IT)	438,865	526,872	539,259	547,471	2.0%	550,000	561,000	572,220	583,660	595,330
RDA	19,794	19,794	29,524	29,974	2.0%	30,100	30,700	31,310	31,940	32,580
EC Development	553,549	528,383	451,706	458,585	2.0%	460,700	469,910	479,310	488,900	498,680
Engineering, Planning, Zoning, GIS	1,379,995	1,472,612	1,256,586	1,275,722	2.0%	1,281,700	1,307,330	1,333,480	1,360,150	1,387,350
Hotel Occupancy Other Entities	3,067	38,193	30,000	3,100		30,000	30,000	30,000	30,000	30,000
Contingency for Emergencies	-	-	197,000	200,000		200,000	200,000	200,000	200,000	200,000
Law Enforcement	4,313,311	4,209,711	3,830,009	3,888,334	2.0%	3,906,600	3,984,730	4,064,420	4,145,710	4,228,620
Service of Process	18,700	9,096	18,617	18,900		17,900	18,000	18,000	18,000	18,000
Regional Jail	1,204,513	759,070	1,034,250	1,050,000	2.0%	1,054,900	1,076,000	1,097,520	1,119,470	1,141,860
Regional Jail % Inc/(Dec)	-23.9%	-37.0%	36.3%	38.3%		2.0%	2.0%	2.0%	2.0%	2.0%
Homeland Security	238,496	233,985	236,797	240,403	2.0%	241,500	246,330	251,260	256,290	261,420
Communication Center (911)	1,807,990	1,908,901	1,967,323	1,997,282	2.0%	2,006,700	2,046,830	2,087,770	2,129,530	2,172,120
JCESA - Ambulance	2,102,376	1,493,683	2,697,847	2,622,847	2.0%	2,751,800	2,806,840	2,862,980	2,920,240	2,978,640
JCESA - Fire	665,000	2,263,293	1,497,500	577,500	0.0%	1,506,700	1,534,576	1,563,288	1,612,500	1,612,500
Animal Control	283,849	238,373	229,485	232,980	2.0%	234,100	238,780	243,560	248,430	253,400
Central Garage	301,626	256,392	308,186	312,879	6.0%	326,700	346,300	367,080	389,100	412,450
Health Department	79,980	80,380	80,782	80,782	2.0%	81,186	82,810	84,470	86,160	87,880
Parks and Recreation	742,886	675,974	785,813	803,892	2.2%	712,182	814,053	825,956	845,289	865,524
Arts and Humanities	15,367	12,010	9,117	16,884	5.0%	12,764	15,317	15,777	16,566	17,394
Historical Commission	25,257	17,784	13,501	25,001	5.0%	18,901	22,681	23,361	24,530	25,756
Visitors Bureau	384,213	307,758	285,934	422,100	5.0%	319,110	382,930	394,420	414,140	434,845
Library	330,000	330,000	330,000	330,000	0.0%	330,000	330,000	330,000	330,000	330,000
Public Transit	20,000	60,000	30,000	30,000		20,000	20,000	20,000	20,000	20,000
Total Expenditures	23,793,323	24,377,088	26,611,635	26,080,777		27,443,959	28,154,877	28,736,330	29,366,958	29,962,840
Net Surplus / (Deficit)	1,502,014	4,029,324	1,234,536	(533,361)		29,709	51,009	134,571	201,776	160,554

	2 Year Actuals		FY21		Proj Chg %	Projected Budget FY22	Projection			
	Actual FY19	Actual FY20	Projection	Budget			TREND FY23	TREND FY24	TREND FY25	TREND FY26
Net Surplus / (Deficit)	1,502,014	4,029,324	1,234,536	(533,361)		29,709	51,009	134,571	201,776	160,554
Transfers from/ (to) Other Funds										
Transfers to Capital Outlay Fund										
Trns to Capital Fund (5% Gambling)	(562,000)	(600,000)	(740,000)	(740,000)		(2,107,807)	-	-	(66,793)	(61,221)
Trns to Capital Fund	(38,755)	-	(3,710,810)	(3,710,810)		-	-	-	-	-
Subtotal Trns to Capital Outlay Fund	(600,755)	(600,000)	(4,450,810)	(4,450,810)		(2,107,807)	-	-	(66,793)	(61,221)
Trns from Coal Severance Fund	70,000	-	-	-		-	-	-	-	-
Trns from (to) Other Funds	146,169	136,381	-	-		-	-	-	-	-
Total Transfers Out of General Fund	(384,586)	(463,619)	(4,450,810)	(4,450,810)		(2,107,807)	-	-	(66,793)	(61,221)
Net Uses of Funds -Surplus/(Deficit)	1,117,428	3,565,705	(3,216,274)	(4,984,171)		(2,078,098)	51,009	134,571	134,984	99,333
Fund Balance										
Beginning Fund Balance	5,186,147	6,303,575	9,869,280	9,336,259		6,653,006	4,574,908	4,625,917	4,760,488	4,895,472
Net Change in Fund Balance	1,117,428	3,565,705	(3,216,274)	(4,984,171)		(2,078,098)	51,009	134,571	134,984	99,333
Ending Fund Balance	6,303,575	9,869,280	6,653,006	4,352,088		4,574,908	4,625,917	4,760,488	4,895,472	4,994,805
Fund Balance as a % of Operating Exp	26.49%	40.49%	25.00%	16.69%		16.67%	16.43%	16.57%	16.67%	16.7%

Jefferson County Commission FY22 Budget Process Calendar

- **November:** Finance Director to compile estimate of revenues
- **December 1, 2020:** More accurate property valuations are available. Finance Director to adjust projected revenues
- **December 17, 2020:** Budget Charge from Commissioners
- **Mid December 2020:** Preliminary health insurance renewal rates available
- **Last week of December 2020:** Budget reports distributed to departments (per auditor's office should be done no later than the 1st week of February)
- **January 20, 2021:** Department Heads to return budgets to Finance Director (per regulation must be done by March 2nd)
- **January 25, 2021:** Elected Officials to return budgets to Finance Director (per regulation must be done by March 2nd)
- **January 31, 2021:** Budget Binders distributed to Commissioners
- **February 2, 2021:** Tuesday evening Budget 101 (7PM)
- **February 8 – 12:** Need to schedule two to three full days of individual department budget presentations to the Commissioners
- **March 2, 2021:** Assessor to certify value of real and personal property (per regulation must be done by March 3rd)
- **March 8 – 12:** Schedule community forum for public hearing of budget (per regulation must be done between March 7th and March 28th)
- **Mid March 2021:** Final health insurance renewal rates obtained
- **March 18, 2021:** Currently, this is an evening regular session. Commissioners adopt budget (per regulation must be done by March 29th) or **Special Session on Tuesday, March 23, 2021.**
- **March 25, 2021:** Budget must be published by March 28th each year in the local paper of record.
- **April –May 2021:** Health insurance renewal rates/options presented to Commissioners
- **April 20, 2021:** Commissioners reconvene and consider any objections, and proceeds with the laying of property tax levy rates (per regulation must be done on April 20th, the 3rd Tuesday of April) – Normally a 9:30 meeting.
- **April 23, 2021:** Finance Director to forward the levy order to the State Auditor's Office (per regulation must be done within 3 days of the 3rd Tuesday in April)



AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name: **Sandy McDonald, Deputy County Administrator**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 7, 2021**

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

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

Subject (*Wording to be placed on agenda*): **Notice for the 2021 Board of Review and Equalization Notice - 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*):

Motion to approve the Board of Review and Equalization Notice for the purpose of reviewing and equalizing assessments for the tax year 2021 and to authorize staff to advertise the notice

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.](#)



Dave Hardy
Secretary of Revenue

STATE TAX DEPARTMENT

Dale W. Steager
State Tax Commissioner

December 15, 2020

TO ALL COUNTY COMMISSIONS
STATE OF WEST VIRGINIA

Dear Commissioners:

Historically, the staff of the Property Tax Division has worked with the county offices in determining when our personnel will be available to appear at county hearings. However, due to ongoing budget constraints and shortage of Tax Department personnel, this practice will change somewhat from past years. It has become necessary to schedule hearings within the same proximity within a closer time-period and it is our goal to handle as many hearings as possible over the phone, which will eliminate the need for travel and State expenses.

I will be working with county personnel in determining when our employees will be available for hearings. Therefore, we are requesting that if you already have dates set for Board of Review and Equalization hearings, you list those dates on the attachment. Once we receive this information, we will contact your office to coordinate a date and time that is agreeable for all parties.

Should you have questions, please feel free to contact me at cindi.r.hoover@wv.gov

Sincerely

A handwritten signature in black ink that reads "Cynthia R Hoover".

Cynthia R Hoover
Tax & Revenue Manager
Property Tax Division

KP/aj

Attachment

cc: All County Assessors
State of West Virginia

NOTICE
Board of Review and
Equalization

The County Commission of Jefferson County will convene as a Board of Review and Equalization in the County Commission Courtroom at the Courthouse of said County, 100 E. Washington Street, Charles Town, WV on Thursday, January 28th, 2021, at 1:30 p.m., for the purpose of reviewing and equalizing assessments returned by the Assessor of Jefferson County for the tax year 2021.

If you disagree with your appraisal, you may appeal by filing a written petition for an informal review with your county Assessor within eight (8) business days of receiving your Notice of Increase in Assessment.

Please be advised that questions of property tax class changes, questions of taxability or late filing requesting of farm use valuation shall not be addressed.

The Jefferson County Commission will continue to sit as a Board of Review and Equalization in February, 2021 and hold hearings at the Courthouse of said County, 100 E. Washington Street, Charles Town, WV on the following dates and times:

Thursday	January	28, 2021	1:30 p.m.
Tuesday	February	2, 2021	1:30 p.m.
Thursday	February	4, 2021	1:30 p.m.
Tuesday	February	9, 2021	1:30 p.m.
Thursday	February	11, 2021	1:30 p.m.
Tuesday	February	16, 2021	1:30 p.m.

Persons wishing to appear before the Commission should apply with the Assessor's office no later than Friday, February 5, 2021 in order to complete the proper forms and to schedule a hearing date prior to the planned final hearing date of Tuesday, February 16th, 2021.

In the alternative, you may also request an appeal by filing a written protest with the Clerk of the County Commission no later than February 19, 2021, indicating you wish your protest to be heard by the County Commission sitting as a Board of Assessment Appeals in October, 2021. If the Board of Review and Equalization has adjourned sine die before February 19, 2021, and a request to have your protest heard by the Board of Assessment Appeals is filed no later than February 19, 2021 with the Clerk of the County Commission, your appeal will be heard by the County Commission sitting as a Board of Assessment Appeals in October, 2021.

Given under my hand this 7th day of January, 2021.

JACQUELINE C. SHADLE, COUNTY CLERK



COMPLETED 2020 PROJECTS

December 31, 2020

Financial Management

1. FY-19 audit – **Complete June 2020**
2. FY-21 Budget presentation – **Complete February 2020**
3. FY-21 Budget approval – **Complete July 8, 2020**

Peter Burr Farm

1. Renew MOU for mowing - JCPRC and JCHLC – **MOU not renewed, but JCPRC contracted to mow**
2. Update PBF master plan
3. Upgrades and maintenance
 - a. Install grease trap in kitchen
 - b. Paint main house
 - c. Replace barn roof – **Complete November 20, 2020**
 - d. Repoint chimney on main house kitchen
 - e. Repair Men's bathroom – **Complete September 21, 2020**
4. Archeology collection rehousing

Duffield's Depot

1. Fundraise for building preservation
2. Apply for WV Development grant for ground water control – **Submitted April 6, 2020 - Approved in November but JCHLC chose not to accept**
3. Contact CSX to determine what can be built next to a very active rail line – **Complete Dec. 2020**
4. Contract for grounds maintenance – **Hired Larry Shipley for summer 2020**
5. Secure & mothball the building
 - a. Contract for ground water control?
 - b. Get electrical service near the building – **Complete November 2020**
 - c. Repair or replace windows and doors – **Windows repaired and installed. Doors on order**
 - d. Elevation and boundary survey – **Complete November 2020**
 - e. Structural replacement of flooring
 - f. Remove debris
 - g. Replace west gable end with stone?
 - h. Preservation of interior details
6. Hold public meetings about future use

Jefferson County Civil War Battlefield Projects

1. **Shepherdstown Battlefield**
 - a. Lobby for Antietam National Battlefield boundary expansion
 - b. ABT Park Day April 2020 – **CANCELED DUE TO COVID-19**
 - c. SBPA fall cleanup – **Complete October 24, 2020**
2. **Harpers Ferry Historical Park**
3. **Smithfield Crossing Battlefield**

Projects with Engineering, GIS, Planning and Zoning Department

1. Delay of demolition ordinance for historic structures
2. Explore sharing a full-time employee with Office of Planning & Zoning

Route 340 Mitigation

1. Hired contractor, Maral Kaliban, to research and write four NR nominations – **Complete April 16, 2020**
 - a. NR nomination for *Spring Grove/Olive Boy* will be presented on **March 1, 2021 at WVA&C committee meeting**
 - b. NR nomination for Wayside Farm

Blakeley Easement Project

1. Assign conservation easement portion of 1988 easement to LTEP
 - a. Baseline survey
 - b. Prepare easement in conjunction with LTEP
 - c. Budget for contribution to LTEP stewardship fund, \$2,500 per year for two years

Heritage Tourism

1. Lobby for Antietam Battlefield boundary expansion
2. Lobby Corporation of Shepherdstown to create, plan and execute events on the Shepherdstown Battlefield & Packhorse Ford, e.g. Potomac River Walk, reenactments, etc.
3. Lobby **Journey Through Hallowed Ground National Heritage Area** to redraw their boundaries to include Shepherdstown and Charles Town – **Sent email January 14, 2020 - organization seems to be inactive**
4. Signage for bike trails along Civil War troop march routes
5. Write and distribute *Duffield's Depot* brochure – **In draft - still researching to determine content**
6. Combine & update *Peter Burr Farm* brochure – **Complete June 2020**

Fundraising and Grants

1. Submit project grants as appropriate -
2. Rename *Our History, Our Community* Endowment Fund to become the *Jefferson County Historic Preservation Fund* – **Complete February 21, 2020**
 - a. Focus on JCHPF: \$55,719 as of 12/3/20
 - b. JCHLC budget line item of \$2,500 every fiscal year – **Complete July 1, 2020**
3. Other Designated Funds at EWVCF
 - a. Katherine Burr Jackson Fund for the Peter Burr Farm – \$14,812.00 as of 10/2020
 - b. Reliving History Fund for the Peter Burr Farm - \$17,520 as of 10/2020

Celebrating Historic Preservation Month – May - CANCELED DUE TO COVID-19

1. Start planning a month-long campaign for 2020
 - a. Article in the *Observer*
 - b. Art show in conjunction with the high schools' art departments
 - c. Two to four lectures
 - d. Fundraising gala

Partnerships

1. Joint meeting with JC Historical Society
2. Partnering with JCCVB on heritage tourism projects
3. Partnering with JCFPB on Farmland/Battlefield land easements
4. Safe Water Conservation Collaborative



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3. **Smithfield Crossing Battlefield**

- a. Support Middleway Conservancy for battlefield land acquisition
- b. NFM 1 LLC - land acquisition?
- c. Lake Louise
- 4. **Summit Point Battlefield**
 - a. Support battlefield friends' group
 - b. Kubic property acquisition?
- 5. **Williamsport Action**

NR projects and documentation of historic sites

- 1. Begin resurveying and verifying JCHLC inventory
- 2. Submit supplemental information for any current NR properties
- 3. Apply for National Historic Landmark status for JC Courthouse – **Draft NHL nomination received 3/2/20 – reviewed and returned 3/19/20- nomination now awaits NHL Committee review which will happen in 2021**
- 4. NR nomination *Taylor's Landing/McMurrin Farm* –**will be presented on March 1, 2021 meeting**
- 5. NR nomination *The Rocks* – **Complete as of December 3rd when the Rocks was added in the NR**
- 6. Research ways of adding HR inventory data to database in GIS Office
- 7. Update online information; Maps and database
- 8. JCHLC nomination *Rose Lawn* – **COMPLETE APRIL 18th**
- 9. National Register nomination *Beelers Mill* – Assigned to John Demer
- 10. Add two barns as JC Historic Landmarks – *Altona & Boidestone's* – **COMPLETE JULY 8th**

Education Projects

- 1. Host a full-time AmeriCorps Member, McKenzie Hitchcock - **Complete September 2020**
- 2. Apply part-time AmeriCorps Member for 2020-2021– **Complete April 6, 2020. Due to COVID JCHLC decided not to host a part-time AmeriCorps Member 20-21**
- 3. Renew MOU with Shepherd University – **Complete January 15, 2020**
- 4. Make **Clio** entries on historic sites in JC - **ongoing**
- 5. Seek funding for semi-annual speaker series: Topics might include:
 - a. Rural Design Standards for Jefferson County
 - b. Adaptive reuse and local zoning
 - c. Adaptive reuse of agricultural structures
- 6. WV GeoExplorer Project
 - a. Future for WV GeoExplorer
 - b. Funding possibilities for WV GeoExplorer
Jefferson County Historical Society
APUS

Morgan's Grove Historic District

- 1. Monitor progress on the Shepherdstown bike path and its impact on historic sites
- 2. Highway marking signs - MGHHD
- 3. Create a friend's group for MGHHD
 - a. Community Club project?
 - b. Rev War Activity – Annually in July?
 - c. Corporation of Shepherdstown?

Middleway Historic District

- 1. Support Middleway Conservancy projects
- 2. Design standards for Middleway Historic District– Comments on **draft received March 13th from MC**

Projects with Engineering, GIS, Planning and Zoning Department

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2. Explore sharing a full-time employee with Office of Planning & Zoning

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 - b. JCHLC budget line item of \$2,500 every fiscal year – **Complete July 1, 2020**
3. Other Designated Funds at EWVCF
 - a. Katherine Burr Jackson Fund for the Peter Burr Farm – \$14,812.00 as of 10/2020
 - b. Reliving History Fund for the Peter Burr Farm - \$17,520 as of 10/2020

Celebrating Historic Preservation Month – May - CANCELED DUE TO COVID-19

1. Start planning a month-long campaign for 2020
 - a. Article in the *Observer*
 - b. Art show in conjunction with the high schools' art departments
 - c. Two to four lectures
 - d. Fundraising gala

Partnerships

1. Joint meeting with JC Historical Society
2. Partnering with JCCVB on heritage tourism projects
3. Partnering with JCFPB on Farmland/Battlefield land easements
4. Safe Water Conservation Collaborative

Public Service Commission
Of West Virginia

201 Brooks Street, P. O. Box 812
Charleston, WV 25323



Phone: (304) 340-0300
FAX: (304) 340-0325

December 9, 2020

Jefferson County Commission
124 East Washington Street
Charles Town, WV 25414

SUBJECT: Disbursement of Wireless E-911 Subscriber Fees

Dear County Commissioner:

A check in the amount of \$293,070.67 representing a disbursement of Wireless E-911 subscriber fees **will be mailed directly from the West Virginia State Auditor's Office.** This amount is your County's share of the fees remitted to the Public Service Commission for the months of September, October and November 2020. The next disbursement will be in three months.

I can be reached at our toll-free number, 1-800-344-5113, Extension 364, or direct at 304-340-0364, should you have any questions about the disbursement calculation or about the fees in general.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Mitchell".

Sandra Mitchell
Budget & Finance Manager

SM:lr

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, January 21, 2021 or as soon thereafter as the Commission may decide:

**Planning Commission - one unexpired term ending March 31, 2021
and one unexpired term ending March 31, 2023**

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, by 12:00 pm on the Monday prior to the proposed date of appointment.

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

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, January 21, 2021 or as soon thereafter as the Commission may decide:

Jefferson County Emergency Services Agency Board - one unexpired term for Citizen Representative, ending June 30, 2022 and one three-year term for Citizen Representative, ending June 30, 2023

Per the Ordinance to Dissolve and Reconstitute the Jefferson County Emergency Services Agency: Section 3 - Joint Emergency Services Board

(f) No citizen member of the Board may provide fire service or emergency ambulance service in Jefferson County. Nor may any member of the Board have any immediate family member who provides fire service or emergency ambulance service in Jefferson County.

(g) No member of the Board, nor their immediate family member, shall have any interest in any firm, partnership, corporation or association engaged in the business of providing ambulance or fire service, nor in the manufacture, sale or lease of ambulance or fire equipment or facilities. For purposes of this ordinance, immediate family member shall mean a spouse or other person with whom a member is living as husband and wife and any child or children, grandchild or grandchildren and parent or parents.

(h) Employees of the Agency are not eligible to serve as members of the Board.

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

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