

AGENDA
JEFFERSON COUNTY COMMISSION
THIRD QUARTERLY SESSION - JULY - SEPTEMBER 2021
THURSDAY, SEPTEMBER 16, 2021
6:00 P.M.

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

This meeting will be accessible live through GoToWebinar. Invites will be posted on Facebook and email alerts.

The meeting will be limited to the number of in-person attendees due to COVID 19 restrictions. Five (5) attendees will be allowed in the meeting room at a time. Please email Info@jeffersoncountywv.org no later than 5:00 p.m. prior to the meeting to be added to the list. There is no registration needed for public comment.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- September 2, 2021 - Regular Meeting

APPROVAL OF REQUISITIONS

- September 16, 2021

APPROVAL OF ACCOUNTS PAYABLE

- September 9, 2021
- September 16, 2021

APPROVAL OF MANUAL CHECKS

- September 10, 2021
- September 17, 2021

APPROVAL OF PAYROLL

- September 10, 2021 - Stipend

ANNOUNCEMENTS

Report if there are changes in the agenda if applicable

PRESENTATIONS

1. 6:05 p.m. Angie Banks, Assessor
- Approval of Exonerations
2. 6:10 p.m. Tom Hansen, Sheriff
- Hire Part-time Bailiff
- Pay Adjustment
3. 6:20 p.m. Dennis Jarvis, Director of the Jefferson County Development Authority and Sean Feigo, President of the Jefferson County Development Authority Board
- Request to hire an Administrative Assistant for the JCDA
4. 6:30 p.m. Laura Kuhn, Maintenance Department
- Request for approval of funding to replace the Sheriff's Emergency Generator
5. 6:40 p.m. Interviews and Appointments to the following:
- Jefferson County Historic Landmarks Commission - one unexpired term ending March 31, 2022
- Jefferson County E911 Board - One 3-year term for Citizen Representative ending September 1, 2024
- Jefferson County Sheriff's Civil Service Commission - one 4-year term ending September 29, 2025
6. 6:55 p.m. **PUBLIC COMMENT** ***You may participate in public comment during the virtual meeting by raising your hand. Please submit comments via email to Info@jeffersoncountywv.org. Your comments will be included in the minutes and agenda correspondence. Please include your name.*
7. 7:10 p.m. Nathan Cochran, Assistant Prosecuting Attorney
 1. 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
 2. Discussion of legal issues regarding proposed solar text amendment including bonding, comprehensive plan, and related matters, including Jefferson County Civil Action No.'s 2021-C-33 through 37 and Jefferson County Civil Action No.'s 2021-C-46 through 50

8. 7:30 p.m. Chief Ross L. Morgan, Jefferson County Fire and Rescue Association
- Present and discuss proposed Fire Fee Ordinance

NEW BUSINESS

9. Resolution on Case Filing - CC-19-2021-C-33 - review the Circuit Court opinion and agree on a response to be delivered to the Judge related to issues that were raised in the Order and proceedings of the Jefferson County Planning Commission and Jefferson County Commission

COUNTY ADMINISTRATOR REPORTS

- County Complex Project
- Discuss administrative leave for absences related to COVID/COVID related issues

COUNTY COMMISSION REPORTS

10. **ADJOURN**

CORRESPONDENCE/INFORMATION

Notice of Special Session on Wednesday, October 13, 2021 at 9:30 a.m.

Correspondence received from Kara Smith regarding the Ambulance Fee.

Correspondence received from the League of Women Voters of Jefferson County regarding the American Rescue Plan.

Correspondence received from Richard Zigler regarding Solar as a primary permitted use.

Correspondence received from Richard Zigler regarding Solar is to be of Permitted Use status.

Correspondence received from Maura Ross regarding the Comprehensive Plan.

Correspondence received from Richard Deal, Jr. Regarding Utility scale solar.

Correspondence received from Rebecca Hamilton Oubouzar regarding the Comprehensive Plan and proposed amendment.

Correspondence received from Tim and Ellen Ross regarding the Amendment to the Comprehensive Plan.

Minutes for the July 9th, 2021 meeting received from the Harpers Ferry/Bolivar PSD.

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

Minutes

Jefferson County Commission

Thursday, September 2, 2021

A meeting of the Jefferson County Commission was held on Thursday, September 2, 2021 during the second quarterly session at 9:30 a.m. The meeting was held via GoToWebinar. Present were, Steve Stolipher, President, Tricia Jackson, Vice President, Clare Ath, Caleb Hudson, and Jane Tabb. Also present were Stephanie Grove, County Administrator; Sandy McDonald, Deputy County Administrator, and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, September 2, 2021 meeting is available on the Jefferson County Commission website.)

PLEDGE OF ALLEGIANCE

Commissioner Stolipher led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Stolipher to approve the August 19, 2021 Regular Meeting Minutes as presented/with noted correction. Motion seconded and unanimously approved.

Motion by Mr. Stolipher to approve the August 24, 2021 Special Session Minutes as presented/with noted corrections. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#		VENDOR NAME		AMOUNT
85151		ATLANTIC OCCUPSYCH INC.		1,300.00
85152		DR. ROBERT E JONES III		1,000.00
85153		GUTTMAN OIL CO		3,922.86
TOTAL				6,222.86

Motion by Mr. Stolipher to approve the Accounts Payable for August 26, 2021 in the amount of \$6,222.86. Motion seconded and unanimously approved.

CHECK#	VENDOR NAME	AMOUNT
85155	AHA-ARTS & HUMANITIES ALLIANCE	1,624.27
85156	ALICE N PAINTER	2,539.64
85157	ALLAN THOMAS	6,187.30
85158	AMERICAN FAMILY LIFE INSURANCE COMPANY ICU	2,606.00
85159	AMERIGAS	2,246.11
85160	AT&T	265.08
85161	AWVA-ASSOCIATION OF WV ASSESSORS	100.00
85162	BUREAU OF CHILD SUPPORT	561.24
85163	CITY OF CHARLES TOWN	48.00
85164	CLARE ATH	564.00
85165	COLONIAL LIFE	95.68
85166	DALE GOTTSCHALK	10.90
85167	DARYLL WIMER	3.77
85168	DEBBIE LOWE	650.49
85169	DELTA DENTAL OF WV	6,220.54
85170	DODSON SEPTIC SERVICE LLC	285.00
85171	EFTPS IRS TAXES	101,359.57
85172	EMPOWER RETIREMENT	5,741.93
85173	GUTTMAN OIL CO	4,012.49
85174	HIGHMARK WV	200,096.85
85175	JEFFERSON COUNTY HISTORIC LANDMARKS COMMISSION	2,405.14
85176	JEFFERSON COUNTY SOLID WASTE AUTHORITY	87.75
85177	JEFFERSON CO CONVENTION AND VISITORS BUREAU	40,606.73
85178	JEFF CO DEPUTY SHERIFF'S ASSOC	1,320.00
85179	JEFF CO PARKS & RECREATION COMMISSION	36,577.32
85180	JEFFERSON SECURITY BANK	4,219.00
85181	LANGUAGE LINE SERVICES	98.93
85182	NATIONAL VISION ADMIN.	1,693.62
85183	NICOLE NOBREGA	1,305.96
85184	NATIONWIDE RETIREMENT SOLUTIONS	834.00
85185	OLD CHARLES TOWN LIBRARY	1,500.00
85186	RICE TIRES CO	130.74
85187	RONALD DANTZIC	56.32
85188	SHENTEL	1,807.00

85189		SPIRIT OF JEFFERSON		125.40
85190		SSC-SOUTHERN STATES		150.80
85191		STATE TAX DEPARTMENT		822.22
85192		THE HARTFORD		3,565.40
85193		THE HARTFORD		2,273.30
85194		THE JOURNAL		208.00
85195		TODD FAGAN		329.69
85196		TRAVIS STELY		331.77
85197		US POSTAL SERVICE		20,000.00
85198		WV DEPUTY SHERIFF RETIREMENT SYSTEM		18,121.09
85199		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		44,146.59
85200		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		166.49
85201		XEROX FINANCIAL SERVICES		249.81
85202	FG/009	SHERIFF OF JEFFERSON CO		4,533.40
85203	SG/010	JEFFERSON DAY REPORT		38,750.00
85204	BS/011	SHERIFF OF JEFFERSON CO		8,993.13
85205	AM/053	AXION STAFFING GROUP		1,254.83
TOTAL				571,883.29

Motion by Mr. Stolipher to approve the Accounts Payable for September 2, 2021 in the amount of \$571,883.29. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
912	AV/56	CARLSON SOFTWARE		\$ 195.00
122	IP/249	TISCHLERBISE INC		\$ 1,010.00
114	IP/249	TISCHLERBISE INC		\$ 540.00
145	IP/249	TISCHLERBISE INC		\$ 485.00
137	IP/249	TISCHLERBISE INC		\$ 660.00
TOTAL				\$ 2,890.00

Motion by Mr. Stolipher to approve the Manual Checks for August 27, 2021 in the amount of \$2,890.00. Motion seconded and unanimously approved.

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
754	HD/8	SHERIFF OF JEFFERSON CO		\$ 2,103.25
913	AV/56	DLT SOLUTIONS		\$ 678.15
914	AV/56	MONROE SYSTEM FOR BUSINESS		\$ 491.90
TOTAL				3,273.30

Motion by Mr. Stolipher to approve the Manual Checks for September 3, 2021 in the amount of \$3,273.30. Motion seconded and unanimously approved.

PAYROLL APPROVAL

Motion by Mr. Stolipher to approve the Payroll for August 19, 2021 in the amount of \$262,249.17. Motion seconded and unanimously approved.

Motion by Mr. Stolipher to approve the Payroll for September 2, 2021 in the amount of \$277,020.21. Motion seconded and unanimously approved.

PRESENTATIONS

1. Matthew Harvey, Prosecuting Attorney and Tom Hansen, Sheriff – presentation of Proclamation honoring Ed Boober.
 - **Motion by Mr. Stolipher to accept the Proclamation honoring former sheriff Ed Boober, as presented. Motion seconded and unanimously approved.**

2. Matthew Harvey, Prosecuting Attorney – discussion of staffing needs and approval to hire a new employee.
 - **Motion by Mr. Stolipher to hire Lisa Driscoll as a part-time Victim Advocate at \$18.50/hr. until December 1, 2021 at which time the employee will be full-time at a salary of 43,900.00. Motion seconded and unanimously approved.**

3. Angela Banks, Assessor – presented the following Exonerations and Apportionments for approval:

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Carolyn Davenport	PP	CT	301453	\$18.20

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 301453 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Rebecca DeLauter	PP	CT	301336	\$189.48

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 301336 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Marilyn Cavallaro	PP	RC	313793	\$175.76

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 313793 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Brian & Diane Petrenick	PP	KD	310833	\$19.43

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 310833 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Russell & Sherry Dorsey	PP	MD	311978	\$174.90

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 311978 as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	TYPE	DISTRICT	TICKET NO.	AMOUNT
Thomas J. & Christie L. Kave	PP	MD	312448	\$242.92

- **Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 312448 as presented by the Assessor. Motion seconded and unanimously approved.**

4. Jacki Shadle, Clerk of the County Commission – requested approval to hire a voter & elections clerk and an assistant clerk.

- **Motion by Ms. Tabb to hire Michael Kevin Carden as a deputy clerk in the Voter Registration/Elections office at a salary of \$35,000, effective September 7, 2021 and Cornelia Hamm as a deputy clerk in the Recording office at a salary of \$32,000, effective January 10, 2022. Motion seconded and unanimously approved.**

5. Sheriff’s Office – requested approval of Promotional Raises and Grant application documents.

- **Motion by Mr. Stolipher to approve the promotional raises within the Sheriff’s Department as follows: \$900 each for Corporals Grantham, Mahony, and O’Shea; \$1,400 each for Sergeants Armel and Forman; and \$1,900 each to Lieutenants Holz and Sell and Captain Colbert. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to approve the Governor’s Highway Safety Program grant application up to \$148,000 and the budget resolution up to \$250,000 and authorize the President of the Commission to sign the associated documents. Motion seconded and unanimously approved.**

6. Michelle Gordon, Finance Director

- a. Creation of new bank account for County Administration Impact Fee
 - **Motion by Mr. Stolipher to approve the creation of a new, interest bearing checking account for the County Administration Impact Fee. Motion seconded and unanimously approved.**
 -
- b. Discussion of ARPA part-time employee, one-time premium pay stipend
 - **Motion by Mr. Stolipher to approve the part-time employee, one-time premium pay with eligibility criteria as presented/as amended effective 08/05/2021 with a pay date of 09/10/2021. Motion seconded and unanimously approved.**
- c. Schedule monthly meeting for review of American Rescue Plan Act (ARPA) Submissions
 - It was the consensus of the Commission to meet the second Wednesday of each month, beginning on October 13, 2021, to review and discuss the ARPA submissions.

7. Becky Burns, Office Manager – request to refund permit fees and impact fees.

- a. **Motion by Ms. Tabb to approve a partial refund of the building permit fee for Tiffany Lawrence & Karl Morris in the amount of \$596.31; a full refund of the impact fee in the amount of \$6,700.00; and to close the permit application on file. Motion seconded and unanimously approved.**
- b. **Motion by Ms. Tabb to approve a partial refund of the building permit fee for Denise Alford in the amount of \$368.03; a full refund of the impact fee in the amount of \$6,700.00; and to close the permit application file. Motion seconded and unanimously approved.**

8. Roger Goodwin, Chief County Engineer – requested the adoption of the Impact Fee Ordinances setting new fee.

- **Motion by Mr. Stolipher to adopt “An Ordinance Providing for the Imposition of A Public Schools Impact Fee on All New Residential Development,” effective September 3, 2021. Motion seconded and passes on a vote of 3-1 with Ms. Tabb opposing and Ms. Ath unrecorded.**

- **Motion by Mr. Stolipher to adopt “An Ordinance Providing for the Imposition of A Public Parks and Recreation Impact Fee on All New Residential Development,’ effective September 3, 2021. Motion seconded and unanimously approved.**

 - **Motion by Mr. Stolipher to adopt “An Ordinance Providing for the Imposition of A Law Enforcement Impact Fee on All New Residential Development,’ effective September 3, 2021. Motion seconded and unanimously approved.**

 - **Motion by Mr. Stolipher to adopt “An Ordinance Providing for the Imposition of An Emergency Medical Services (EMS) Impact Fee on All New Residential Development,’ effective September 3, 2021. Motion seconded and unanimously approved.**

 - **Motion by Mr. Stolipher to adopt “An Ordinance Providing for the Imposition of A County Administrative Facilities Impact Fee on All New Residential Development,’ effective September 3, 2021. Motion seconded and unanimously approved.**
9. Jeffrey A. Polczynski, Director, Emergency Communications – requested approval to hire two full-time public safety dispatchers.
- **Motion by Mr. Stolipher to hire Kaitlyn Dunn as a full-time public safety dispatcher at a salary of \$41,600.00, effective September 20, 2021. Motion seconded and unanimously approved.**

 - **Motion by Mr. Stolipher to hire Amanda Jackson as a full-time public safety dispatcher at a salary of \$37,751.00, effective September 20, 2021. Motion seconded and unanimously approved.**
10. Steve Allen, Director, Jefferson County Homeland Security and Emergency Management – requested the approval to hire Deputy Director/Planner/Program Manager.
- **Motion by Mr. Stolipher to approve the hire of Dick W. Myers for the position of Deputy Director/Planner/Program Manager for Homeland Security and Emergency Management at the rate of \$51,163.00 annually (Grade 5) and the understanding that if the candidate has a 6 month satisfactory performance, the salary will increase to \$52,163.00 annually. Motion seconded and unanimously approved.**

11. Renewal of Lease of Agricultural Land owned by the Jefferson County Commission – Commissioner Tabb recused herself and left the room during this discussion and vote.

- **Motion by Mr. Stolipher to renew the agricultural lease with Lyle C. Tabb & Sons, effective until January 1, 2023 and to amend the original lease agreement to state the five-year lease term no longer needs to be reviewed annually by the County Commission. Motion seconded and passes 3-1 with Commissioner Jackson opposing.**

12. Public Comment – provided by the following: Christine Marshall.

13. Nathan Cochran, Assistant Prosecuting Attorney

- a. 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.
 - b. Discussion of legal issues regarding proposed solar text amendment including bonding, comprehensive plan, and related matters, including Jefferson County Civil Action No.'s 2021-C-33 through 37 and Jefferson County Civil Action No.'s 2021-C-46 through 50
 - c. Report by Counsel on Opioid Case (Jefferson County Commission v. Perdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170)
 - d. Review and Confirmation of March 5, 2020 Amendments to ESA Ordinance and Bylaws.
- **Motion by Mr. Stolipher to allow Ms. Tabb to re-sign the Jefferson County Emergency Services Agency Ordinance and Bylaws, as adopted on March 5, 2020. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to enter into Executive Session to receive legal advice regarding the solar facilities text amendment; issues concerning the Jefferson County Emergency Services Agency; an update on the opioid case; and a presentation of the Organization of County Public Safety Department. Motion seconded and unanimously approved.**
 - **Motion by Mr. Hudson to come out of Executive Session. Motion seconded and unanimously approved.**

NEW BUSINESS

14. Consent Access to BCN Telecom Project Sites

- **Motion by Mr. Stolipher to allow access to BCN Telecom Project Sites as necessary. Motion seconded and unanimously approved.**

15. Discussion of masks and vaccinations

- **Motion by Mr. Stolipher to not impose a mask or vaccination mandate on county employees or within county buildings. Motion seconded and passes on a vote of 4-1 with Commissioner Tabb opposing.**

16. Discussion of potential amendment of Jefferson County Comprehensive Plan to include provision for solar facilities.

- **Motion by Ms. Jackson to request the Planning Commission to consider amending the Comprehensive Plan to clarify solar facilities be recognized as a principal permitted use throughout the rural and residential districts as quickly as possible, as allowed under 8a-3-11. Motion seconded and passes on a vote of 3-1 with Ms. Tabb opposing and Mr. Stolipher abstaining.**

COUNTY ADMINISTRATOR REPORTS

- Presentation of the Organization of County Public Safety Documents including Jefferson County Homeland Security and Emergency Management and 911 Communications – this topic was discussed in Executive Session.
- County Complex Project – there were no updates regarding this topic.

17. The Commission adjourned at 12:38 p.m. on a motion by Mr. Stolipher. Motion was seconded and unanimously approved.

Steve Stolipher, PRESIDENT

Respectfully submitted
Jessica Carroll
Executive Administrative Assistant

REQUISITIONS TO BE APPROVED

September 16, 2021

DEPARTMENT	Requisition No.	AMOUNT	VENDOR	DESCRIPTION
E-911 COMMUNICATIONS	21061	\$ 11,371.00	AV Lauttamus Communications	replacement chairs for E911 center
IT/DATA PROCESSING	22016	\$ 11,103.66	Granicus, Inc.	Annual Website Support
GRAND TOTAL		\$ 22,474.66		

DESCRIPTION	FUND 001 CO.		TOTAL
Gross Wages	\$26,714.21		\$26,714.21
6.2% Tax Payable OASDI	\$1,656.26		\$1,656.26
1.45% Tax Payable HI	\$387.36		\$387.36
Fed Withholding	\$2,190.27		\$2,190.27
WV State Withholding	\$1,345.15		\$1,345.15
PERS Retirement Deduct 4.5%	\$53.38		\$53.38
PERS Retirement Deduct 6%	\$334.38		\$334.38
Hosp. Pre-Taxed			\$0.00
Cancer/ICU Pre-Taxed			\$0.00
Cancer/ICU Not Pre-Taxed			\$0.00
Optional Life Not Pre Taxed			\$0.00
Christmas Club			\$0.00
Wage Attach #1			\$0.00
Wage Attach #2			\$0.00
Wage Attach #3			\$0.00
DSRS Retirement Deduct 8.5%			\$0.00
457 - Nationwide			\$0.00
457I - Empower			\$0.00
457R - Roth			\$0.00
MD State Tax			\$0.00
D/VF			\$0.00
VA State Tax			\$0.00
Colonial(Plus)			\$0.00
Uniforms			\$0.00
Total Deductions	\$5,966.80	\$0.00	\$5,966.80
Net Wages Total	\$20,747.41	\$0.00	\$20,747.41
Payroll Date	September 10, 2021		

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Angie Banks, Assessor

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

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **September 16, 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*):

Approval of Exonerations

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

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

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

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

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

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

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

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text.](#)

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Tom Hansen

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

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice next meeting

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

Date Requested – 2nd Choice:

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

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

I am requesting permission to hire Cormac Quinn to be added to the list of part-time bailiffs. The list does not guarantee hours it is simply a list of those available to call upon to ensure coverage. He would be used as needed at a rate of \$13.00 per hour. His start date will be September 20, 2021.

I am requesting a pay adjustment for John Paul Jones from \$12.50 to \$13.50 per hour. He has been employed since 2018 and his pay has never been adjusted when others are being hired at a higher rate. This change is within the budget.

Is this a funding request? Y/N

If so, how much? \$

Provide exact financial impact/request:

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

I move to approve the hire of Cormac Quinn as a part-time bailiff at a rate of \$13.00 per hour starting September 20, 2021.

I move to approve the pay adjustment for John Paul Jones from \$12.50 to 13.50 per hour.

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

If not attached, explain:

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

Contact information:

Email address: thansen@jeffersoncountywv.org

Phone Number: 304-728-3205

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Dennis Jarvis, II

Department or Organization: Jefferson County Development Authority

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

Date Requested – 1st Choice: **September 16, 2021**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **The JCDA requests permission to hire a candidate for the Administrative Assistant position for the JCDA. The JCDA would like for the position to begin no later than September 27, 2021.**

Is this a funding request? 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*):

The Jefferson County Commission approves the request to hire an Administrative Assistant for the JCDA.

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: djarvis@jcda.net

Phone Number: 304-728-3255

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jessica Carroll

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **September 16, 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 Following:

- ⬇ **Jefferson County Historic Landmarks Commission – one unexpired term ending March 31, 2022**
- ⬇ **Jefferson County E911 Board – one three-year term for Citizen Representative ending September 1, 2024**
- ⬇ **Jefferson County Sheriff's Civil Service Commission – one four-year term ending September 29, 2025**

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

The Jefferson County Commission proposes to name person(s) to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, September 16, 2021 or as soon thereafter as the Commission may decide:

Jefferson County Enhanced E-9-1-1 Board - One three-year term for Citizen Representative ending September 1, 2024.

Jefferson County Sheriff's Civil Service Commission - One four-year term ending September 29, 2025.

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.

16 Don Quixote Drive
Charles Town, WV 25414
August 17, 2021

Jessica Carroll – Executive Administrative Assistant
Jefferson County Commission
124 East Washington Street
P.O. Box 250
Charles Town, WV 25414

Dear Ms. Carroll,

Please accept this letter as evidence of my interest in being considered for another term as citizen-at-large representative on the E911 Advisory Board. I have attended all meetings except when I was unavailable due to work commitments.

Please let me know if you require any additional information.

Thank you.

Sincerely,



David S. Kimmel

Jessica Carroll

From: will liston <bsat220will@gmail.com>
Sent: Tuesday, August 10, 2021 3:20 PM
To: Jessica Carroll
Subject: Re: Notice of Term Expiration - Sheriff's Civil Service Commission

Ms Carrol,

Regarding my appointment to the Sheriff's Civil Service Commission. Please submit to the Jefferson County Commission my desire to be appointed to a second term. If you need a more formal letter or if there is another procedural requirement, please let me know.

Regards,
Will Liston
301-529-0887
r

On Tue, Aug 10, 2021 at 11:14 AM Jessica Carroll <jcarroll@jeffersoncountywv.org> wrote:
Mr. Liston -

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

Best,

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

-----Original Message-----

From: Helpdesk@jeffersoncountywv.org <Helpdesk@jeffersoncountywv.org>
Sent: Tuesday, August 10, 2021 10:56 AM
To: Jessica Carroll <jcarroll@jeffersoncountywv.org>

Jessica Carroll

From: Gmail Cox <sc0x2nd@gmail.com>
Sent: Tuesday, August 10, 2021 11:34 PM
To: JCCInfo
Subject: Deputy Sheriff Civil Service Commission
Attachments: Jefferson County Deputy Sheriffs Civil Service Commission.pdf; ATT00001.htm

Please except this as my interest in being appointed to serve as a Deputy Sheriff Civil Service Commissioner.

Stephen C Cox II

37 Cox Henry Lane Summit Point, WV 25446
(304) 728-2200 | scox2nd@gmail.com

Request to review for appointment:

Jefferson County Deputy Sheriffs Civil Service Commission

I am a long-time resident of Jefferson County, married (wife Julie Cox) with three children. I have been involved in Law Enforcement and the Criminal Justice system since 15 years of age (31 years). Starting in 1990, I volunteered as a Sheriff's Office Cadet in Frederick Co, Virginia. I have been a West Virginia Certified Police Officer, Federal Law Enforcement Subject Matter Expert Instructor, and an unaffiliated candidate for Jefferson County Sheriff during the 2020 election. You will find a brief timeline of my professional experience below.

As a certified police officer in West Virginia, I operated under civil service laws that are found in Chapter 6 of the West Virginia State Code. Deputies have a different code found in Chapter 7 Article 14 named "Civil Service for Deputy Sheriffs." The codes are very similar and in some instances, identical. I can assure you that I am well-versed in the code and fully understand the powers and duties (§7-14-6) of a Civil Service Commissioner and the Commission as a whole. I am able-bodied and fully prepared to serve if chosen. I welcome your review and questions during your search for an appointment to the Deputy Sheriffs Civil Service Commission.

Professional Experience:

1998 2008: Ranson Police Department, Police Officer

2007 2018: Law Enforcement Subject Matter Expert (SME)/Instructor

U.S. Department of State,
Diplomatic Security Services, Law Enforcement Training & Professional
Standards, assigned to the Special Services Bureau.

Private Sector Contracting Companies: providing SME instruction to Local,
State, Federal and World Wide Law Enforcement agencies including our
Military and Allied Militaries

2018 Current: Owner Operator/Bondsman, Cox Bail Bonding,
Appointed and serving the 23rd Circuit Court, West Virginia.

October 2020 Current: Owner Operator / Principle Agent S2C Group LLC
Licensed Private Investigation & Security Firm

August 2021 Current: Primary Partner / Cox Property Maintenance



Stephen C Cox II
11 August 2021

Jessica Carroll

From: Leigh Koonce <h.s.leigh.koonce@gmail.com>
Sent: Tuesday, July 27, 2021 10:13 PM
To: Jessica Carroll
Cc: Martin Burke
Subject: JCHLC

Dear Jessica,

Please accept this as notice to the County Commission that I regretfully offer my resignation from the Jefferson County Historic Landmarks Commission prior to the termination of my second term. I wish my resignation to be effective September 1st. Owing to other commitments I fear I can't execute the duties of the position to the necessary standard. Please advise if a more formal communication is necessary.

My best,
Leigh

/

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, September 16, 2021, or as soon thereafter as the Commission may decide:

Historic Landmarks Committee - one unexpired term ending March 31, 2022.

The Historic Landmarks Committee is specifically seeking individuals with education and experience or demonstrated special interest in historic preservation or local history drawn from one of the following professions: history, architecture, archeology, landscape architect, real estate, or law.

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.

James R. King, M.Arch. AIA, LEED AP
940 Willowdale Drive
Shepherdstown, West Virginia 25443

Jefferson County Commission
P.O. Box 250
Charles Town, West Virginia 25414

Re: Position for Unexpired Term,
Historic Landmarks Committee

August 25, 2021

Commissioners-

It is with great enthusiasm that I submit this letter of interest and statement of qualifications for the open position on the Jefferson County Historic Landmarks Commission.

I have been involved in historic preservation even before attending Virginia Tech in 1987.

I was fascinated with the architect father of my friends who had a small studio in his home. At the time, I did not know of his interest and expertise in the field, however it was at his firm I developed a knowledge of both architecture and historic preservation, as he was at the time, the preeminent architect in that field.

So, my career started at Paul D. Marshall and Associates and continued in other firms. However, at PDM I was fortunate to travel the state and work on projects ranging from the Phillipi Bridge restoration, to Woodburn Hall at West Virginia University, to Carnegie Hall in Lewisburg, among many, many more.

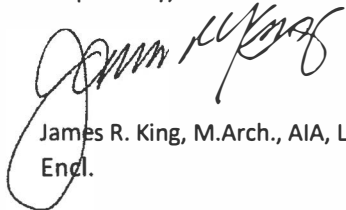
During my time at Virginia Tech, I was involved in the 1990 Preservation Conference presented by the Virginia Tech Center for Preservation and Rehabilitation Technology, and led by Dr. Humberto Rodriguez-Camilloni.

From PDM Associates, I was involved in many other preservation and adaptive reuse projects throughout my career there and in other firms, and continue now with The Mills Group as Senior Project Manager in the Shepherdstown Office. We currently have several historic preservation projects throughout West Virginia, and are part of the project team for the historic Hilltop House Hotel in Harpers Ferry.

In summary, I would very much enjoy serving on the Historic Landmarks Commission. One of the many advantages of Jefferson County is the colorful and significant history and associated structures, seemingly in endless amounts. Though I have a fair amount of experience in preservation, I always enjoy learning through different and varied projects. This position would provide a unique and welcome opportunity to both contribute and learn. I have enclosed a summary of selected projects, and can provide a full resume if requested.

Thank you for taking the time to consider this request.

Respectfully,



James R. King, M.Arch., AIA, LEED AP
Encl.

Jefferson County Commission
Application for Boards, Committees or Commissions

Please type or print information

Name: JAMES R. KING

Home Telephone Number: (304) 546-5213

Work Address: 122 EAST GERMAN STREET, SHEPHERDSTOWN

Work Phone Number: (681) 240-1010

Mobile Phone Number: (304) 546-5213

E-mail Address: jim.king.aia@gmail.com

Party Affiliation: (Building Commission and Health Department applicants)
INDEPENDENT

Occupation: ARCHITECT

Education: High School STONEWALL JACKSON, CHARLESTON, WV

College VIRGINIA TECH, MARSHALL UNIVERSITY, WVU

Trade/Business School _____

Are you a United States citizen? Yes X No__

Are you a West Virginia resident? Yes X No__

Are you a resident of Jefferson County? Yes X No__

Are you able to produce verification of residency? Yes X No__

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

Address: 940 WILLOWDALE DRIVE
SHEPHERDSTOWN, WV 25443

Magisterial District: 67th

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

SEE ATTACHED

Organization Memberships and Positions Held : UNITED STATES GREEN BUILDING COUNCIL; AMERICAN INSTITUTE OF ARCHITECTS; HARBOR FOR HUMANITY (LEADER and BOARD MEMBER); SEE ALSO ATTACHED

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

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

Statement: _____

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

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

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

Signature:  Date: AUGUST 25, 2021

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

James R. King, AIA, LEED AP Architect

Education

Doctoral Program/ Resource Management and Sustainable Development 2012/West Virginia University, Morgantown, WV (Incomplete)
Masters of Architecture./1991/Virginia Polytechnic Institute and State University, Blacksburg, VA
B.S./Business Administration/Computer Science/1987/Marshall University, Huntington, WV

Registration

Registered Architect, WV, #2871, 1996
National Council of Architectural Registration Boards, #48310, 1996
Maryland – #14601, 2006, 2021
Massachusetts – #30779, 2006
Rhode Island - #3320, 2006

Other

Historic Architect per 36 CFR 61 through West Virginia Department of Culture and History
Leadership in Energy and Environmental Design (LEED) - #10284181-AP

A wide variety of architectural experience has been gained both as a student at Virginia Tech and throughout a thirty year career. Projects ranging from historic preservation to religious to custom commercial, institutional design and adaptive reuse have strengthened a background in many facets of project delivery. Responsibilities include design, project management and production of contract documents including specifications and construction detailing. Also adept at 3 dimensional modeling and rendering, which in many cases is done early in the design to help streamline the process. The following is a narrative of experience, and includes:

HISTORIC PRESERVATION EXPERIENCE

Blennerhasset Mansion, Parkersburg, WV - Part of a project team that was responsible for accurately documenting the construction drawings to renovate the interior of this historic mansion. The interior had little attention given when first renovated, so the owners requested that research and documentation reflect the interior as close to original as possible as a showcase for the period pieces donated. Renovations to existing historic structure

West Virginia State Capitol, Charleston, WV – Project team member responsible for inspections and project management of regilding and painting of the capitol dome in mid-1990s. Due to inferior product installation initially, the current 23 carat gold leaf was applied later adhering to stringent temperature and humidity parameters.

HISTORIC PRESERVATION EXPERIENCE *(continued)*

Graceland Mansion, Elkins, WV – Part of a project team responsible for continuing the documentation efforts started almost twenty years previous. Davis and Elkins College, the campus on which Graceland is located, received funding to complete the renovation. The project team was able to graphically depict the needed repairs to both the interior and exterior to finalize the last phase of this ongoing project. Fully completed, Graceland now serves as a Bed and Breakfast as part of the college's hospitality program.

Carnegie Hall, Lewisburg, WV - The board of Carnegie Hall requested architectural services for schematic design and recommendations regarding the renovation of this historic structure. Our project team proposed a renovation to the theater, museum space and accessibility options for the public spaces, including an elevator and entrance plaza. In addition to drawings, a study model was presented.

West Virginia University, Morgantown, WV - Member of design team responsible for historic preservation projects in and around Woodburn Circle, a major focal point on the WVU campus. Particular project requiring design study and research was Woodburn Hall, one of the first buildings at West Virginia University.

Phillipi Covered Bridge - Phillipi, WV - Member of design team that researched and reconstructed one of few remaining wooden covered bridges still in use on a major highway. A fire destroyed much of the exterior of the structure, but did little damage to the heavy timber framing. From the framing that survived the fire and extensive research on bridges built by Lemuel Chenoweth, the bridge was reconstructed using the same methods used over 100 years previous.

Highgate Carriage House, Fairmont, WV - Member of design team that produced measured, existing drawings and new renovation drawings for preservation of structure slated for demolition into facility used for both private and community functions.

Putnam/Hauser House, Parkersburg, WV – Member of design team responsible for stabilization and renovation to historic structure. Construction documents including both architectural and structural integrated photographs of existing conditions with line drawings to identify each portion of the building needing stabilization.

Historic Residential Properties, Charleston, WV - Additions, renovations and consulting for various properties in and around Charleston area, including homes in the Historic East End District and the Edgewood area.

Fifth Avenue Baptist Church, Huntington, WV - Interior renovations to an approximately 42,000 square foot structure including electrical, mechanical and plumbing upgrades; a new elevator; renovations to the fellowship hall both aesthetically and to comply with life safety and ADA guidelines. During the course of this project, the church continued to have services, therefore, careful attention was given to scheduling and coordination of the construction activities during the week to prepare for services on Sunday.

HISTORIC PRESERVATION EXPERIENCE *(continued)*

Christ Church United Methodist, Charleston, WV - Various projects including a freestanding, portable welcome center; renovations to the chapel to retrofit a c. 1909 Estey Pipe Organ; and renovations to the choir loft in the Centrum area. Also provided maps of floorplans and space studies for kitchen and gathering areas.

McDowell County Courthouse, Welch, WV - Preliminary study of facility to determine needs and repairs, as well as assessment of existing unused space for implementation as a new Tourist Information Center.

Entler-Weltzheimer House, Shepherdstown, WV – Project manager for restoration of windows and painting. Prepared and submitted required reports to West Virginia State Historic Preservation Office

ADAPTIVE REUSE EXPERIENCE

Ellen's Ice Cream, Charleston, WV - This privately owned retail establishment acquired space in an existing building on Capitol Street in downtown Charleston. Renovations included design of the new interior, upgrade of existing utilities to accommodate new refrigeration units, and design of the new façade, which was required to fit in with the surrounding historic fabric. This store's location in the block is frequently photographed as an example of the city's efforts to continue this type of adaptive reuse.

Calwell Law Office, Charleston, WV - The client obtained my services to design the art deco façade of this existing 35,000 square foot structure. Built in the early 1900s, this former laundry turned automobile repair shop boasts a fully operational auto elevator which the owners plan to use for rooftop parking. The owners requested the full architectural services soon after the successful façade design, and retained me to complete the contract documents including floor plans, interior details and construction administration.

Cilantro's Restaurant, Charleston, WV - This staple of Charleston's dining was the unfortunate recipient of smoke and water damage due to a fire next door. The client was only left with about ¾ of what the establishment had previous to the damage. Working with a shell, the resulting design consisted of a smaller but more efficient fast casual restaurant seating about 30- 35 patrons. Provided design, coordination and construction management services.

Delish Express, Charleston, WV – This restaurant began in the downtown area, but was relocated to an existing building two blocks west of the state capitol for expansion and better exposure. Another fast casual restaurant, the design includes concrete counters and serving area, outdoor seating, and an addition on the back of the building to accommodate a new kitchen equipment. Provided design, coordination, construction management and code coordination.

James R. King, M.Arch., AIA, LEED AP

940 Willowdale Drive

Shepherdstown, West Virginia 25443

(304)546-5213

Jim.King.AIA@gmail.com

PROFESSIONAL AFFILIATIONS AND INTERESTS

- American Institute of Architects
- AIA West Virginia
 - 1998 Design Awards Committee Chairman
(Bernard Cywinski, FAIA Jury Chair)
- Member – United States Green Building Council
- Chancellor’s Leadership Institute - Member of Inaugural Class of 2008-09
- AIAS - VPI&SU
- Associated General Contractor’s of America (AGC)
 - Training contractor for Supervisory Training Program (STP)
- Contractor’s Association of West Virginia (CAWV)
 - Training contractor for Supervisory Training Program (STP)
Through Workforce Development (2005 – 2007)
- Former Board Member, Mountaineer Habitat for Humanity (1996)
- Former Board Member, Habitat for Humanity of Kanawha and Putnam Counties (2015-2018)
- Block Leader - Jimmy Carter Work Project - Habitat for Humanity
Benton Harbor, Michigan 2005
- House Leader - Jimmy Carter Work Project - Habitat for Humanity
Puebla, Mexico 2004
- House Leader - Jimmy Carter Work Project - Habitat for Humanity
Anniston, Alabama 2003
- House Leader - Jimmy Carter Work Project - Habitat for Humanity
Americus, Georgia 2000
- Crew Leader - Jimmy Carter Work Project - Habitat for Humanity
Houston, Texas 1998
- Block Leader - Jimmy Carter Work Project - Habitat for Humanity
Morehead, Kentucky 1997
- Co-Coordinator - Celebration Station
Charleston, WV Community Playground 1994
- Aircraft Owners and Pilot’s Association
- Eagle Scout
- Musician, Charleston Light Opera Guild, Charleston Neophonic Orchestra
- Construction Site Leader – Center for the Rural Development of Milot (CRUDEM),
Milot, Haiti (2011, 2012)
- Leadership West Virginia – Class of 2011
- Board Member Charleston Tennis Club (2012 – 2015)
- President, West Virginia Chapter of Association of Physical Plant Administrators
(2016-17)
- Member, Shepherdstown Livable Communities (2018-Present)
- Consultant to Shepherdstown Historic Landmarks Committee

AGENDA REQUEST FORM
www.jeffersoncountywv.org



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

Department or Organization:

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **September 16, 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:

1. 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.
2. Discussion of legal issues regarding proposed solar text amendment including bonding, comprehensive plan, and related matters, including Jefferson County Circuit Court Civil Action No.'s 2021-C-33 through 37 and Jefferson County Circuit Court Civil Action No.'s 2021-C-46 through 50.

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

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Chief Ross L. Morgan

Department or Organization: **Jefferson County Fire and Rescue Association**

Estimation of amount of time needed for appointment: 1 hour

Date Requested – 1st Choice: **Thurs Sept 16, 2021**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Present and discuss proposed Fire Fee Ordinance

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 Yes Internet/Wi Fi no Telephone for conference call no

Contact information:

Email address: rosslmorgan61@aol.com

Phone Number: 304-676-9547

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

JEFFERSON COUNTY, WEST VIRGINIA

FIRE SERVICE FEE ORDINANCE

WHEREAS, West Virginia Code Chapter 7, Article 17, Section 12, as amended, provides the Jefferson County Commission with the authority to impose reasonable fire service rates, fees and charges, and;

WHEREAS, it is deemed in the best interest of the citizens, residents and visitors of Jefferson County necessary and appropriate, to impose such reasonable fire service rates, fees and charges;

WHEREAS, the Jefferson County Fire and Rescue Association (JCFRA) has presented a petition containing the signature of at least ten percent of the qualified voters duly signed by them and filed with the Clerk of the County Commission directing that the county commission impose such a fee.

NOW THEREFORE THE JEFFERSON COUNTY COMMISSION HEREBY ORDAINS THAT:

ARTICLE I: PURPOSE AND INTENT

Section 1.1. The purpose of this Fire Service Fee Ordinance is to create an ordinance to provide for an annual fire service fee upon the users of fire protection services within Jefferson County, West Virginia; to provide that the County Assessor of Jefferson County, West Virginia or the Jefferson County Emergency Services Agency Board shall fix the square footage of structures within the County; and to provide for publication of this Fire Service Fee Ordinance as a Class II legal advertisement pursuant to 59-3-2, et seq. of the West Virginia Code, as amended.

Section 1.2. The legislative intent of this Fire Service Fee Ordinance is to generate revenue that shall be solely utilized to defray the cost of expenses associated with continuing, maintaining, improving, regulating, and supervising fire protection services in Jefferson County, West Virginia. Revenues directly resulting from the Fire Service Fee Ordinance collections shall not be used for the provision of emergency medical services (EMS), except for such ordinary expenses not easily segregated between fire and EMS (e.g. Mortgage and Building Loan payments, Electricity/Utilities, etc).

Section 1.3. Fire protection services in Jefferson County, West Virginia shall be continued, maintained, and improved by the Jefferson County Fire and Rescue Association and the Jefferson County Emergency Services Agency (JCESA) Board, in part, at the charge and expense of the Owners of Residential and Non-Residential Buildings located within Jefferson County, West Virginia, as said Owners are the users and beneficiaries of these special and essential fire protection services. The County Commission of Jefferson County hereby also ensures annual contributions from the general budget to share the burden of funds for fire

JCFRA Draft Presented to County Commission on 09/16/21

JEFFERSON COUNTY, WEST VIRGINIA

FIRE SERVICE FEE ORDINANCE

services. The fees and charges imposed pursuant to this Fire Service Fee Ordinance shall be imposed, assessed and collected as provided for herein.

ARTICLE II: LEGISLATIVE AUTHORITY

This Fire Service Fee Ordinance is adopted by the County Commission of Jefferson County, West Virginia pursuant to the authority set forth in 7-17-1, et seq., of the West Virginia Code, as amended.

ARTICLE III: ENACTMENT AND APPLICABILITY OF FIRE SERVICE FEE

Section 3.1. There is hereby created an annual fire service fee to be imposed by the Jefferson County, West Virginia Commission pursuant to the terms of this Fire Service Fee Ordinance.

Section 3.2. Subject to the exemptions provided in Article III, Sections 3.3 and 3.5 and Article IV, Section 4.4 herein, the annual fire service fee shall apply to every Owner of one or more Residential or Non-Residential Buildings located within Jefferson County, West Virginia, and within the municipalities within Jefferson County, West Virginia.

Section 3.3. Buildings owned by the federal government shall not be subject to the annual fire service fee.

Section 3.4. Residential or Non-residential buildings located within Jefferson County, West Virginia that are granted tax exempt status by the Jefferson County Commission or State of West Virginia as part of a development plan or business transaction are not exempt from payment of the fire service fee.

Section 3.5. Residents of Jefferson County, West Virginia qualified for "Homestead Exception" shall have a reduced rate of service fee, as prescribed in Article IV.

JEFFERSON COUNTY, WEST VIRGINIA

FIRE SERVICE FEE ORDINANCE

ARTICLE IV: RATES

Section 4.1. Subject to the limitations provided in Article III, Sections 3.2 through 3.5 and Section 4.4 herein, every Owner of one or more Residential or Non-Residential Buildings located within Jefferson County, West Virginia, shall pay an annual fire service fee for each such property as set forth below:

<i>Residential</i>	
Owner Occupied	\$75.00
Non-owner Occupied	\$100.00
Homestead	\$40.00
<i>Non-residential</i>	
No Sq Ft on File	\$375.00
<10,000sf	\$375.00
10,001sf to 20,000sf	\$500.00
20,001sf to 65,000sf	\$750.00
65,001sf to 360,000sf	\$1,500.00
>360,000sf	\$4,000.00

The annual fire service fee, as described above, shall increase by 1% each year for the first five years (2023, 2024, 2025, 2026, 2027) to account for planned growth within the fire service area.

Section 4.2. All those residents who have been granted a property tax Homestead Exemption by the Assessor in the tax year prior to July 1, 2014, and each year thereafter, shall pay a discounted fee of forty dollars (\$40.00) on their personal residence.

Section 4.3. In the event that more than one Non-Residential Building is owned by the same Owner or Owners, one annual fire service fee shall apply per individual plat as recorded with the Office of the Clerk of the County Commission of Jefferson County, West Virginia.

Section 4.4. An active member, as sworn by affidavit, annually, from a Chief Officer or President of a county fire department, shall be granted a full exemption on his or her primary residence, so long as the property owner has been a member for at least three years, and meets the definition of “active member,” as described by the bylaws of the department.

JEFFERSON COUNTY, WEST VIRGINIA

FIRE SERVICE FEE ORDINANCE

ARTICLE V: EFFECTIVE DATE: SCHEDULE OF PAYMENTS

Section 5.1. This Fire Service Fee Ordinance shall become effective on July 1, 2022. The annual fire service fee imposed pursuant to this Fire Service Fee Ordinance shall be for fire protection services rendered from the fiscal year of July 1, 2022 to June 30, 2023, and each consecutive fiscal year thereafter.

Section 5.2. The Fee imposed under this ordinance shall be the responsibility of the record owner of the unit as of July 1st each year unless an alternate date is formally approved by a majority of the Commission. The Fee assessed and levied under the provisions of the ordinance shall be a personal obligation of the owner of the unit. The Fee shall be due and payable July 1st of each year for taxable units owned as of July 1st for services to be rendered in the fiscal year. On or before July 31st of each year, a bill shall be mailed to the owner's mailing address on record with the Assessor of Jefferson County.

Section 5.3. For each service year, accounts paid on or after October 1 through December 31 the fee shall increase by \$5 for residential properties or by 10% for non-residential properties. For accounts paid on or after January 1 through March 31 of a given service year, the fee shall increase by an additional \$10 for residential properties or by an additional 20% for non-residential properties, whichever is greater.

Section 5.4. Fees delinquent on or after the First day of April the year after they became due and payable shall be forwarded to the County Commission. The County Commission, in its sole discretion, may collect unpaid fees through civil action filed in a court of competent jurisdiction. Such suit need not be brought in the same fiscal year the fee was billed. In any suit for collection of delinquent fees, the Commission is authorized to recover its reasonable costs of collection, including court costs, attorney's fees, service costs and statutory interest.

Section 5.5. If any owner believes he or she was erroneously charged an fire service fee, the County Commission shall provide, upon the owner's request, an exoneration form. The form shall be completed and returned to the County Commission no later than September 30 of the Fiscal Year for which the fee applies. The County Commission staff shall, within a reasonable time, investigate any request for exoneration. The County Commission shall, at its next regular meeting after completion of the investigation, consider each written request for exoneration and staff's recommendation regarding the exoneration request. If good cause for exoneration is found by the County Commission, the Commission shall exonerate or modify the imposed charges, and shall notify the owner in writing of its actions. If the Commission does not exonerate or modify as requested by the applicant, the owner requesting exoneration may appeal to the Circuit Court of Jefferson County. The appeal must be filed within 30 days of the Commission decision upon the exoneration. No prior fiscal year fees will be refunded.

JCFRA Draft Presented to County Commission on 09/16/21

JEFFERSON COUNTY, WEST VIRGINIA

FIRE SERVICE FEE ORDINANCE

Section 5.6. In the event the JCFRA and/or JCESA determines a change in the fee imposed by this ordinance is necessary, it shall, by resolution, request the County Commission consider approving the recommended change. The JCESA shall submit copies of its current budget, the future budget developed under Section 7 and any other documentation supporting the proposed change in the fee. In conjunction with JCESA's departmental reviews, a review of 911 Center CAD call data shall be performed every 2 (two) years. The fee may be adjusted based on this review of CAD call data to ensure that the fee being charged is commensurate with CAD usage data for each property type. The County Commission retains sole discretion in approving, denying, or modifying any fee change. Procedures set forth in Article 15, Chapter 7, Section 17 of the Code of West Virginia for the initial levy of such a fee shall be followed by the County Commission in the event an increase is sought.

JCFRA Draft Presented to County Commission on 09/16/21

JEFFERSON COUNTY, WEST VIRGINIA

FIRE SERVICE FEE ORDINANCE

ARTICLE VI: USE OF ANNUAL FIRE SERVICE FEES

Section 6.1. The annual fire service fees imposed pursuant to this Fire Service Fee Ordinance shall be dedicated to the Jefferson County Emergency Services Agency Board and shall be used solely to defray the costs of continuing, maintaining, improving, regulating, and supervising fire protection services within Jefferson County, West Virginia. No part of the annual fire service fees shall be used for any other purposes.

Section 6.2. All monies provided to fire departments in Jefferson County, West Virginia, pursuant to this fire service fee, shall be expended in order to continue, maintain, improve, regulate, and supervise each department firefighting services in their respective service areas.

Section 6.3. No funds shall be distributed to any department that is no longer in good standing with the West Virginia State Fire Marshall's Office and the Jefferson County Fire and Rescue Association. Furthermore, if a fire department is disqualified, the department shall retain "good standing" with the aforementioned entities prior to October 1 of the calendar year, or the Jefferson County Emergency Services Agency Board will distribute the funds as before mentioned, with a re-calculation of the remaining funds being divided unto the number of departments remaining. If a department is closed and/or ceases to exist, and/or terminates emergency fire response, the same manner shall be applied for the re-calculation of remaining funds.

Section 6.4. The proceeds from the imposition and collection of the Fire Service Fee shall be deposited in a special fund or specific appropriations shall be exhibited in separate and distinct accounts held by the Treasurer of Jefferson County and shall be used only to pay reasonable and necessary expenses to defray the costs of continuing, maintaining, improving, regulating, and supervising fire protection services within Jefferson County, West Virginia. Proceeds not expended in a given Fiscal Year will be maintained in the special fund for future capital improvements.

Section 6.5. In accordance with the Emergency Ambulance Service Fee Ordinance, Section 8, the JCESA Board shall include within the annual public hearing an account for all Fire Service Fee monies.

Section 6.6. Allocations from the JCESA Board to the individual corporation fire departments shall follow the prescribed process as defined herein. Departments shall provide annually a Fire Service Fee Disbursement Budget no later than December 31 of each calendar year. Each department shall be funded in whole, or in part, as requested on the Disbursement Budget submission. In the event of a dispute between funding for companies (i.e. not enough revenue

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JEFFERSON COUNTY, WEST VIRGINIA

FIRE SERVICE FEE ORDINANCE

to fully fund each department as herein prescribed), the JCESA Board shall prioritize funding in collaboration with each organization on determined funding needs.

Jefferson County, WV Annual Fire Fee Disbursement Budget Submission

Category	Budget FYXX (Prior)	Actual FYXX (Prior)	Request FYXX (Current)
Fuel - Vehicles (Gas/Diesel)			
Fuel - Propane (Heating, Generator, etc.)			
Utilities - Electric			
Utilities - Trash/Waste			
Utilities - Telephone			
Utilities - Internet			
Utilities - Other Services (Fire Alarm, etc.)			
IT - Software Subscriptions			
IT - Hardware (PCs, Tablets, etc.)			
IT - Dues and Subscriptions			
IT - Services (Repair, Maintenance, etc.)			
Maintenance - Buildings and Grounds			
Maintenance - Vehicles			
Maintenance - Small Equipment			
Insurance - Vehicles			
Insurance - Liability/Professional			
Insurance - Workers Compensation			
Fire Services - Hose Testing			
Fire Services - Extrication Equipment Testing			
Fire Services - Ladder Testing			
Fire Services - Ladder Replace/Maintenance			
Fire Services - Extrication Replace/Maintenance			
Fire Services - Pager/Radio Replace/Maintenance			
Fire Services - Hose Replace/Maintenance			
Fire Services - SCBA Maintenance			
Fire Services - Small Equipment Replacement (Lights,etc)			
Fire Services - Gear and Safety Repair/Replacement			
Fire Services - Training/Education			

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FIRE SERVICE FEE ORDINANCE

Fire Services - Supplies and Materials (Absorbent, etc.)			
Mortgage/Loan - Building			
Mortgage/Loan - Vehicles			
Administrative - Office Supplies (Postage, Paper, etc.)			
Administrative - Professional Services (License Fees, Legal, Taxes)			
Administrative - 990 Preparation, Accounting			
Depreciation (Total across office, vehicle, etc)			
Totals			

ARTICLE VII: ESTABLISHING SQUARE FOOTAGE OF PROPERTY

Section 7.1. The County Assessor of Jefferson County, West Virginia is empowered and authorized to fix the square footage of buildings for the purpose of establishing the annual fire service fees imposed pursuant to this Fire Service Fee Ordinance.

Section 7.2. The County Assessor of Jefferson County, West Virginia is empowered and authorized to classify properties as "Residential" and "Non-Residential" in order to establish the amount of the annual fire service fee charged pursuant to this Fire Service Fee Ordinance.

ARTICLE IIX: ADMINISTRATION OF ORDINANCE

Section 8.1. Pursuant to 59-3-1, et seq. of the West Virginia Code, as amended, the Jefferson County Emergency Services Agency Board, in direct consultation and collaboration with the Jefferson County Fire and Rescue Association, shall make and adopt all bylaws, rules and regulations that are necessary and reasonable to carry out this Fire Service Fee Ordinance.

ARTICLE IX: REVIEW AND APPEAL

Section 9.1. An owner may appeal any annual fire service fee or associated charge imposed pursuant to this Fire Service Fee Ordinance by delivering to the Jefferson County Emergency Services Agency Board, by hand delivery or certified mail, a written petition setting forth the particular items of the fee or charge objected to and the reasons for the objection within thirty (30) days after receipt of notice of the annual fire service fee. If an Owner fails to deliver such a petition within thirty (30) days after receipt of notice of the annual fire service fee, then the annual fire service fee imposed shall become final and not subject to administrative or judicial review.

Section 9.2. Upon receipt of a written petition pursuant to Article IX, Section 9.1, the Board shall assign a date, time and place for a hearing thereon and shall provide the petitioner with written notice of the date, time and place of the hearing, by U.S. First Class or certified mail, no

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FIRE SERVICE FEE ORDINANCE

less than twenty (20) days before the hearing date. A hearing scheduled pursuant to this provision shall be held no later than one hundred days (100) after the Board's receipt of the written petition.

Section 9.3. The hearing shall be informal and shall be conducted in an impartial manner by the Board, or at the Board's discretion, by a hearing examiner appointed by the Board. At the hearing, the Petitioner shall have the burden to demonstrate that the fee or charge contested is incorrect. The Board shall issue a written decision no later than sixty (60) days following the hearing.

Section 9.4. An Owner not satisfied with the Board's decision may appeal the decision to the County Commission of Jefferson County, West Virginia. If no appeal is filed within thirty (30) days after the Board's decision, then the decision shall become final and not subject to further review. Any amount due to the Board pursuant to its decision shall be due and payable on the next consecutive day following the date the decision becomes final.

ARTICLE X: EXONERATION OR MODIFICATIONS

Section 10.1. Any Owner may request a total or partial exoneration or modification from any fee or charge imposed pursuant to this Fire Service Fee Ordinance by providing such request in writing to the Jefferson County Commission.

Section 10.2. The County Commission shall provide the Owner, by U.S. First Class or certified mail, with written notice of its decision regarding exoneration or modification. If the Commission determines that good cause exists for exoneration or modification, then it shall exonerate or modify any or all fees or charges imposed pursuant to this Fire Service Fee Ordinance. If the Commission determines that good cause does not exist for exoneration, then the Owner may appeal the Council's decision to the Circuit Court of Jefferson County, West Virginia.

ARTICLE XI: SEVERABILITY

The articles, sections, headings, paragraphs, sentences, clauses and phrases of this Fire Service Fee Ordinance shall be severable and if any article, section, heading, paragraph, sentence, clause or phrase herein or the application thereof to any individual, entity or circumstance shall be declared unconstitutional or otherwise invalid by the judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining articles, sections, paragraphs, sentences, clauses or phrases of this Fire Service Fee Ordinance or the application thereof to any individual, entity or circumstance.

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FIRE SERVICE FEE ORDINANCE

ARTICLE XII: DEFINITIONS

For purposes of this Fire Service Fee Ordinance, the following words and phrases have the following meanings:

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

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

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

NON-RESIDENTIAL PROPERTY. Means commercial business, industrial activity or nonresidential activity conducted for a profit or non-profit, and any federal, state or local government (except those defined as an "Agricultural" property herein) including, but not limited to, any store, filling station, hotel, motel, warehouse, flea market, amusement park, camp ground, institutional living arrangement with centralized services such as nursing homes, assisted living or similar arrangement, a bed and breakfast, an entertainment venue, a club, bar or restaurants, church, school, courthouse, or federal, state, or municipal government building.

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In the case of commercial activity that occurs outdoors such as a flea market, camp ground or amusement park, such business shall be assessed a fee as a commercial unit unless a permanent structure associated with the use is already subject to a commercial fee at the same location. In the case of a commercial complex with more than one structure, such as a shopping center or business complex, each separate structure shall be included in total square foot calculations.

EMERGENCY FIRE SYSTEM. Any emergency fire service provided pursuant to this ordinance.

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

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

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

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

FIRE SERVICE FEE. Means the fee imposed by the Jefferson County Commission through this Ordinance and collected from the users of emergency fire service within Jefferson County.

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

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FIRE SERVICE FEE ORDINANCE

SPECIAL SERVICE. Means that the department provides a service through a specific piece of apparatus to the community above and beyond general firefighting duties. This includes, but is not limited to, Ladder Truck operations, Technical Rescue operations (Rope, Water, Trench), Hazardous Materials Operations.

ORGANIC CALL VOLUME. Those calls for service, both Fire and EMS, originating from a caller within the service area of the providing fire department. This does not include mutual aid calls for service where a unit responds to another service area or jurisdiction.

This Ordinance shall become effective upon July 1, 2022.

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

JCFRA Draft Presented to County Commission on 09/16/21

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Tricia Jackson, Commissioner

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **September 16, 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 (*Warding to be placed on agenda*): **Resolution on Case Filing - CC-19-2021-C-33 - review the Circuit Court opinion and agree on a response to be delivered to the Judge related to issues that were raised in the Order and proceedings of the Jefferson County Planning Commission and Jefferson County Commission**

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

Is this a funding request? Y/N [Click here to enter text.](#)
If so, how much? \$[Click here to enter text.](#)

Recommended motion (*Please type out the warding 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: **Stephanie Grove, County Administrator**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **September 16, 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*):

- **County Complex Project**
- **Discuss administrative leave for absences related to COVID/COVID related issues**

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

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

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

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

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

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

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

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

Contact information:

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

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

[Click here to enter text.](#)

NOTICE OF SPECIAL SESSION JEFFERSON COUNTY COMMISSION

The County Commission of Jefferson County will hold a Special Session on Wednesday, October 13, 2021, at 9:30 a.m.

The purpose of the Special Session is to discuss the American Rescue Plan Act (ARPA) submissions.

Anyone wishing to provide written comment may do so by sending comments prior to the hearing to info@jeffersoncountywv.org.

By the Order of the Jefferson County Commission
Stephen Stolipher, President

This meeting will be accessible live through GoToWebinar. Invites will be posted on Facebook and email alerts.

The meeting will be limited to the number of in-person attendees due to COVID 19 restrictions. Five (5) attendees will be allowed in the meeting room at a time. Please email info@jeffersoncountywv.org no later than 9:00 a.m. prior to the meeting to be added to the list for in-person attendance.

Jessica Carroll

From: Kara S <KaraBeara07@hotmail.com>
Sent: Tuesday, August 31, 2021 10:36 AM
Subject: Ambulance Fee

To Whom It May Concern,

I am a citizen of Jefferson County, and recently received an ambulance fee bill. This must be some mistake. I live in Bakerton Fire Department's first due area. Bakerton had their JCESA staffing pulled this summer. This means the area I reside in is relying on emergency response from further away than others in the county who pay the same ambulance fee I am being billed for. One of the paid staffing crews Bakerton area residents are relying on to cover emergency calls, only has paid staffing from JCESA 12 hours a day, so during the hours that JCESA staffing is not provided at the second due station, Bakerton area residents are left in distress waiting for a response unit stationed at a third due department, or further if those departments are busy serving their own first due.

The decision to pull staffing from Bakerton's station will have deadly and life-altering consequences when residents cannot receive emergency care in a timely manner. I listen to radio traffic constantly, as can anyone with a smartphone, and the current response time to Bakerton area residents who are in distress is appalling. A trouble breathing call that took 24 minutes for emergency responders to arrive on scene from the time it was dispatched (it shows up on CAD earlier, so those being paid to respond from a station often see these calls well before they are dispatched) is playing with life and death. If familiar with the concept of breathing, then you would know how quickly a trouble breathing call can turn into a cardiac arrest call. It has already happened since staffing has been pulled from Bakerton and Middleway, and will continue to happen until emergency responders are placed back in the areas they are needed. Those lives lost or altered that could have potentially been saved by paid staffing within the local response area, are on the County Commissioners and those who had a hand in taking away staffing from those areas.

Bakerton is not a commonly traveled area, so many of you Commissioners and persons responsible for putting Bakerton resident lives at jeopardy by pulling the paid staffing from Bakerton Fire Department may not be aware of the terrain out here. The roads are rough. They are narrow, full of sharp turns and drop-offs. Even running lights and sirens, there is no difference in response time in Bakerton's area. It is impossible to respond any faster with lights and sirens than without, the road just don't allow for it. On the same note, it is incredibly dangerous to be sending responders stationed in other areas into Bakerton's area running emergency, with the hazards the roads pose to those unfamiliar with the area. When Bakerton had paid staffing by the county, that staff was familiar with the area and able to navigate it knowledgably leading to a safer response for the responder and a more accurate response time than those who are unfamiliar and have to slam on their brakes and restart their acceleration when confronted with unfamiliar sharp turns on Bakerton's roadways.

I was informed that when the ambulance fee was raised from \$35 to \$39, it was to provide emergency staffing for Jefferson County. So, I pay the raised rate, and my locally stationed county-paid staffing then gets removed, leaving my residential area vulnerable to deadly emergency response times, while other areas in the county are fully staffed paying the same fee as myself. My ambulance fee is funding other fire departments in Jefferson County, while my own local department is left without staffing. I find this to be a gross misuse of funds from the ambulance fee collected by residents of both Bakerton and Middleway who had their local county-paid staffing taken away, yet are expected to pay the same fee as areas serviced by not only BLS providers but 24/7 ALS providers. The departments with 24/7 staffing paid by JCESA make money off of every ambulance transport they get. So, my ambulance fee is paying for 24/7 staffing of both BLS and ALS providers at Citizens, Shepherdstown, Independent, and Blue Ridge fire departments, all who are then profiting off of the calls those providers being staffed with my ambulance fee are running. The use of the ambulance fee in

this manner needs to be investigated as calling it "unfair" would be a huge understatement. It is mismanaged funds, and sends a clear message to those of us whose local departments are not staffed with our ambulance fee, that our lives do not matter as those who live in Ranson or Charles Town or Shepherdstown.

Citizens, Shepherdstown, Independent, and Blue Ridge do not need to use their funding to pay for department staffing as they have staffing provided to them 24/7 from my ambulance fee. Yet, Bakerton, Middleway, and Friendship (for the 12 hours JCESA does not provide staffing) have to pay from their department's funds to have coverage in their areas. How on any level is that an acceptable way to treat departments and their first due residents? Departments with paid staffing from JCESA clearly benefit monetarily from income from transports and the fact that they don't have to spend on staffing like other departments. Just look at the apparatus the departments have, numerous brand-new trucks compared to the one engine Bakerton Fire Department has which was manufactured in 1987! It's not right, and the fact that Jefferson's County Commission is okay with how paid staffing is disbursed throughout the county, says a lot about the poor character and corrupt morals of those we are trusting to do what is right for Jefferson County.

The placement of ALS providers in the county is also of great concern. Two ALS providers stationed less than two miles from each other in town, while there are no ALS providers out in Middleway or Harpers Ferry is unacceptable. Much of the call volume these two specific ALS providers run is from medical facilities such as nursing homes and urgent cares. These facilities have trained medical staffing on-hand, yet are given priority to ALS providers in the county, while residents in Middleway and Bakerton areas who are not located in professional facilities and do not have access on location to trained medical staffing, are expected to wait extended periods of time for emergency care. It makes absolutely no sense! Harpers Ferry is a popular tourist destination and it is appalling that the message Jefferson County sends to its visitors is that if you need emergency care while visiting, you're going to have to wait. Just this past week, I listened to a patient in distress at a popular recreation area, where it took far too long for ALS to respond with multiple calls over the radio from BLS providers telling them they need them. This is dangerous to leave these areas without ALS coverage and should be embarrassing to those who run Jefferson County that that is what visitors will leave our remembering. You think anyone who experienced or witnessed such an event with such an extended response time is going to recommend Jefferson County to the people they care about? I wouldn't! Better off visiting the MD side of the Potomac where there is still plenty of accommodations for tourists without the concern of dying in an emergency due to high response times of vital emergency responders.

As I previously said, I listen to a scanner app on my smartphone. I do not have a radio or actual scanner, just an app. Anyone can listen to radio traffic via smartphone or computer, including you involved with the County Commission. Try it. When a call comes out (especially trouble breathing, or chest pains) listen to how long it takes for emergency response. Keep in mind when those calls are dispatched over the radio, they have often been displayed on CAD devices that staffing get alerted to well before it goes out over the air, so the paid staffing has quite a jump on those call getting out. Listen closely to the dispatcher advising responding units that the trouble breathing patient they were just talking to has now gone unresponsive over the phone. Listen to when responders get on scene and relay to dispatch it is a working code. Listen to when responders then ask dispatch to contact the ME. Listen to when Utility 5 or Transport 11 respond to transport the patient to the funeral home. These are actual things I have listened to since staffing was pulled from certain stations. So please take a listen, and as you listen know that if you had any part in staffing being taken from these areas, if you were compliant with allowing these areas to go unstaffed while other areas receive ALS and BLS staffing 24/7, if you collect the same ambulance fee from all residents in the county knowing some are left to die waiting on an extended response time, if you have no problem with how this county picks and chooses who has access to paid emergency staffing and who just pays for it, than you are partially responsible for patients waiting too long for emergency care and what happens to them.

Mrs. Smith

Jessica Carroll

From: WebmastervJCC <webmaster@jeffersoncountywv.org>
Sent: Tuesday, August 31, 2021 4:59 PM
To: JCCInfo
Subject: Jefferson County Commission, WV: Website Form Notification

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

Form Name: County Commission Contact
Date & Time: 08/31/2021 4:58 PM
Response #: 2163
Submitter ID: 6010
IP address: 73.191.125.216
Time to complete: 3 min. , 26 sec.

Survey Details

Page 1

- 1. Name**
League of Women Voters of Jefferson County
- 2. Email**
Not answered
- 3. Questions or Concerns**
August 31, 2021

Dear members of the Jefferson County Commission:

On August 25, 2021, members of the LWV of Jefferson County met with Finance Director Michelle Gordon to discuss local citizen input in the use of American Rescue Plan monies. Jefferson County is receiving \$11.1 million dollars. As noted by the WV Center on Budget and Policy, "Counties....should create channels to collect public input on their community's needs prior to crafting spending plans."

We appreciate that the County Commission has asked for and received proposals from the public. We particularly applaud that these proposals and background material on the program may be found on the County Commission website.

During our discussion, we brainstormed about how to keep the public informed about upcoming discussions and priorities. Ms. Gordon suggested and we agree that a set meeting time each month for discussion of priorities would be very helpful. We hope you will agree to her request for such meetings. A press release, coupled with a notice on the web, would let the community know of these set meeting times.

The county commission website is the best place to keep the public informed. For that reason, the American Rescue Plan deserves a bigger presence. It should be accessible directly from the home page of the Commission (similar to the Broadband Committee Information).

The county commission will be discussing further allocations and work sessions on the American Rescue Plan in September. The LWV of Jefferson County looks forward to helping the commission publicize these meetings and to encouraging citizen involvement in further allocation priorities.

Jessica Carroll

From: Richard Zigler <outlook_EE25656F43EE93E6@outlook.com>
Sent: Wednesday, September 1, 2021 2:36 PM
To: JCCInfo
Subject: Solar as a primary permitted use

In the Envision 2035 Comprehensive Plan, page 197, Goal#10, objective 9, it states that Renewable Energy Sources, INCLUDING solar, are acceptable and will be permittable.

“Encourage the creation of and use of a variety of energy sources (including renewable sources) within Jefferson County in ways that respect Jefferson County.”

With this in mind, Solar, as a commercial activity, would be granted Primary Permitted status, not a “conditional permitted” use.

Sent from [Mail](#) for Windows

Jessica Carroll

From: Richard Zigler <rzigler01@gmail.com>
Sent: Wednesday, September 1, 2021 2:55 PM
To: JCCInfo
Subject: solar as a permitted use

My name is Richard Zigler. After reviewing the goals of Jefferson County's "Envision Jefferson 2035" Comprehensive Plan, I see that Solar is to be of Permitted Use status.

It plainly states on page 197 goal #10, objective 9,

"Encourage the creation of and use of a variety of energy sources (including renewable sources) within Jefferson County in ways that respect Jefferson County."

Solar Energy is a renewable energy source. Solar Energy will respect the cultural and historical history and venues of Jefferson County as it is passive and non intrusive. The land ownership remains with the current owners and their families, and can be returned to agriculture at a later date. Something that a housing development cannot.

Either the Judge ignored this or the County failed to demonstrate this in the Civil Action 2021-C-46 through 37. Any amendment to the Comprehensive Plan, regarding solar, needs to reiterate this as strongly as possible.

Thank you for your time, Richard A. Zigler

Jessica Carroll

From: Maura Ross <maura.ross27@gmail.com>
Sent: Wednesday, September 1, 2021 11:20 PM
To: JCCInfo
Subject: Public Comment

Dear commissioners,

Please do not amend the Comprehensive Plan (CP) to allow for Solar Electric Wholesale Generators. While I support solar and am excited to see alternative energies come into Jefferson County, I do not believe the commission should change the CP. Developing the CP involved citizen outreach & engagement, months of deliberation, and it is what the county had envisioned. Without redoing public outreach, changing the CP now would not seem to be in good faith of the community.

I do hope the commission is able to support sustainable energy technologies within the county while following the CP.

Sincerely,
Maura Ross

--

Maura Ross
she/her
304-676-9224

Jessica Carroll

From: Richard Deal <ButchDeal@yahoo.com>
Sent: Wednesday, September 1, 2021 8:26 PM
To: JCCInfo
Subject: Utility scale solar

There is no reason that utility scale solar can not be approved on contingent use like any other utility install like large sub stations, or commercial project in rural, with construction plan review. Utility scale can be done very low impact without much disturbance of the land. There are even designs that allow multi use of the land with some farming or other use under the solar. These plans should be reviewed on individual bases. I have extensive design experience of solar installations at all scales including utility scale.

Richard Deal Jr.

Sent from my iPad

Jessica Carroll

From: Rebecca Oubouzar <rhoubouzar@gmail.com>
Sent: Wednesday, September 1, 2021 4:57 PM
To: JCCInfo
Subject: Public Comment: Comprehensive Plan - Proposed Amendment

Good evening;

It has come to my attention that JCC is planning to propose an amendment to the Jefferson County Comprehensive Plan in regards to solar energy facilities.

While I am in full support of alternative sources of energy, such as solar and wind, I also believe that development of these must be done with circumspection. *No* industry should be permitted to run roughshod over the people who live in, work in, and love this community. Wholesale rezoning, or amendments that permit corporations to move in without full consideration, promises to be disastrous to the "Almost Heaven" that West Virginia keeps proclaiming itself to be.

Any industry wishing to come to Jefferson County should be subject to the appropriate examinations and assessments, including environmental, geotechnical, residential, and economic impacts. To not do so invites another disaster such as Rockwool is turning out to be, no matter what industry is involved.

Thank you for your consideration.

--

Rebecca Hamilton Oubouzar
rhoubouzar@gmail.com

Jessica Carroll

From: tim ross <trxccl@gmail.com>
Sent: Wednesday, September 1, 2021 7:54 PM
To: JCCInfo
Subject: Don't amend the Comprehensive Plan on your own

Dear Commissioners, It appears that you are going to consider amending the Comprehensive plan to allow for Solar Electric Wholesale Generators. The Plan took months of work with input from numerous citizens and stakeholders. It is unfair and undemocratic if you simply rewrite the comprehensive plan in response to losing a lawsuit.

Please don't do it.

I write on behalf of my wife as well.

Sincerely,
Tim and Mary Ellen Ross

Harpers Ferry/ Bolivar PSD
P. O. BOX 235
192 LAKE QUIGLEY DRIVE
HARPERS FERRY, WEST VIRGINIA 25425
(304)-535-2390 FAX (304)-535-2524

THE HARPERS FERRY-BOLIVAR PUBLIC SERVICE DISTRICT CONDUCTED THE JULY MEETING AT THE BOLIVAR TOWN HALL, LOCATED AT 60 PANAMA STREET, BOLIVAR WEST VIRGINIA. THE MEETING WAS HELD ON JULY 9th, 2021.

The meeting was called to order at 8:00 a.m.

Those in attendance were:

David Simmons-Chairman Term 6/30/2027
Mike Lowrey-Secretary Term 6/30/2022
Helen Dettmer-Treasurer Term 6/30/2024

Eddy Tennant- Operations Supervisor
Joe Adams-Plant Operator
Jim Williams-HFBPSD Consultant

Motion by Mr. Lowrey, seconded by Ms. Dettmer to approve the June minutes, approved.

Motion by Ms. Dettmer, seconded by Mr. Lowrey to approve the June revenue checking account financial statement, approved.

Motion by Mr. Lowrey, seconded by Ms. Dettmer to approve the June security deposits account financial statement, approved.

Motion by Ms. Dettmer, seconded by Mr. Lowrey to approve the June working capital reserve account, approved.

Discussion by Mr. Tennant to transfer \$2,400.00 from the regular checking account to the working capital reserve.

Motion by Mr. Simmons, seconded by Mr. Lowrey to transfer \$2,400.00 from the regular checking account over to the working reserve account, approved.

Discussion on adding Sani-wipes to the sewer use ordinance, as items not to be discharged into the sewer system.

Motion by Mr. Simmons, seconded by Mr. Lowrey to add Sani-wipes to sewer use ordinance, approved.

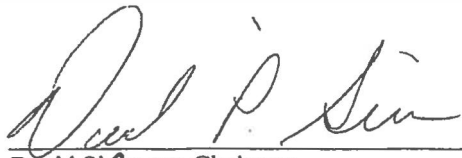
Mr. Tennant presented the projected PSD budget to the Board, discussion on projected increases in spending.

Discussion on PSD plant design of new aeration basin baffle, and the effects of high flows to the plant from rain events. Talked to Mr. Klein of Alpha & Associates the design engineer, he suggests we experiment with our RAS rates and second chlorine contact basin into service during heavy rain or extended periods of rain.

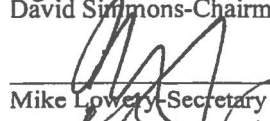
Discussion on sump pumps and problems to the system with added flow to the sewer treatment. Talked about the letter to customers about sump pumps not being tied into the system, possible ways to get compliance with the PSD procedures. PSD will continue to send letters in the billings to express the importance on disconnecting all sump pumps for the system. Discussion of possible penalties or cutting the water off in rare cases if needed.

Discussion on COVID protocols remain the same staff both at the plant. Continue to monitor temperature daily.

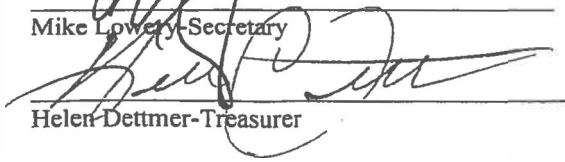
The meeting was adjourned at 9:10 a.m.



David Simmons-Chairman



Mike Lowery-Secretary



Helen Dettmer-Treasurer