

Revised - 1/18/2022
JEFFERSON COUNTY COMMISSION
FIRST QUARTERLY SESSION - JANUARY-MARCH 2022
THURSDAY, JANUARY 20, 2022
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 NOT be a LIVE broadcast on our website. Instead, it will be accessible live through GoToWebinar. Invites will be posted on Facebook and email alerts.*

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

- January 6, 2022 - Regular Session

APPROVAL OF REQUISITIONS

- January 20, 2022

APPROVAL OF ACCOUNTS PAYABLE

- January 13, 2022
- January 20, 2022

APPROVAL OF MANUAL CHECKS

- January 14, 2022
- January 21, 2022

APPROVAL OF PAYROLL

- January 6, 2022

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
- Sign-on Bonus**
- 3. 6:20 p.m. Patricia L. Greenley - VADV, Inc
- Seeking a Waiver of Fees for Processing a One-lot Minor Subdivision**
- 4. 6:30 p.m. Public Hearing
Rezoning request for a one acre property located at 16 Old Leetown Pike, Kearneysville - Tax District - Middleway (07); Map No. 11; Parcel Nos. 2.2 and 2.1 to change current zoning district from Village to Residential, Light Industrial Commercial (RLIC) (Planning Commission #21-4-Z)**
- 5. 6:45 p.m. Public Hearing
Zoning Map Amendment (rezoning) for the property designated as Tax District: Shepherdstown (09), Map 11; Parcels: 29 and 45 to change the zoning classification of the property from Industrial-Commercial to Residential Growth (RG) (Planning Commission File #21-5-Z)**
- 6. 7:00 p.m. Stephen S. Allen, Jefferson County Office of Homeland Security and Emergency Management
- Approval for purchase for equipment for Bovine Emergency Response Program and training course
- Approval and signature for FEMA Hazard Mitigation Planning Grant Application**
- 7. 7:10 p.m. Jennifer Myers, Jefferson County Parks and Recreation Commission
- Letter of Support for Economic Development Grant Application**
- 8. 7:15 p.m. Russell Burgess, Information Technology
- Downtown Data Center Refresh/Upgrade**
- 9. 7:20 p.m. Interviews and Appointment - Jefferson County Emergency Services Agency - One term ending June 30, 2022 - Jefferson County Fire and Rescue Association Representative**
- 10. 7:30 p.m. Rebecca Hall, Prosecuting Attorney's Office Victim Advocate Program
- Supplemental VOCA Grant Contract**

11. 7:35 p.m. Lynn Fields, Probate Office
- Probate in Solemn Form
12. 7:50 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.*
13. 8:05 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 report by Counsel regarding progress in amending comprehensive plan, and discussion of 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, and WV Supreme Court No.'s 21-0727, 21-0728, and 21-0731.
 3. Consider matters involving or affecting the construction planning, or purchase, sale or lease of property.
 4. Report by counsel on opioid case. (Jefferson County Commission v. Purdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170).
 5. Discussion and review of voting locations, including the location of early voting at the Courthouse and possible creation of alternate and/or annexed locations.
 6. Review of potential agreement with financial consultant, discussion and potential action regarding agreement.

OLD BUSINESS

14. Review of Policy 319 - Financial System Access

NEW BUSINESS

15. Discussion - Executive Assistant Position - Potential Hire
16. Possible Interviews and decision for Finance Director Position
17. Discussion - County Administrator Candidates - Potential Hire
18. Legislative Updates

19. Consider an amendment to the zoning ordinance to add solar energy facilities under a conditional use permit (TJ)

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

20. ADJOURN

CORRESPONDENCE/INFORMATION

Notice - Board of Review and Equalization.

Meeting minutes dated November 12, 2021 received from the Harpers Ferry/Bolivar PDS.

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, January 6th, 2022

A meeting of the Jefferson County Commission was held on Thursday, January 6, 2022 during the first quarterly session at 9:30 a.m. The meeting was held both in person and via GoToWebinar. Present were, Caleb Hudson, President, Steve Stolipher, Vice President, Tricia Jackson, Jane Tabb, and Clare Ath. Also present were Sandy McDonald, Deputy County Administrator, and Brittany Roberts, temporary assistant. (See archived meeting)

PLEDGE OF ALLEGIANCE

Commissioner Stolipher led the Pledge of Allegiance

County Commission Organization

a. Selection of President

Mr. Stolipher nominated Mr. Hudson for President with no other nominations. Mr. Stolipher moved to appoint Mr. Hudson as president. Motion seconded and unanimously approved.

b. Selection of Vice President

Ms. Tabb nominated Mr. Stolipher for Vice President with no other nominations. Ms. Tabb moved to appoint Mr. Stolipher as vice president. Motion seconded and unanimously approved.

c. Committee Assignments

Assignment to Boards, Commissions & Organizations Calendar Year 2022		
<i>Organization</i>	<i>Commissioner 2021</i>	<i>Commissioner 2022</i>
Approval of Bills	Jackson	Jackson
Board of Health	Hudson	Hudson
Charles Town Utility Board Liaison	Hudson	Hudson
Building Repair & Security Courthouse Committee	Hudson	Hudson

Community Corrections Committee- Day Report Center	Jackson	Jackson
Development Authority	Stolipher	Stolipher
E-911 Council	Ath	Ath
Extension Service	Tabb	Tabb
Farmland Protection Board	Tabb	Tabb
Jefferson County Convention & Visitors Bureau	Stolipher	Stolipher
Jefferson County Emergency Services Agency / Fire & Rescue	Jackson/Ath	Jackson
Historic Landmarks Commission	Hudson	Hudson
Homeland Security/LEPC	Jackson	Jackson
Legislative Liaison	County Admin.	County Admin.
MPO Interstate Council	Stolipher	Stolipher
Eastern Panhandle Transportation Authority (EPTA)	Tabb	Tabb
Parks and Recreation	Ath	Ath
Planning Commission	Stolipher	Stolipher
Region 9	Stolipher	Stolipher
Solid Waste Authority	Ath	Ath
Telamon Community Board	Jackson/Ath	Ath
Water Advisory Committee	Tabb	Tabb
Workforce Investment Act Liaison	Jackson	Jackson

Motion by Mr. Stolipher that committee board assignments remain the same except Telamon board goes to Ms. Clare Ath and Fire and Rescue along with Jefferson County Emergency Services goes to Ms. Jackson. Motion seconded and unanimously approved.

Approval of Accounts Payable

CHECK#		VENDOR NAME		AMOUNT
85625		BUREAU OF CHILD SUPPORT		\$ 760.05
85626		COMPTROLLER OF MARYLAND		\$ 1,608.09
85627		EFTPS IRS TAXES		\$ 95,359.60
85628		EMPOWER RETIREMENT		\$ 6,130.88
85629		FEDEX		\$ 20.73
85630		GUTTMAN OIL CO		\$ 3,642.16
85631		JEFFERSON SECURITY BANK		\$ 4,370.00
85632		MARGARET GAINEY		\$ 1,170.74
85633		MILLENIUM INSURANCE GROUP		\$ 900.00
85634		MONROE SYSTEMS FOR BUSINESS		\$ 110.30
85635		NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
85636		SHANNON BURLETT		\$ 40.52
85637		SOFTWARE SYSTEMS INC		\$ 2,962.78
85638		STATE TAX DEPARTMENT		\$ 822.22
85639		TAMMY MOBLEY		\$ 6,500.00
85640		VA DEPT OF TAXATION		\$ 1,026.91
85641		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 16,113.38
85642		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 44,107.09
85643		WV STATE TAX DEPARTMENT		\$ 35,366.92
85644	FG/009	SHERIFF OF JEFFERSON CO		\$ 5,040.83
85645	BS/011	SHERIFF OF JEFFERSON CO		\$ 5,378.69
TOTAL				\$ 232,265.89

Mr. Hudson moved to approve the accounts payable for December 22, 2021 in the amount of \$232,265.89. With no objection, motion approved unanimously.

CHECK#		VENDOR NAME		AMOUNT
85646		CHARLES J ELLIS		\$ 29.64
85647		DOUGLAS H FLETCHER		\$ 29.79
85648		DR. ROBERT E JONES III		\$ 1,000.00
85649		MAZZITTI & SULLIVAN EAP		\$ 936.00
85650		MICAH HUTCHINS		\$ 2,889.63
85651		RONALD DANTZIC		\$ 66.90
85652		WVCORP WV COUNTIES SELF INSURANCE RISK POOL		\$ 29,612.25
85653		XEROX CORPORATION		\$ 227.22
TOTAL				\$ 34,791.43

Mr. Hudson moved to approve Accounts Payable for December 29, 2021 in the amount of \$34,791.43. With no objection, motion approved unanimously.

85678		MOTOROLA SOLUTIONS INC	\$ 38,971.20
85679		NATIONAL VISION ADMIN.	\$ 1,726.48
85680		NATIONWIDE RETIREMENT SOLUTIONS	\$ 834.00
85681		OLD CHARLES TOWN LIBRARY	\$ 1,500.00
85682		OLD CHARLES TOWN LIBRARY	\$ 20,625.00
85683		CHRISTOPHER & MICHELLE BRANNAN	\$ 806.13
85684		THOMAS LAKE	\$ 494.39
85685		PATRIOT FIRE AND SECURITY LLC	\$ 170.00
85686		POTOMAC EDISON	\$ 26,555.46
85687		R.E. MICHEL CO. LLC	\$ 85.88
85688		SHEPHERDSTOWN PUB LIBRARY	\$ 20,625.00
85689		SOFTWARE SYSTEMS INC	\$ 36.00
85690		SOUTH JEFFERSON PUBLIC LIBRARY	\$ 20,625.00
85691		SPECIALTY BUSINESS SUPPLIES	\$ 92.00
85692		SPIRIT OF JEFFERSON	\$ 213.72
85693		STATE TAX DEPARTMENT	\$ 830.67
85694		TEK ADVISORS LLC	\$ 4,200.00
85695		THE HARTFORD	\$ 3,649.68
85696		WV DEPUTY SHERIFF RETIREMENT SYSTEM	\$ 17,455.97
85697		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 43,441.17
85698		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	\$ 166.49
85699		XEROX CORPORATION	\$ 571.49
85700		XEROX FINANCIAL SERVICES	\$ 249.81
85701	FG/009	SHERIFF OF JEFFERSON CO	\$ 4,279.34
85702	BS/011	SHERIFF OF JEFFERSON CO	\$ 8,435.14
85703	AM/053	AXION STAFFING	\$ 1,152.58
85704	AM/053	JEFF CO EMS	\$ 457,680.00
85705	AM/053	SHERIFF OF JEFFERSON CO	\$ 65,846.41
85706	CV/206	SHERIFF OF JEFFERSON CO	\$ 54,318.91
TOTAL			\$ 2,051,955.84

Mr. Hudson moved to approve Accounts Payable for January 6, 2022 in the amount of \$2,051,955.84. With no objection, motion approved unanimously.

Approval of Manual Checks

MANUAL CHECKS			
Check#	Fund	VENDOR	Amount
775	HD/8	SHERIFF OF JEFFERSON CO	\$ 1,398.83

Mr. Hudson moved to approve the Manual Checks for December 23, 2021 in the amount of \$1,398.83. With no objection, motion approved unanimously.

Check#	Fund	VENDOR	Amount
308	DK/003	SHERIFF OF JEFFERSON CO	60.12
438	SF/073	STEPHENS AUTO CENTER	14,272.00
922	CW/059	THIN BLUE LINE USA	499.97
TOTAL			14,832.09

Mr. Hudson moved to approve Manual Checks for December 30, 2021 in the amount of \$14,832.09. With no objection, motion approved unanimously.

Check#	Fund	VENDOR	Amount
538	CS/OO2	EASTRIDGE HEALTH SYSTEM	\$ 1,800.00
539	CS/OO2	JEFF CO COMMUNITY MINISTRIES	\$ 5,000.00
776	HD/OO8	SHERIFF OF JEFFERSON CO	\$ 1,655.88
941	AV/O56	J.D. POWER	\$ 2,860.00
110	AR/207	JEFF CO PARK & REC	\$ 16,147.50
TOTAL			\$ 27,463.38

Mr. Hudson moved to approve Manual Checks for January 7, 2022 in the amount of \$27,463.38. With no objection, motion approved unanimously.

Approval of Payroll

Mr. Hudson moved to approve the Payroll for December 23, 2021 in the amount of \$269,113.35. With no objection, motion approved unanimously.

PRESENTATIONS

2. Angie Banks, Assessor – Presented the following Exonerations

NAME	TYPE	DISTRICT	TICKET No.	AMOUNT
Brian S. Grove	PP	HFD	307628	\$26.72

Motion by Ms. Tabb to approve the Exoneration for Ticket No. 307628 as presented by the Assessor. Motion seconded and unanimously approved.

NAME	TYPE	DISTRICT	TICKET No.	AMOUNT
Jefferson Utilities Inc	RE	MW	21822	\$953.64

Motion by Mr. Stolipher to approve the Exoneration for Ticket No. 21822 as presented by the Assessor. Motion seconded and unanimously approved.

2. Tom Hansen, Sheriff
 - a. Travel Budget Restoration
 - b. Salary Adjustments
 - **Mr. Stolipher moved to adjust salaries as presented by Sheriff Mr. Hansen budget neutral. Motion seconded and unanimously approved.**
 - c. Vision Presentation / Discussion
3. Matt Harvey, Prosecuting Attorney
 - a. Supplemental VOCA Grant Contract
 - **Motion by Ms. Tabb to approve VOCA Grant Contract and to allow the new president Mr. Hudson to sign. Motion seconded and unanimously approved.**
 - b. New Part Time Victim Advocate hiring- Melissa Segura
 - Applicant Withdrawn offer
4. Roger Goodwin, Chief County Engineer - Request approval of employment offer to fill the position of Planning Clerk in the Department of Engineering, Planning & Zoning.
 - **Motion by Mr. Stolipher to hire Tanya Lions from Summit Point to start on 01/10/2022 as Planning Clerk with a salary of 35,000/yr, Grade 4 level. Motion seconded and unanimously approved.**
5. Interview and Appointment- Jefferson County Board of Zoning Appeals- One 3-year term ending January 1, 2025.
 - **Motion by Ms. Tabb to appoint Steven Guier one 3-year term ending January 1, 2025. Motion seconded and unanimously approved.**
6. John Morris - Rezoning request for one acre property located at 16 Old Leetown Pike, Kearneysville – Tax District – Middleway (07); Map No. 11; Parcel Nos. 2.2. and 2.1 to change current zoning district from Village to Residential, Light Industrial Commercial (RLIC).
 - o Ms. Tabb recused herself from this discussion and vote.
 - **Motion by Mr. Stolipher to schedule a public hearing to receive input concerning the rezoning request for a one acre property located at 16 Old Leetown Pike, Kearneysville, WV 25430; Tax District – Middleway (07); Map No. 11; Parcel Nos 2.2 and 2.1 to change current zoning district from Village to Residential Light Industrial Commercial (RLIC) to be held on January 20, 2022 at 6:30pm. Motion seconded and passes unanimously with Ms. Tabb recused.**

7. Jennifer Brockman, County Planner and Mike Shep, President of Planning Commission – Recommendation from the Jefferson County Planning Commission regarding the Zoning Map Amendment (File 21-4-Z) for John Morris rezoning request for two parcels located southwest of the intersection of Old Leetown Pike (WV15) and Leetown Road (WV51) from Village to General Commercial.
 - **Mrs. Brockman reported that the planning Commission found that Zoning Map Amendment (File 21-4-2) is not in conformance with the Comprehensive Plan**
8. Jennifer Brockman, County Planner – Presentation and overview of the Planning Commission’s recommended text amendment to the Envision Jefferson 2035 Comprehensive Plan related to allowing solar facilities are principal permitted uses (PPU’s) in the rural and residential zoning districts and requesting that the County Commission schedule their required Public Hearing and vote to accept, reject, or modify the amendment within the required 90 day time frame.
 - **Mr. Hudson moved to schedule a Public Hearing to receive input concerning the Planning Commission’s recommended text amendment to Envision Jefferson 2035 Comprehensive Plan related to allowing solar facilities are principal permitted uses (PPU’s) in the rural and residential zoning districts to be held on February 3, 2022 at 10:00am. Motion seconded and passes unanimously with Mr. Stolipher recused.**
9. Lynn Fields, Probate Office – Quarterly Review
 - **Motion by Ms. Tabb to convene Fiduciary Review Board. Motion seconded and unanimously approved.**
 - **Motion by Ms. Tabb to approve the closure of all estates that have met all statutory requirements. Motion seconded and unanimously approved.**
 - **Motion by Mr. Hudson to move into regular county session. Motion seconded and unanimously approved.**
10. Nathan Cochran, Assistant Prosecuting Attorney
 - a. Presentation of preliminary report regarding analysis of public safety issues.
 - b. 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.
 - c. Discussion of legal issues regarding proposed solar text amendment including bonding, comprehensive plan, and related matters, including report by Counsel regarding progress in amending comprehensive plan, and discussion of Jefferson County Circuit Court Civil Action No.’s 202-C-33 through 37, and Jefferson

County Circuit Court Civil Action No's 2021 C-46 through 50, WV Supreme Court No's 21-0727, 21-0728, and 21-0731.

- d. Consider matters involving or affecting the construction planning, or purchase, sale or lease of property.
 - e. Report by counsel on opioid case. (Jefferson County Commission v. Purdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170).
 - f. Discussion and review of voting locations, including the location of early voting at the Courthouse and possible creation of alternate and/ or annexed locations.
 - g. Discussion of WVHRC case number EREP-49-21.
 - h. Discussion of potential revision of the Jefferson County Zoning Ordinance and related issues.
 - i. Discussion – Executive Assistant Position – Potential Hire (SS).
- **Mr. Stolipher moved to go into Executive Session to receive legal advice regarding Presentation of preliminary report regarding agenda items # 12, #13: 1, 6 & 7 plus #19.**
 - **Mr. Hudson moved to come out of Executive Session. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to reopen the hiring of Executive Assistant Position to obtain a bigger pool of candidates and have the position open until filled. Motion seconded and unanimously approved.**
11. PUBLIC COMMENT – public comment was provided by the following: David Tabb
- **Motion by Mr. Stolipher to break for lunch until 1:30pm. Motion seconded and unanimously approved.**

Legislative Summit

- **Delegates Paul Espinosa, John Doyle and Wayne Clark participated in the Legislative Summit with Commissioners.**

New Business

12. Notice of the 2022 Board of Review and Equalization Notice

- **Mr. Stolipher moved to approve the 2022 Board of Review and Equalization Notice times and dates as presented. Motion seconded and unanimously approved.**

13. Discussion – Approval of worked performed – 11/22/2021 – Stephanie Grove

- **Motion by Mr. Stolipher to approve the work order for 2hrs. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to approve the change of the corrected effective date effective 11/22/2021. Motion seconded and unanimously approved.**

14. Advertise for Finance Director (SS)

- **Motion by Mr. Stolipher to advertise position for the Finance Director position as Grade level 9 with accompanying salary until position is filled. Motion seconded and unanimously approved.**

COUNTY ADMINSTRATOR REPORTS

- Signature for grant documents – designate an individual

- **Motion by Mr. Stolipher to designate Sandy McDonald as the individual to sign grant documents as they come in. Motion seconded and unanimously approved.**

15. Tom Hansen, Sheriff – Travel Budget Restoration

- **Motion by Mr. Stolipher to restore travel budget up to 75% which moves the total to \$7,000. Motion seconded and unanimously approved.**

16. Discussion County Administrator Candidates

- **Motion by Mr. Stolipher to go into Executive Session to discuss County Administrator Candidates. Motion seconded and unanimously approved.**
- **Motion by Mr. Hudson to come out of Executive Session. Motion seconded and unanimously approved.**

17. The Commission adjourned at 3:04pm on a motion by Mr. Hudson. Motion seconded and unanimously approved.

Caleb Hudson, PRESIDENT

Respectfully Submitted

Brittany Roberts

Temporary Assistant

REQUISITIONS TO BE APPROVED

January 20, 2022

DEPARTMENT	Requisition No.	AMOUNT	VENDOR	DESCRIPTION
IT Department		\$ 12,950.00	ESRI, INC.	GIS Software Renewal
LAW ENFORCEMENT	22030	\$ 37,944.00	PRECISION LASER & INSTRUMENT, INC.	Accidnt Reconstruction Equip.
GRAND TOTAL		\$ 50,894.00		



Esri Inc
380 New York Street
Redlands CA 92373

Subject: Renewal Quotation

Date: 12/31/2021
To: Jessica Gormont
Organization: County of Jefferson
GIS/Addressing Office
Fax #: 304-724-8992 **Phone #:** 304-724-6759

From: Reyna Hernandez
Fax #: **Phone #:** + 19097932853 Ext. 3864
Email: rhernandez@esri.com

Number of pages transmitted
(including this cover sheet): 5

Quotation #26058932
Document Date: 12/31/2021

Please find the attached quotation for your forthcoming term. Keeping your term current may entitle you to exclusive benefits, and if you choose to discontinue your coverage, you will become ineligible for these valuable benefits and services.

If your quote is regarding software maintenance renewal, visit the following website for details regarding the maintenance program benefits at your licensing level
<http://www.esri.com/apps/products/maintenance/qualifying.cfm>

All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your coverage at a later date.

Please note: Certain programs and license types may have varying benefits. Complimentary User Conference registrations, software support, and software and data updates are not included in all programs.

Customers who have multiple copies of certain Esri licenses may have the option of supporting some of their licenses with secondary maintenance.

For information about the terms of use for Esri products as well as purchase order terms and conditions, please visit
<http://www.esri.com/legal/licensing/software-license.html>

If you have any questions or need additional information, please contact Customer Service at 888-377-4575 option 5.



esri

380 New York Street
Redlands, CA 92373
Phone: + 190979328533864

Quotation

Date: 12/31/2021

Quotation Number: 26058932

Send Purchase Orders To:

Environmental Systems Research Institute, Inc.
380 New York Street
Redlands, CA 92373-8100
Attn: Reyna Hernandez

Please include the following remittance address on your Purchase Order:

Environmental Systems Research Institute, Inc.
P.O. Box 741076
Los Angeles, CA 90074-1076

County of Jefferson
GIS/Addressing Office
PO Box 208
Charles Town WV 25414-0208
Attn: Jessica Gormont

Customer Number: 360721

For questions regarding this document, please contact Customer Service at 888-377-4575.

Item	Qty	Material#	Unit Price	Extended Price
10	1	52384 ArcGIS Desktop Advanced Concurrent Use Primary Maintenance Start Date: 04/01/2022 End Date: 03/31/2023	3,000.00	3,000.00
1010	1	86497 ArcGIS Desktop Standard Concurrent Use Primary Maintenance Start Date: 04/01/2022 End Date: 03/31/2023	1,500.00	1,500.00
2010	1	87194 ArcGIS Desktop Basic Concurrent Use Primary Maintenance Start Date: 04/01/2022 End Date: 03/31/2023	700.00	700.00
3010	1	87195 ArcGIS Desktop Basic Concurrent Use Secondary Maintenance Start Date: 04/01/2022 End Date: 03/31/2023	500.00	500.00
4010	1	87232	500.00	500.00

Quotation is valid for 90 days from document date.

Any estimated sales and/or use tax has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state taxes directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

Issued By: Reyna Hernandez

Ext: 3864

[CSBATCHDOM]

To expedite your order, please reference your customer number and this quotation number on your purchase order.



esri[®]

380 New York Street
Redlands, CA 92373
Phone: + 190979328533864

Quotation

Page 2

Date: 12/31/2021

Quotation Number: 26058932

Item	Qty	Material#	Unit Price	Extended Price
		ArcGIS Spatial Analyst for Desktop Concurrent Use Primary Maintenance Start Date: 04/01/2022 End Date: 03/31/2023		
5010	1	87192	400.00	400.00
		ArcGIS Desktop Basic Single Use Primary Maintenance Start Date: 04/01/2022 End Date: 03/31/2023		
6010	1	93306	2,100.00	2,100.00
		ArcGIS Desktop Standard with Extensions Single Use Primary Maintenance Start Date: 04/01/2022 End Date: 03/31/2023		
7010	1	100571	500.00	500.00
		ArcGIS Network Analyst for Desktop Concurrent Use Primary Maintenance Start Date: 04/01/2022 End Date: 03/31/2023		
8010	2	161322	1,250.00	2,500.00
		ArcGIS Enterprise Workgroup Standard Up to Two Cores Maintenance Start Date: 04/01/2022 End Date: 03/31/2023		
9010	1	161367	1,250.00	1,250.00
		ArcGIS Network Analyst for ArcGIS GIS Server Workgroup Standard Maximum Four Cores Maintenance Start Date: 04/01/2022 End Date: 03/31/2023		
			Item Subtotal	12,950.00
			Estimated Tax	0.00
			Total	USD 12,950.00

DUNS/CEC: 06-313-4175 CAGE: 0AMS3



esri

380 New York Street
Redlands, CA 92373
Phone: + 190979328533864

Quotation

Page 3

Date: 12/31/2021

Quotation Number: 26058932

Item Qty Material#

Unit Price

Extended Price

Renewal Options:

- Online: Renew through My Esri site at <https://my.esri.com>
 - Credit Card
 - Purchase Order
 - Email Authorization
- Email or Fax: Email Authorization, Purchase Order or signed quote to:
 - Fax: 909-307-3083
 - Email: service@esri.com

Requests via email or signed quote indicate that you are authorized to obligate funds for your organization and your organization does not require a purchase order.

If there are any changes required to your quotation please respond to this email and indicate any changes in your invoice authorization.

If you choose to discontinue your support, you will become ineligible for support benefits and services. All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your support coverage at a later date.

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <http://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <http://assets.esri.com/content/dam/esrisites/media/legal/ma-full/ma-full.pdf> apply to your purchase of that item. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <http://www.esri.com/en-us/legal/terms/state-supplemental> apply to some state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin.

In order to expedite processing, please reference the quotation number and any/all applicable Esri contract number(s) (e.g. MPA, ELA, SmartBuy GSA, BPA) on your ordering document.

[CSBATCHDOM]

Requisition: 2022/22030
 Released, Deborah Lowe, 01/13/2022
 Total Cost: \$37,944.00

Fiscal Year*
 Requisition Number*
 Created Date*

Department*

Commodity

Description

Buyer

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

by

Type
 Purchase order
 Review
 Needed by
 PO Expiration

▼ **Items (1)**
Add Item

Line	Description	Qty	UOM	Unit Price	Line Total	GL Account
1	Accident Reconstruction Equipment	1.00	EACH	\$37,944.00000	\$37,944.00	E (246980-445902) EQUIPMENT-OTHER /NON-VEHICLES

ATTN: Sgt. Robert Sell
 Jefferson Co. Sheriff's Department
 102 Industrial Blvd
 Kearneysville, WV 25430
 304-728-3205 Ext. 2053



Precision Laser & Instrument, Inc. Survey Construction Mapping & GIS

Todd Jester
 Applied Forensic Specialist
 tjt@laserinst.com
 Mobile: 330-787-1884
 Office: 724-299-1600



ITEM	PART NO.	DESCRIPTION	QTY	LIST PRICE (EA.)	LIST EXTENDED PRICE	DISCOUNT PRICE (EA.)	TOTAL (ITEM)
Trimble S5 Total-Station (Robotic)							
1	FDR-01-0109	Trimble S5 Robotic Total-Station - Forensic Package	1	\$ 21,520.00	\$ 21,520.00	\$ 21,520.00	\$ 21,520.00
	5552200	Trimble S5 Robotic Total-Station (S7DR Plus) Active Tracking - 2-Year Warranty					
	78651	Power Cord Kit - USA, EU, UK - AUS with C7 Connector					
	114076-30	Dual Battery Charger with Power Supply/Power Cord					
	MT1000	Trimble MultiTrack Target, including 7.4V Li-Ion battery					
	99511-30	Battery Pack - Lithium-Ion, INDU5, 352P, 10, 8V, 6500mAh, 174x74x24.8mm					
	51003007	2.6M Telescopic Rover Pole					
	90553-TR	Tri-Haz Dual-Clamp Tripod					
Trimble R4sLE/R2 GNSS Receiver							
2	FDR-01-0105	Trimble R4sLE/R2 GNSS Package (Complete)	1	\$ 6,670.00	\$ 6,670.00	\$ 6,670.00	\$ 6,670.00
	114063-11	Trimble R4sLE GNSS Single-Receiver					
	109000	Dual Slot Charger (w/2 Cables or Power Supply)					
	78651	Power Cord Kit - USA/5					
	107000	Power Supply, 65W, 19V					
	EGL-22001	USB Data Cable (Kit Template)					
	107535	OTG CABLE USB-A to Mini USB-B					
	114064	Storage Bag - Trimble/Black					
	92670-10	Battery Pack - Lithium Ion (INDU) - Qty: 3					
	95853	Anti Theft Technology Sticker					
	43169-00	Range Pole Kit w/ Bipod and Case - (2M) 4 Carbon Fiber					
	FDR-05-0502	Trimble Forensics Seco Wheel for Range Pole (All Terrain)					
	114038-11-QSG	R4s Quick Start Guide					
Trimble TSC7 Controller (w/2.4GHz Radio)							
3	FDR-02-0206	Trimble TSC7 Controller (w/2.4GHz Radio)	1	\$ 9,655.00	\$ 9,655.00	\$ 9,655.00	\$ 9,655.00
	TSC7-1-1111-00	Trimble TSC7 Controller					
	FDR-02-TFC	Trimble Forensics Capture					
	121349-01	Pole Mount - TSC7					
	121344-01	Shoulder Strap - TSC7					
	104980-01-1	Vehicle Power Supply					
		AC Power Supply					
	110238-00	Trimble EM120 2.4GHz Module					
Trimble Reveal Software (Diagramming)							
4	FDR-03-0311-NR	Trimble Forensics Reveal (Subscription - 12 month) - Includes 2D/3D Diagramming/Animation/Point Cloud	1	\$ 99.00	\$ 99.00	\$ 99.00	\$ 99.00
Training							
		Training duration to be determined by device type, software platform, agency needs/availability, and any special requests (subject matter: crime/traffic crash scene).					

- Notes: 1. Payment terms: Net 20
 2. All equipment fully operational upon delivery
 3. Quote valid for 30 days
 4. Equipment hand-delivered at no charge

QUOTE

TOTAL	\$37,944.00
SALES TAX	
TOTAL DUE	

Approval for Order	Date	Purchase Order #



Precision Laser & Instrument, Inc. - 85 11th St., Ambridge, PA 15003 - 724.266.1600 - www.laserinst.com

DESCRIPTION	FUND 001 CO.		TOTAL
Gross Wages	\$394,445.00		\$394,445.00
6.2% Tax Payable OASDI	\$23,400.30		\$23,400.30
1.45% Tax Payable HI	\$5,472.66		\$5,472.66
Fed Withholding	\$33,897.46		\$33,897.46
WV State Withholding	\$16,345.86		\$16,345.86
PERS Retirement Deduct 4.5%	\$9,110.89		\$9,110.89
PERS Retirement Deduct 6%	\$5,281.43		\$5,281.43
Hosp. Pre-Taxed	\$14,827.00		\$14,827.00
AFLAC Pre-Taxed	\$422.93		\$422.93
AFLAC Post-Taxed	\$841.96		\$841.96
Optional Life Post-Taxed	\$1,799.34		\$1,799.34
Christmas Club	\$4,230.00		\$4,230.00
Wage Attach #1	\$760.05		\$760.05
Wage Attach #2	\$997.16		\$997.16
Wage Attach #3	\$0.00		\$0.00
DSRS Retirement Deduct 8.5%	\$6,901.19		\$6,901.19
457 - Nationwide	\$834.00		\$834.00
457I - Empower	\$5,215.20		\$5,215.20
457R - Roth	\$910.00		\$910.00
MD State Tax	\$943.89		\$943.89
D/VF	\$1,771.89		\$1,771.89
VA State Tax	\$140.83		\$140.83
Colonial(Plus)	\$47.84		\$47.84
Uniforms	\$0.00		\$0.00
Total Deductions	\$134,151.88	\$0.00	\$134,151.88
Net Wages Total	\$260,293.12	\$0.00	\$260,293.12
Payroll Date	January 6, 2022		

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Angie Banks, Assessor

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

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 20th, 2022**

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**
- Apportionment of tax tickets**

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.](#)



Name: Tom Hansen

Department or Organization: Sheriff's Office

Estimation of amount of time needed for appointment: 15 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*): Sign-on Bonus

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

The Sheriff is requesting permission to advertise that the Sheriff's Office will offer a \$3,000 sign-on bonus to any certified officer hired after successful completion of their 1 year probationary period. This would be a potential impact on next year's budget and would be included in our budget request; however, we have to begin advertising now.

We will be sharing a presentation to outline where the Sheriff's Office is currently and the vision held for the future.

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 advertising for a \$3,000 sign-on bonus for certified officers.

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: Patricia L. Greenley

Department or Organization: **VADV, INC. (501c3 Nonprofit Organization)**

Estimation of amount of time needed for appointment: 5-10 minutes

Date Requested – 1st Choice: **January 20, 2022 (County Commission Meeting)**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Seeking a Waiver of Fees for Processing a One-lot Minor Subdivision

Please provide the County Commission with a description of your request or presentation, including any background information: VADV is requesting a waiver of fees for processing a one-lot minor subdivision. The fees would significantly impact the operational budget of our nonprofit organization which relies on donations to provide critical services and support to our clients.

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*):

Approve waiver of fees for processing a one-lot minor subdivision as requested by VADV.

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

If not attached, explain: PLEASE SEE ATTACHMENT

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

Contact information:

Email address: vadv.wv365@gmail.com

Phone Number: 304-839-9649

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



Jefferson County, West Virginia
Department of Engineering, Planning, and Zoning
Office of Planning & Zoning
116 East Washington Street; Suite 200, P.O. Box 716
Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org

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

October 18, 2021

PRE-PROPOSAL CONFERENCE MEMORANDUM

PPC Meeting Date: October 13, 2021 10:00 am
Owner: Laurice Berry
Applicant: Patricia Greenly, Founder/Director of VADV
Proposed Project: Minor Subdivision
Parcel Information: 137 Hollow Tree Dr., Summit Point WV 25446
Parcel ID: 06019A00010001; Size: 11 acres; Zone: Rural;
Deed Book: 1135; Page: 680
Meeting Attendees: Jennifer Brockman, County Planner; Jonathan Saunders, County Engineer; Alex Beaulieu, Zoning Administrator (on phone); Patricia Greenley, Applicant

Meeting Overview/Discussion:

- **Overview:** To divide the 11-acre parcel into two lots. The division would result in the two existing homes to be on two separate lots; thereby, eliminating the nonconforming use. Discussion focused on provision of a 50-foot access easement to serve the new lot.
- **Research/Additional Relevant Information:**
 - 07/22/77: Franklin Estates (resubdivision plat) shows the configuration of the subject parcel (see [Plat Book 4, Page 56](#)) as being 12.06 acres
 - 10/10/91: a 1-acre parent to child lot was divided from the subject parcel (see [Deed Book 694, Page 499](#)) leaving a balance of 11.02.
 - **Note:** this plat shows the existing and extended right-of-way to be approximately 26' wide. The access point from Lewisville Road appears to be ~14' wide.
- **Tentative Site Capacity Calculations:**

Under the Section 5.7D.3 of the Zoning Ordinance, the property has the right to process 2 lots and a residue (3 total lots) every 5 years utilizing the minor subdivision process outlined in Section 20.201A of the Subdivision Regulations.
- **Relevant Information:**

A registered West Virginia Surveyor is required to stamp the Final Plat.
Permits are required from the following state agencies. Contact information for those agencies:

 - West Virginia Division of Highways (entrance permit): 681-320-2039 (Burlington Office)
 - Jefferson County Health Department (well & septic): 304-728-8416 or appropriate public/private utility provider
 - Office of Building Permits & Inspections: 304-725-2998
 - Office of Impact Fees, Contact Michelle Mason: 304-728-3331

Comments:

Subdivision Regulations:

- All lots created through the Minor Subdivision process shall have motor vehicle access via a 50' access easement, serving no more than 5 lots to either a WV DOH road right-of-way or easement; or a road in a major subdivision that meets county roadway design standards. Lots in the Rural District having a minimum road frontage of 200 feet may have a single access onto an existing WV DOH right-of way or easement.

Note: As the existing right-of-way is not 50' wide, the applicant must seek the following waiver:

- Waiver from Section 20.201A to reduce the access width from 50' to 14' for the purpose of creating one additional lot on Hollow Tree Drive.

Please note that this current easement serves four structures and will continue to serve four when the additional lot is created.

The fee for processing a Planning Commission Waiver is \$100.00. The Waiver Application and the 2021 Planning Commission Meeting Schedule were provided to the applicant.

- A roadway improvement easement shall be shown on the Final Plat if the adjoining State Road has a right-of-way of less than 50 feet wide so create a ROW of a minimum of 25 feet wide measured from the existing centerline of the State road ROW.

Zoning Ordinance:

- Setbacks in the Rural Zoning District are as follows: 40'Front; 50'Rear; and 15'Side.
- Barns housing animals and feeding pens must be set back a minimum of 50' from a lot line.

Conclusion:

The applicant may proceed with a minor subdivision into either 2 or 3 lots provided that a waiver from the 50' access easement requirements is granted by the Planning Commission.

Be advised that the purpose of this memo is informational and is only intended to provide general guidance.

Sincerely,



Jennifer M. Brockman, AICP
County Planner

Please Run 2 Times:

January 12th and January 19th

NOTICE OF PUBLIC HEARING
Thursday, January 20, 2022 at 6:30 pm

The County Commission of Jefferson County will hold a Public Hearing regarding a Zoning Map Amendment (rezoning) for the property designated as Tax District: Middleway (07), Map: 11; Parcels 2.1 and 2.2. The property consists of two parcels located at the SE corner of Leetown Road and Old Leetown Pike, containing 16, 30 and 35 Old Leetown Road. The property owner/applicant is John Morris. The combined parcel size is approximately 1.1 acres. The property is currently zoned Village and a petition has been made to the County Commission by the property owner to change the zoning classification of the property from Village to Residential-Light Industrial-Commercial (Planning Commission File #21-4-Z).

The hearing will be held on **Thursday, January 20, 2022 at 6:30 pm** in the County Commission Meeting Room located at the Old Charles Town Library, 200 E. Washington Street, Charles Town, WV. This meeting will also be available 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 if you wish to be added to the list for in-person attendance at the Public Hearing.

Oral or written comments can be provided at the hearing on **Thursday, January 20, 2022 at 6:30 pm**. Written comments may also be submitted to info@jeffersoncountywv.org or to PO Box 250, Charles Town, WV 25414.

Please contact the Office of Planning and Zoning for additional information on the proposed request: 304-728-3228 or visit the County's website: www.jeffersoncountywv.org.

By Order of the Jefferson County Commission
Caleb Hudson, President



JEFFERSON COUNTY, WEST VIRGINIA

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

P.O. Box 716

Charles Town, WV 25414

www.jeffersoncountywv.org

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

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

MEMO

TO: County Commission of Jefferson County
FROM: Jennifer M. Brockman, AICP, County Planner
DATE: January 13, 2022
RE: Planning Commission Recommendation regarding the REVISED Zoning Map Amendment Petition for Old Leetown (John Morris) property (File #21-4-Z)

On Thursday, January 6, 2022, John Morris presented a REVISED petition for a Zoning Map Amendment to the Jefferson County Commission for two parcels located southwest of the intersection of Old Leetown Pike (WV15) and Leetown Road (WV1). The parcels, designated as Middleway (07); Tax Map: 11; Parcels: 2.1 and 2.2, have a combined parcel size of approximately one acre. The properties are currently zoned Village and the revised petition requests rezoning from Village to Residential-Light Industrial-Commercial (RLIC). The County Commission scheduled a Public Hearing for this rezoning for Thursday, January 20, 2022 at 6:30 pm. At the January 6th meeting, the County Commission, in accordance with WV Code 8A and the Jefferson County Zoning Ordinance Article 12, referred the revised petition to the Planning Commission for their review and recommendation as to whether the proposed amendment is consistent with the adopted *Envision Jefferson 2035 Comprehensive Plan*.

On Tuesday, January 11, 2022 at the Jefferson County Planning Commission meeting, the Planning Commission heard an overview of the REVISED Zoning Map Amendment (#21-4-Z) petition by staff as well as a staff report identifying relevant portions of the *Envision Jefferson 2035 Comprehensive Plan* for the Planning Commission's consideration and review. This staff report is attached to this memo for the County Commission's information and consideration. Staff provided comments on the application and the relevant sections of the *2035 Plan*. Staff presented a finding to the Planning Commission that that the request is reasonably consistent with the Future Land Use Guide of the *2035 Plan* because it is shown as future "Mixed Use Residential/ Commercial" on the Future Land Use Guide and the proposed Residential-Light Industrial-Commercial zone allows this mixture of uses.

After reviewing the application, the staff report, and further discussion, the Planning Commission found, with a unanimous vote, that the revised proposed Zoning Map Amendment to Residential-Light Industrial-Commercial (RLIC) is consistent with the *Envision Jefferson 2035 Comprehensive Plan*.

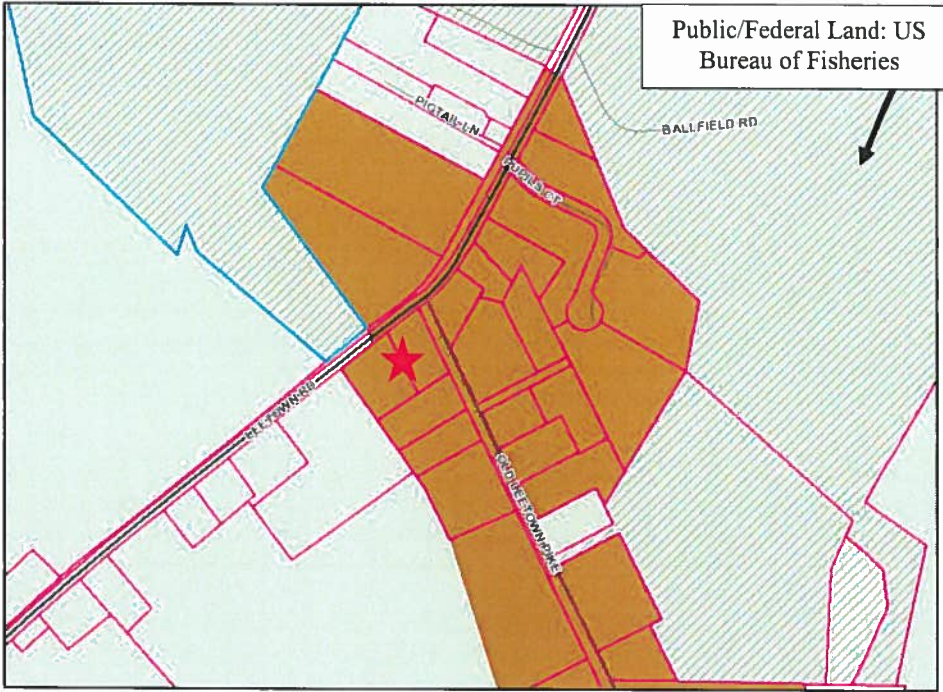
Attachment:

- *21-4-Z Morris Amended Rezoning Staff Report for 1/11/22 Planning Commission Meeting*

Staff Report
 Jefferson County Planning Commission Meeting
 December 14, 2021

Morris Rezoning Request (21-4-Z) REVISED

Item # 10: Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the subject parcels from Village to **Residential-Light Industrial-Commercial** is consistent with the *Envision Jefferson 2035 Comprehensive Plan*.

Owner/Applicant:	John Morris
Parcel Information:	16 Old Leetown Road, Kearneysville, WV* Tax District: Middleway (07), Map: 11; Parcels 2.1 and 2.2; Combined acreage: 1 ac; Zoning District: Village
	
	*Located on the same parcel: 30 and 36 Old Leetown, Kearneysville WV
Adjacent Zoning Districts	North, South, East: Village and Rural; West: Rural
Current Use:	Commercial / Residential (nonconforming use)
Proposed Request	To rezone from Village to Residential-Light Industrial-Commercial
Planning Commission Responsibility:	To advise the County Commission whether the requested Zoning Map Amendment is consistent with the <i>Envision Jefferson 2035 Comprehensive Plan</i> .
Staff Finding:	Staff finds that the request is reasonably consistent with the <i>Envision Jefferson 2035 Comprehensive Plan</i> because it is shown as future “Mixed Use Residential/ Commercial” on the Future Land Use Guide and the proposed Residential-Light Industrial-Commercial zone allows this mixture of uses.

Applicant’s Request

The applicant’s request is to rezone parcels 2.1 and 2.2 from Village to Residential-Light Industrial-Commercial. The combined acreage of the proposed rezoning is approximately one acre.

Staff Report
Jefferson County Planning Commission Meeting
December 14, 2021

Morris Rezoning Request (21-4-Z) REVISED

Relevant Site Information and Neighboring Uses

The surrounding properties are primarily agricultural and residential in nature. The subject site is also within close proximity to Leetown Baptist Church, a consignment shop, and the US Bureau of Fisheries (aka US Fish and Wildlife Services), which is federally owned land.

Half of the property lies within Flood Zone A within which commercial development would not be permitted, including related parking. New construction requires 25-foot setback from the edge of the floodplain.



Scope of this Assessment

This report focuses on whether or not the Zoning Map Amendment application is consistent with the *Envision Jefferson 2035 Comprehensive Plan (2035 Plan)* and provides a Staff recommendation based on review of the various plan sections and elements. Staff’s professional recommendation is that the request is **reasonably consistent** with the *2035 Plan* because it is shown as future “Mixed Use Residential/ Commercial” on the Future Land Use Guide and the proposed Residential-Light Industrial-Commercial zone allows this mixture of uses.

It should be noted that Staff has no statutory authority to make decisions in this regard. The County Commission, with the recommendation of the Planning Commission, has the authority to approve or deny a zoning map amendment.

Zoning Map Amendment Public Hearing Process

Article 12 of the Zoning Ordinance requires that the “procedure for amendment [by petition] shall be as dictated in Section 8A-7-9 et seq of the West Virginia State Code as amended.” Regarding amendments by petition, State statute provides that, “Before amending the zoning ordinance, the governing body, with the advice of the planning commission, must find that the amendment is consistent with the adopted comprehensive plan.” [See WVC 8A-7-9(c)].

Relevant *Envision Jefferson 2035 Comprehensive Plan* Elements and Commentary

The *Envision Jefferson 2035 Comprehensive Plan* consists of both goals and recommendations in text format as well as a Future Land Use Guide, both of which are relevant to this analysis. Page number references throughout this report relate to the *Envision Jefferson 2035 Comprehensive Plan*.

A. Land Use and Growth Management Element/ Future Land Use Guide

One of the key concepts that the Land Use and Growth Management Element of the *2035 Plan* addresses is how to better influence the location of new development within Jefferson County. As the cost of providing services and utilities increases, many communities similar to Jefferson County have come to the realization that it is more sensible to identify specific areas that can handle development and growth, and to focus infrastructure and community service investments in these areas. In Jefferson County, there are four area types that are identified as part of *Envision Jefferson 2035 Plan* (pp.16-17).

The land use area types include Urban Growth Boundaries (UGB) and Preferred Growth Areas (PGA), which are the sections of Jefferson County where urban scale development is to be targeted over the

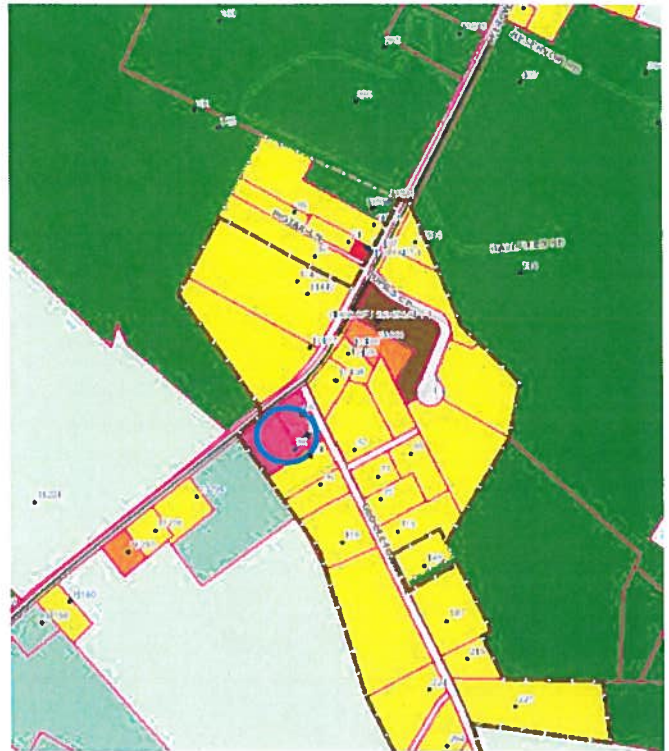
Staff Report
Jefferson County Planning Commission Meeting
December 14, 2021

Morris Rezoning Request (21-4-Z) REVISED

planning horizon of the *2035 Plan*; and Rural/Agricultural Areas and Villages, where limited development is possible but is not intended for urban-scale development. (p. 17)

The property proposed for rezoning in this petition is located within the area of the County identified as the Village of Leetown, located at the intersection of Old Leetown Pike (WV15) and Leetown Road (WV1). (p. 41) The *2035 Plan* acknowledges the need to allow the rehabilitation and repurposing of buildings within historic districts and village areas. It further acknowledges that many villages were founded around live-work structures that allowed local business owners to live and support the village area from the same structure. One of the biggest issues related to the viability of villages and crossroads is the lack of sufficient infrastructure to serve the existing and future needs of the community. (p.43)

The *2035 Plan* also recommends that, within the village areas and the village expansion areas shown on the Future Land Use Guide, “the form, scale, and design of new development in these areas needs to complement and integrate with the existing village areas. Suburban commercial strip development is not anticipated and should not be approved in these areas. Proposed commercial structures should take into account similar architecture in the area or a type of structure that would be appropriate for the area in which it is located.” (p. 43- 44)



B. Appendix G - Land Use Map Classifications

The properties which are a part of this Zoning Map Amendment request are shown on the Future Land Use Guide as Future “Mixed Use Residential/ Commercial Development”. Appendix G of the *2035 Plan* provides a detailed explanation of the Land Use Map Classifications utilized on the Existing Land Use Map and Future Land Use Guide, which are intended to provide guidance to the Planning and County Commissions when considering owner-initiated zoning map amendments (rezoning requests). It further notes that while some of the land use classifications may require new zoning categories, the land uses were not intended to be a comprehensive list of possible zoning districts (p. 235).

Appendix G states that the “Mixed Use Residential/Commercial Development” land use category (pp. 237) was used to reflect “areas which are intended to support the mixing of residential and commercial uses. This land use classification should result in the creation of a new zoning district that would permit this activity, with a mandatory mix of uses to be determined through the zoning text amendment process. As shown on the Future Land Use Guide, any rezoning to the Residential-Light Industrial-Commercial (R-LI-C) or a new zone that permits these uses shall have a mandatory mix of these uses.” No new zoning category to address this mandatory mix has been drafted at this time.

Staff Report
Jefferson County Planning Commission Meeting
December 14, 2021

Morris Rezoning Request (21-4-Z) REVISED

This section of Appendix G of the *2035 Plan* further states that the purpose of the Mixed-Use Residential/Commercial Development is to:

- “1. encourage flexibility in the development of land to promote its most appropriate use.
2. improve the design, character and quality of new developments.
3. provide and promote redevelopment and reuse opportunities.
4. encourage a harmonious and appropriate mixture of uses and/or housing types.
5. facilitate the adequate and economic provision of streets, utilities and city services.
6. preserve critical natural environmental and scenic features of the site.
7. encourage and provide a mechanism for arranging improvements and sites so as to preserve desirable features and to provide transitions between land uses.
8. mitigate the problems which may be presented by specific site conditions.”

It should be noted that under the “Urban Level Development Recommendations (Goal 1)”, Recommendation #14 recommends that all commercial/industrial zoning map amendment requests should utilize the 2014 (or later) zoning categories and discourages the use of the existing R-LI-C District as a zoning category for zoning map amendment requests. It further recommends that any development in a zone that permits mixed use be developed according to the mixed land use ratios found in the land use categories recommended by this Plan, unless otherwise provided in the Zoning Ordinance (p.33, emphasis added). In spite of this recommendation, at this time the RLIC zoning district is the only district that supports the mixing of residential and commercial land uses.

Proposed Zoning District – Residential-Light Industrial-Commercial (RLIC)

The purpose of the Residential-Light Industrial-Commercial (GC) District (Section 5.8) is to “guide high intensity growth into the designated growth area. Light industrial uses are defined in Section 2.2. All other perceived light industrial uses shall be referred to the Jefferson County Development Authority for a recommendation on whether a use is a light industrial or heavy industrial use. The final decision on use classification shall be made by the Zoning Administrator.” (full description attached)

Staff Discussion and Recommendation

While the *Envision Jefferson 2035 Plan* anticipated the development of a new zoning category to require a mandatory mix of the residential and commercial uses for areas identified for Mixed Use Residential/Commercial Development, this text amendment has not occurred. Because of this, the applicant’s requested zoning category of Residential-Light Industrial-Commercial, although discouraged by the 2035 Plan seems the most consistent with the 2035 Plan because it is shown as future “Mixed Use Residential/ Commercial” on the Future Land Use Guide and the proposed Residential-Light Industrial-Commercial zone allows this mixture of uses.

It should be noted that the size of the property, the impact of the floodplain, and the location make this property difficult to develop the property for the purpose identified in the Residential-Light Industrial-Commercial Zoning District. Also note that the current Village zoning permits residential and a limited number of non-residential land uses which is consistent with *the Plan*. It would also be possible to reinstate the non-conforming retail use that existed on this property for many years through action by the Board of Zoning Appeals, which would allow the mixed uses on the property to continue. It should also be noted that the Antiques Shop noted in the application is one of the retail uses permitted in the existing Village Zoning District.

Staff Report
Jefferson County Planning Commission Meeting
December 14, 2021

Morris Rezoning Request (21-4-Z) REVISED

Staff's professional recommendation is that the revised zoning map petition is **reasonably consistent** with the *2035 Plan* because it is shown as future "Mixed Use Residential/ Commercial" on the Future Land Use Guide and the proposed Residential-Light Industrial-Commercial zone, while not encouraged by the *2035 Plan*, allows this mixture of uses.

Planning Commission Action

Article 12 of the Zoning Ordinance, in accordance with State Code, requires the County Commission to refer rezoning petitions to the Planning Commission for their review and recommendation as to whether the amendment is consistent with the adopted *Comprehensive Plan*. Such recommendation will be required to be sent to the County Commission prior to the County Commission's public hearing which shall be held within 60 days of the date the petition is presented.

The original petition to rezone these properties from Village to General Commercial was presented to the County Commission on December 2, 2021 and the required Public Hearing was scheduled for January 20, 2022 at 6:30 pm. Prior to the Public Hearing, the County Commission sent the petition to the Planning Commission for their review. The original petition was considered by the Planning Commission at their December 11, 2021 meeting and the Planning Commission found, with a unanimous vote, that the proposed Zoning Map Amendment to General Commercial was not compatible with the *Envision Jefferson 2035 Comprehensive Plan*. The Planning Commission also requested that the County Commission recommend a different zoning district and return the request to the Planning Commission for further review.

The applicant revised the petition at the January 6, 2022 County Commission meeting to request this rezoning petition from Village to Residential-Light Industrial- Commercial and to request that the Planning Commission review this revised petition and make a recommendation to the County Commission prior to the scheduled January 20, 2022 Public Hearing. This revised petition is being considered at tonight's meeting and the recommendation will be sent to the County Commission prior to their January 20, 2022 Public Hearing.

Attachment:

- Section 5.8 Residential-Light Industrial- Commercial (RLIC)

Staff Report
Jefferson County Planning Commission Meeting
December 14, 2021

Morris Rezoning Request (21-4-Z) REVISED

ATTACHMENT:

Section 5.8 Residential-Light Industrial-Commercial (R-LI-C) District

The purpose of this district is to guide high intensity growth into the designated growth area. Light industrial uses are defined in Section 2.2. All other perceived light industrial uses shall be referred to the Jefferson County Development Authority for a recommendation on whether a use is a light industrial or heavy industrial use. The final decision on use classification shall be made by the Zoning Administrator.

A. Principal Permitted and Conditional Uses^{23, 27, 32}

1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.
2. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.

B. Standards

1. Industrial uses permitted in this district shall be of types that require daily water use of no more than 0.25 gallons per gross square feet of floor space.
2. Light industrial and commercial uses are subject to the standards for such uses in Article 8 of this Ordinance.
3. Impervious surface coverage shall not exceed eighty (80) percent of the gross land area.

C. Site Development Standards

1. All sections of this Ordinance applying to the Residential Growth District with the exception of Section 5.4A will apply to residential uses in this District.
2. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance. All commercial or industrial uses must be in compliance the requirements for such use in Article 8. In addition, a site plan, if required, must demonstrate that traffic patterns created by Commercial or Light Industrial uses (1) will not use adjacent residential roads for through traffic and (2) will connect to principal and major arterial highways as directly as feasible considering access restrictions.
3. Proposed uses in this zone are exempt from the distance requirements in Sections 4.6A-B if part of a master planned community. This provision shall only apply to the internal use of land under the same ownership.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: John Morris

Department or Organization: Citizen

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 6, 2022**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Rezoning Request for a one acre property located at 16 Old Leetown Pike, Kearneysville, WV 25430; Tax District – Middleway (07); Map No. – 11; Parcel No. 0002-0007-000 to change current zoning district from Village to Residential, Light Industrial, Commercial (RLIC).**

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*):

↓ I move to schedule a public hearing to receive input concerning the rezoning request for a one acre property located at 16 Old Leetown Pike, Kearneysville, WV 25430; Tax District – Middleway (07); Map No. – 11; Parcel No. 0002-0007-000 to change current zoning district from Village to RLIC, to be held on _____ at _____ am/pm.

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor, P.O. Box 716
 Charles Town, West Virginia 25414

File #: 21-4-2
 Date Rec'd: 11/18/21
 Fees Paid: 1050-
 Staff Int: gjt

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

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

Zoning Map Amendment (Rezoning)

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

Property Owner Information

Owner Name: John S. Morris
 Business Name: _____
 Mailing Address: 11070 LEETOWN RA REAR BYSVILLE, W.VA 25430
 Phone Number: 304-725-2407 Email: JS.MORRIS.PPA@PAW.COM

Applicant Contact Information

Applicant Name: _____ Same as owner:
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Consultant Information

Name: _____
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address: 16 010 LEETOWN PK. REAR BYSVILLE W.VA 25430 Vacant Lot:
 Tax District: MIDDLEWAY 07 Map No: 11 Parcel No: 0002-NW-0000
 Parcel Size: 1.0 ACRES Deed Book: 1234 gjt Page No: 324 gjt

Current Zoning District

Killing

Proposed Zoning District

General Commercial

Substantiation for the Request

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

Describe your proposed use/project and describe why this Zoning Map Amendment is necessary for the proposed use (and/or project) described.

ANTIQUE STORE LIMITED HOURS
Flexibility to establish retail

Describe how this Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.

Future Land use guide reflects commercial use

Discuss any change(s) of transportation characteristics (i.e. type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original Ordinance was adopted.


The property has been commercial for 55 years
There will be no change in traffic patterns

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

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

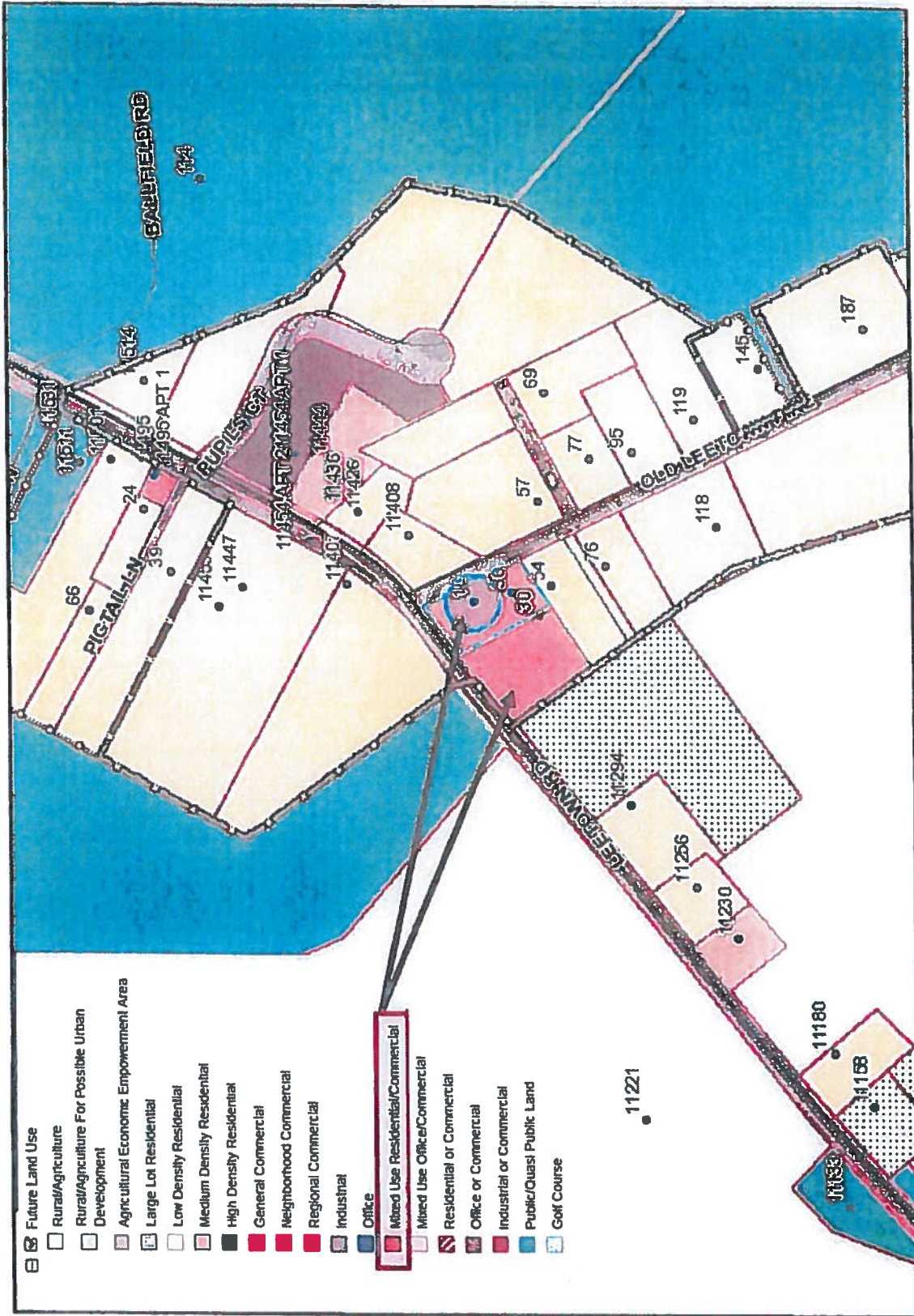
A plat or sketch shall include the entire original parcel as it appeared on the date this Ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines, as shown on the appropriate U.S.G.S. Topographic Quadrangle Map or other data source approved by the Department, should be superimposed on the sketch plan. The source of all contour lines shall be noted on the plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes, and quarries shall be delineated.

The information given is correct to the best of my knowledge.

	11/21		
Property Owner Signature*	Date	Property Owner Signature*	Date

*The original signature of the property owner is required. A copy of the signature will not be accepted.

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to the Office of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.



- Future Land Use
- Rural/Agriculture
- Rural/Agriculture For Possible Urban Development
- Agricultural Economic Empowerment Area
- Large Lot Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- General Commercial
- Neighborhood Commercial
- Regional Commercial
- Industrial
- Office
- Mixed Use Residential/Commercial
- Mixed Use Office/Commercial
- Residential or Commercial
- Office or Commercial
- Industrial or Commercial
- Public/Quasi Public Land
- Golf Course

General Commercial (GC)

The purpose of this land use category is to provide for general destination business uses which provide a broad range of commercial products and services necessary for large regions. The uses in this category may be characterized by larger buildings, more intensive commercial activity, and more vehicular traffic than would be permitted for uses in the NC district. This category is intended to for individual structures less than 50,000 square feet and could include more than one structure.

Regional Commercial (RC)

The purpose of this land use category is to provide appropriate locations for high-intensity, motor-vehicle oriented commercial uses fronting on major roadways. The uses in this category may be characterized by a broad range of building sizes, which may include large buildings that exceed 50,000 square feet of gross floor area for an individual building and which may have greater impact on surrounding areas as a result of significant truck traffic and other factors. This category may include land uses that are more intensive than other commercial districts and incompatible with nearby adjacent residential uses.

Mixed Use Residential/Commercial Development

This land use category reflects areas which are intended to support the mixing of residential and commercial uses. This land use classification should result in the creation of a new zoning district that would permit this activity, with a mandatory mix of uses to be determined through the zoning text amendment process. As shown on the Future Land Use Guide, any rezoning to the Residential-Light Industrial-Commercial (R-LI-C) or a new zone that permits these uses shall have a mandatory mix of these uses.

For developments not fronting on a four lane road, the uses recommended within the Highway Commercial (HC) land use category are not permitted in the commercial uses permitted in the Mixed Use Residential/Commercial Development. The purpose of the mixed use residential/commercial development is to:

1. encourage flexibility in the development of land to promote its most appropriate use.
2. improve the design, character and quality of new developments.
3. provide and promote redevelopment and reuse opportunities.
4. encourage a harmonious and appropriate mixture of uses and/or housing types.
5. facilitate the adequate and economic provision of streets, utilities and city services.
6. preserve critical natural environmental and scenic features of the site.
7. encourage and provide a mechanism for arranging improvements and sites so as to preserve desirable features and to provide transitions between land uses.
8. mitigate the problems which may be presented by specific site conditions.

APPENDIX C: PRINCIPAL PERMITTED AND CONDITIONAL USES TABLE^{23, 29, 32, 33, 35, 37, 39}

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Residential Uses													
Accessory Agricultural Dwelling Unit	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.15
Dwelling, Single Family	CU	NP	NP	NP	NP	P	NP	P	P	P	NP	P	
Dwelling, Single Family, Small Lot	CU	NP	NP	NP	NP	P	NP	NP	P	P	NP	P	
Dwelling, Two Family	CU	NP	NP	NP	NP	P	NP	P	P	P	NP	P	
Dwelling, Duplex	CU	NP	NP	NP	NP	P	NP	NP	P	P	NP	P	
Dwelling, Townhouse	CU	NP	NP	NP	NP	P	P	NP	P	P	NP	CU	
Dwelling, Multi-Family	CU	NP	NP	NP	NP	P	P	NP	P	P	NP	CU	
Day Care Center, Small	P	NP	NP	NP	NP	P	NP	P	P	P	P	P	
In-Law Suite	NP	NP	NP	NP	NP	P	NP	P	P	P	NP	P	Sec. 8.15
Mixed Use Building	P	NP	NP	NP	NP	P	P	NP	CU	P	NP	P	
Mobile Home Park	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	
Model Homes/Sales Office	P	CU	NP	NP	NP	P	NP	P	P	P	NP	NP	Sec. 8.10
Home Uses													
Home Occupation, Level 1	P	NP	NP	NP	NP	P	P	P	P	P	P	P	Art. 4A
Home Occupation, Level 2	P	NP	NP	NP	NP	P	P	P	P	P	P	P	Art. 4A
Cottage Industry	P	NP	NP	NP	NP	P	NP	P	P	P	P	P	Art. 4A
Institutional Uses													
Airport	NP	NP	NP	P	P	NP	NP	CU	NP	CU	CU	NP	
Airfield, Private/Helipad	NP	NP	NP	NP	NP	NP	NP	CU	NP	CU	CU	NP	
Church ²⁸	P	P	P	P	CU	P	P	P	P	P	CU	P	
Convention Center	NP	P	P	P	CU	P	P	CU	CU	P	CU	NP	
Cultural Facility	P	P	P	P	CU	P	P	P	P	P	P	P	
Day Care Center, Large	P	P	P	P	CU	P	P	CU	P	P	P	CU	
Electric Vehicle Charging Station	P	P	P	P	P	P	P	CU	CU	P	P	CU	
Elementary or Secondary School	P	P	CU	CU	NP	P	P	P	P	P	NP	CU	
Essential Utility Equipment	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 4.7
Group Residential Facility	P	P	P	NP	NP	P	CU	P	P	P	NP	P	
Group Residential Home	P	P	P	NP	NP	P	CU	P	P	P	NP	P	
Heliport	NP	CU	CU	P	P	CU	CU	NP	NP	CU	CU	NP	
Hospital	NP	P	P	P	CU	P	P	P	P	P	NP	NP	
Nature Center and Preserve	NP	NP	NP	NP	NP	P	NP	P	CU	P	NP	P	
Nursing or Retirement Home	CU	P	P	P	NP	P	P	CU	P	P	NP	CU	
Park	P	P	P	P	NP	P	P	P	P	P	NP	P	
Performing Arts Theater	P	P	P	P	P	P	P	CU	CU	P	P	CU	
Preschool	P	P	CU	CU	CU	P	P	P	P	P	NP	CU	
Public Safety Facility	P	P	P	P	P	P	P	P	P	P	P	P	
Publicly Owned Facility	P	P	P	P	P	P	P	P	P	P	P	CU	
Recycling Drop-Off Center	CU	P	P	P	P	P	P	NP	NP	P	P	NP	
Residential Care Home	P	P	P	NP	NP	P	CU	P	P	P	NP	P	
School, College or University	NP	P	P	P	NP	P	P	CU	CU	P	NP	NP	
School, Vocational or Professional	NP	P	P	P	NP	P	P	CU	CU	P	P	NP	
Vocational and Training Facility for Adults	P	P	P	P	P	P	P	P	P	P	NP	NP	

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Industrial													Sec. 8.9
Heavy Equipment Repair	NP	NP	CU	CU	P	NP	NP	NP	NP	NP	P	NP	
Heavy Industrial Uses	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	P	NP	Sec. 8.9
Light Industrial Uses	NP	NP	NP	P	P	NP	NP	NP	** NP	P	P	NP	Sec. 8.9
Manufacturing, Heavy	NP	NP	NP	CU	P	NP	NP	NP	NP	NP	P	NP	
Manufacturing, Limited	NP	P	P	P	P	CU	NP	NP	NP	P	P	NP	
Printing and Publishing	NP	P	P	P	P	P	P	NP	NP	P	P	NP	
Salvage Yards	NP	NP	NP	NP	CU ²	NP	NP	NP	NP	NP	CU ²	NP	Sec. 4.4L
Shooting Range, Indoor	NP	CU	CU	P	P	NP	NP	CU	NP	CU	P	NP	
Shooting Range, Outdoor	NP	NP	NP	CU	CU	NP	NP	CU	NP	NP	CU	NP	
Slaughterhouses, Stockyards	NP	NP	NP	NP	CU	NP	NP	CU	NP	NP	CU	NP	
Transportation Terminal	NP	P	P	P	P	P	P	NP	NP	CU	P	NP	
Vehicle Storage	NP	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP	
Warehousing and Distribution, General	NP	NP	NP	CU	P	NP	NP	NP	NP	CU	P	NP	
Warehousing and Distribution, Limited	NP	P	P	P	P	CU	P	NP	NP	P	P	NP	
Industrial Manufacturing & Processing													Sec. 8.9
Acid or heavy chemical manufacturer, processing or storage	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Bituminous concrete mixing and recycling plants	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Cement or Lime Manufacture	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Commercial Sawmills	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Concrete and ceramic products manufacture, including ready mixed concrete plants	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Explosive manufacture or storage	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Foundries and/or casting facilities	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Jails and Prisons	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	Sec. 8.7
Mineral extraction, mineral processing	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Petroleum products refining or storage	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	Sec. 8.11
Adult Uses													
Adult Uses	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	Sec. 4.4K, Sec. 8.1
Recreational Uses													
Hunting, Shooting, Archery and Fishing Clubs, public or private	NP	NP	NP	CU	CU	NP	NP	P	NP	NP	NP	NP	Sec. 8.8
Commercial Uses													Sec. 8.9
Antique Shop	P	P	P	P	NP	P	NP	CU	CU	P	P	P	
Appliance Sales	NP	P	P	P	CU	P	NP	CU	CU	P	P	NP	
Art Gallery or Artist Studio	P	P	P	P	NP	P	P	CU	CU	P	P	P	
ATM	P	P	P	P	NP	P	P	CU	CU	P	P	CU	
Automobile repair, sales and service	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Automobile parts, supplies and tire stores	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Automobile, light truck and light trailer rentals, indoor	P	P	P	P	P	P	NP	CU	CU	P	P	CU	
Automobile, light truck and light trailer rentals, outdoor	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Bail Bond Services	NP	P	P	P	CU	NP	NP	CU	CU	CU	P	CU	
Bank	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Bank with Drive-Through Facility	CU	P	P	P	CU	P	P	CU	CU	P	P	CU	

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Commercial Uses continued													Sec. 8.9
Bar	P	P	P	P	NP	P	P	NP	NP	P	P	CU	
Barber/Beauty Shop, Limited	P	P	P	P	NP	P	P	CU	CU	P	P	P	
Bed and Breakfast	P	NP	NP	NP	NP	NP	NP	P	CU	NP	NP	P	Sec. 8.3
Brewpub	P	P	P	P	NP	P	P	CU	CU	P	P	CU	Sec. 8.5
Business Equipment Sales and Service	CU	P	P	P	CU	P	P	CU	CU	P	P	CU	
Building Maintenance Services	CU	P	P	P	P	P	P	CU	CU	P	P	CU	
Building Materials and Supplies	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Campground ³¹	CU	P	NP	NP	NP	P	NP	P	CU	P	P	CU	Sec. 8.17
Car Wash	NP	P	P	P	CU	P	P	CU	CU	P	P	CU	
Commercial Blood Plasma Center	NP	P	P	P	NP	CU	CU	CU	CU	CU	P	CU	
Commercial Uses	NP	NP	NP	NP	NP	NP	NP	**	P	P	P	CU	Sec. 8.9
Contractor with No Outdoor Storage	P	P	P	P	P	P	P	CU	CU	P	P	CU	
Contractor with Outdoor Storage	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Convenience Store, Limited	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Convenience Store	CU	P	P	P	CU	P	NP	CU	CU	CU	P	CU	Sec. 5.8C (RLIC only)
Country Inn	P	P	P	P	NP	P	P	CU	CU	P	P	P	
Crematorium, Pet ³⁷	NP	P	NP	P	NP	NP	NP	P	NP	P	P	CU	Sec. 8.19
Custom Manufacturing	P	P	P	P	P	P	P	CU	CU	P	P	CU	
Dry cleaning and Laundry Services	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Dry cleaning and Laundry Facility	NP	P	P	P	P	P	P	CU	CU	P	P	CU	
Equipment Rental, Sales, or Service	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Exterminating Services	NP	P	P	P	P	P	P	CU	CU	P	P	CU	
Florist	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Food Preparation	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Hotel/Motel	NP	P	P	P	NP	P	P	CU	CU	P	P	CU	
Gambling Facilities	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	CU	Sec. 4.4G
Gas Station, Limited	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Gas Station	NP	P	P	P	CU	P	P	CU	CU	P	P	CU	
Gas Station, Large	NP	CU	P	P	CU	CU	CU	CU	CU	P	P	CU	
Golf Course	NP	P	P	P	NP	P	P	CU	CU	P	P	CU	
Grocery Store	P	P	P	P	CU	P	NP	CU	CU	P	P	CU	
Horse Racing Facility	NP	NP	NP	P	NP	NP	NP	CU	CU	P	P	CU	
Kennel	NP	P	P	P	CU	P	P	P	CU	P	P	CU	Sec. 8.4
Medical/Dental/Optical Office, Small	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Medical/Dental/Optical Office	NP	P	P	P	CU	P	P	CU	CU	P	P	CU	
Mobile Home, Boat and Trailer Sales	NP	P	P	P	CU	P	NP	CU	CU	CU	P	CU	
Movie Theater	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Nightclub	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Non Profit Commercial Uses	P	P	P	P	NP	P	P	CU	CU	P	P	CU	
Non-Profit Community Centers	P	P	P	P	CU	P	CU	P	CU	P	P	CU	
Parking, Commercial Offsite Accessory	NP	P	P	P	P	P	P	CU	CU	P	P	CU	
Pawn Shop Services	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Personal Services	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Professional Office, Small	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Professional Office	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Restaurant, Fast Food, Limited	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Restaurant, Fast Food	CU	P	P	P	CU	P	P	CU	CU	CU	P	CU	
Restaurant, Fast Food, Drive-Through ⁴⁰	NP	P	P	P	CU	CU	P	CU	CU	P	P	CU	

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Commercial Uses continued													Sec. 8.9
Restaurant	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Retail Sales Limited	P	P	P	P	NP	P	P	CU	CU	P	P	CU	
Retail Sales and Services, General	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Retail Store, Large	NP	CU	P	CU	NP	CU	NP	CU	CU	CU	CU	CU	
Shipping and Mailing Services	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Special Event Facility	P	P	P	P	NP	P	P	CU	CU	P	P	CU	Sec. 8.14
Storage, Commercial	NP	P	P	P	CU	P	NP	CU	CU	P	P	CU	
Veterinary Services	P	P	P	P	CU	P	P	P	CU	P	P	CU	
Wireless Telecommunications Facilities	P	P	P	P	P	P	P	P	P	P	P	P	Art. 4B
Agricultural Uses*													
Agricultural Uses, as defined in Article 2	P	P	P	P	P	P	P	P	P	P	P	P	
Agricultural Repair Center	NP	P	P	P	P	P	P	P	CU	P	P	NP	
Agricultural Tourism	P	P	P	P	P	P	P	P	P	P	P	P	
Crematorium, Livestock ³⁷	CU	CU	CU	CU	CU	CU	CU	P	CU	CU	CU	CU	Sec. 8.19
Farm Brewery	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.5
Farm Winery or Distillery	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.5
Farm Market	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.6
Farm Vacation Enterprise	P	P	P	P	P	P	P	P	P	P	P	P	
Farmer's Market	P	P	P	NP	NP	P	NP	P	CU	P	NP	CU	Sec. 8.6
Feed and/or Farm Supply Center	CU	P	P	P	P	P	P	P	CU	P	P	NP	
Horticultural Nurseries and Commercial Greenhouses	P	P	P	P	P	P	P	P	CU	P	P	NP	
Landscaping Business	P	P	P	P	P	P	P	P	CU	P	P	NP	
Rental of Existing Farm Building for Commercial Storage Structure must have existed for 5 years	NP	P	P	P	P	P	P	P	CU	P	P	NP	
Special Event Facility, Agricultural	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.14
Accessory Uses													
Accessory Uses	P	P	P	P	P	P	P	P	P	P	P	P	

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

Please Run 2 Times:

January 12th and January 19th

NOTICE OF PUBLIC HEARING
Thursday, January 20, 2022 at 6:45 pm

The County Commission of Jefferson County will hold a Public Hearing regarding a Zoning Map Amendment (rezoning) for the property designated as Tax District: Shepherdstown (09), Map: 11; Parcels: 29 and 45. The property consists of two parcels located west of Shenandoah Junction, containing 257 and 263 Ridge Road. The property owner/applicant is Arnold Holden, et al. The combined parcel size is approximately 76.2 acres. The property is currently zoned Industrial-Commercial (IC) and a petition has been made to the County Commission by the property owner to change the zoning classification of the property from Industrial-Commercial to Residential Growth (RG) (Planning Commission File #21-5-Z).

The hearing will be held on **Thursday, January 20, 2022 at 6:45 pm** in the County Commission Meeting Room located at the Old Charles Town Library, 200 E. Washington Street, Charles Town, WV. This meeting will also be available 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 if you wish to be added to the list for in-person attendance at the Public Hearing.

Oral or written comments can be provided at the hearing on **Thursday, January 20, 2022 at 6:45 pm**. Written comments may also be submitted to info@jeffersoncountywv.org or to PO Box 250, Charles Town, WV 25414.

Please contact the Office of Planning and Zoning for additional information on the proposed request: 304-728-3228 or visit the County's website: www.jeffersoncountywv.org.

By Order of the Jefferson County Commission
Caleb Hudson, President



JEFFERSON COUNTY, WEST VIRGINIA

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

P.O. Box 716

Charles Town, WV 25414

www.jeffersoncountywv.org

Email: planningdepartment@jeffersoncountywv.org

zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Fax: (304) 728-8126

MEMO

TO: County Commission of Jefferson County
FROM: Jennifer M. Brockman, AICP, County Planner
DATE: January 13, 2022
RE: Planning Commission Recommendation regarding the Zoning Map Amendment Petition for the Holden (Ridge Road) property (File #21-5-Z)

On Thursday, December 16, 2021, the consultant for Arnold Holden, et.al. presented a petition for a Zoning Map Amendment to the Jefferson County Commission for two parcels located west of Ridge Road (WV16), east of Warm Springs Road (WV48/2), and north of Shenandoah Junction Road (WV 20). The parcels, designated as Shepherdstown (09); Tax Map: 11; Parcels: 29 and 45, have a combined parcel size of approximately 76.2 acres. The properties are currently zoned Industrial-Commercial (IC) and the petition requests rezoning from Village to Residential Growth (RG). The County Commission scheduled a Public Hearing for this rezoning for Thursday, January 20, 2022 at 6:30 pm. At the December 16th meeting, the County Commission, in accordance with WV Code 8A and the Jefferson County Zoning Ordinance Article 12, referred the petition to the Planning Commission for their review and recommendation as to whether the proposed amendment is consistent with the adopted *Envision Jefferson 2035 Comprehensive Plan*.

On Tuesday, January 11, 2022 at the Jefferson County Planning Commission meeting, the Planning Commission heard an overview of the Holden (Ridge Road) Zoning Map Amendment (#21-5-Z) petition by staff as well as a staff report identifying relevant portions of the *Envision Jefferson 2035 Comprehensive Plan* for the Planning Commission's consideration and review. This staff report is attached to this memo for the County Commission's information and consideration. Staff provided comments on the application and the relevant sections of the *2035 Plan*. Staff presented a finding to the Planning Commission that that the request is consistent with the Future Land Use Guide of the *2035 Plan* because it is shown as future "Medium Density Residential" on the Future Land Use Guide and the proposed Residential Growth (RG) zone allows this density of residential uses.

After reviewing the application, the staff report, and further discussion, the Planning Commission found, with a unanimous vote, that the proposed Zoning Map Amendment to Residential Growth (RG) is consistent with the *Envision Jefferson 2035 Comprehensive Plan*.

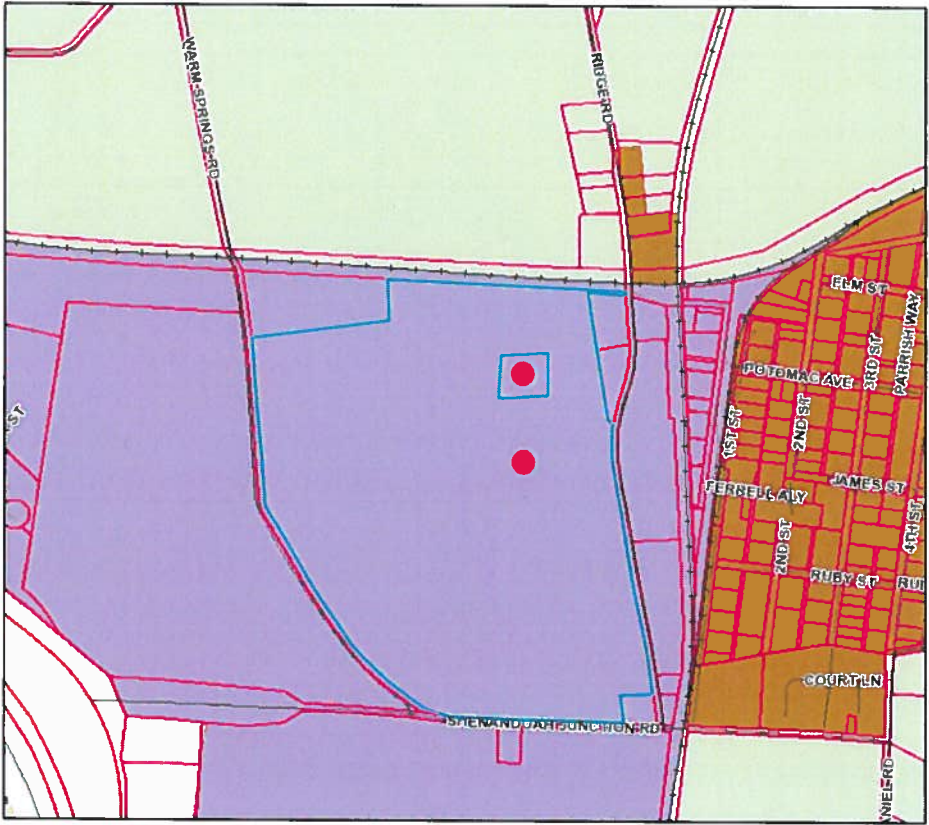
Attachment:

- *21-5-Z Holden Rezoning Staff Report for 1/11/22 Planning Commission Meeting*

Staff Report
 Jefferson County Planning Commission Meeting
 January 11, 2022

Holden Rezoning Request (21-5-Z)

Item # 9: Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the subject parcels from Industrial-Commercial to Residential Growth is consistent with the *Envision Jefferson 2035 Comprehensive Plan*.

Owner:	Arnold Holden, et al
Consultant:	Chad Wallen, Integrity Federal Services
Parcel Information:	<p style="text-align: center;">257 and 263 Ridge Road, Shenandoah Junction, WV Tax District: Shepherdstown (09), Map: 11; Parcels: 29 & 45; Total Acres: 76.2 Zoning District: Industrial-Commercial</p> 
Surrounding Properties:	North: Rural; East: Industrial Commercial & Village; South & West: Industrial-Commercial
Current Use:	Agricultural/Residential
Proposed Request	To rezone from Industrial-Commercial (IC) to Residential Growth (RG)
Planning Commission Responsibility:	To advise the County Commission whether the requested Zoning Map Amendment is consistent with the <i>Envision Jefferson 2035 Comprehensive Plan</i> .
Staff Finding:	Staff finds that the request is consistent with the <i>Envision Jefferson 2035 Comprehensive Plan</i> .

Staff Report
Jefferson County Planning Commission Meeting
January 11, 2022

Holden Rezoning Request (21-5-Z)

Applicant's Request

The applicant's request is to rezone a total of 76 acres from Industrial Commercial (IC) to Residential Growth (RG). The subject parcels are accessed from Ridge Road (WV 16) and also have state road frontage along Warm Springs Road (WV 48/2) and Shenandoah Junction Road (WV 20) in Shenandoah Junction, WV. Aside from two existing dwelling units, the parcel appears to have historically been occupied by a passive agricultural use.

Neighboring Uses

This area of the County is comprised of a variety of land uses and zoning categories. To the east of the properties proposed to be rezoned is the village of Shenandoah Junction. This area is zoned Village (shown in brown) and consists of small residential lots, a church, post office (closed), and a community center (closed). Between Shenandoah Junction and the subject properties are a number of small lots zoned Industrial Commercial (shown in purple), but primarily occupied by residential uses. These lots are within the Village Expansion Area. This area is bisected by the Norfolk Southern railroad tracks.



Industrial Commercial zoning (purple) is to the west and south of the subject properties, but occupied by a variety of land uses. Within this zoning category to the west is T.A. Lowry Elementary School, the Peter Burr Farm (owned by the Jefferson County Historic Landmarks Commission) and the Burr Industrial Park. Recently a Dollar General store was constructed at the southeast corner of Shenandoah Junction Road and Charles Town Road, within the Corporation of Ranson.

To the south of the subject properties is a 320-acre farm, known as Gap View Farm, owned by the Buckles family. While zoned Industrial Commercial, in 2017 this property was put into the Jefferson County's Farmland Protection Program, which permanently retired the farm's potential development rights in order to maintain the land as agricultural open space.

The properties to the north, across the CSX Railroad tracks, are zoned Rural (green) and are generally agricultural in nature.

Staff Report
Jefferson County Planning Commission Meeting
January 11, 2022

Holden Rezoning Request (21-5-Z)

Scope of this Assessment

This report focuses on whether or not the Zoning Map Amendment application is consistent with the *Envision Jefferson 2035 Comprehensive Plan (2035 Plan)* and provides a Staff recommendation based on review of the various plan sections and elements. Staff’s professional recommendation is that the request is **consistent** with the *2035 Plan* because it is shown as future “Medium Density Residential” on the Future Land Use Guide. The current zoning permits industrial and commercial uses while prohibiting residential land uses. The existing dwelling units are considered nonconforming land uses. The owner-initiated downzoning to Residential Growth (RG) would allow for a variety of residential land uses such as single family and two family dwellings and/or townhome units.

It should be noted that Staff has no statutory authority to make decisions in this regard. The County Commission, with the recommendation of the Planning Commission, has the authority to approve or deny a zoning map amendment.

Zoning Map Amendment Public Hearing Process

Article 12 of the Zoning Ordinance requires that the “procedure for amendment [by petition] shall be as dictated in Section 8A-7-9-et seq of the West Virginia State Code as amended.” Regarding amendments by petition, State statute provides that, “Before amending the zoning ordinance, the governing body with the advice of the planning commission must find that the amendment is consistent with the adopted comprehensive plan.” [See WVC 8A-7-9(c)].

Relevant *Envision Jefferson 2035 Comprehensive Plan* Elements and Commentary

The *Envision Jefferson 2035 Comprehensive Plan* consists of both goals and recommendations in text format as well as a Future Land Use Guide, both of which are relevant to this analysis. Page number references throughout this report relate to the *Envision Jefferson 2035 Comprehensive Plan*.

A. Land Use and Growth Management Element/ Future Land Use Guide

One of the key concepts that the Land Use and Growth Management Element of the *2035 Plan* addresses is how to better influence the location of new development within Jefferson County. As the cost of providing services and utilities increases, many communities similar to Jefferson County have come to the realization that it is more sensible to identify specific areas that can handle development and growth, and to focus infrastructure and community service investments in these areas. In Jefferson County, there are four area types that are identified as part of *Envision Jefferson 2035 Plan* (pp.16-17).

The land use area types include Urban Growth Boundaries (UGB) and Preferred Growth Areas (PGA), which are the sections of Jefferson County where urban scale development is to be targeted over the planning horizon of the *2035 Plan*; and Rural/Agricultural Areas and Villages, where limited development is possible but is not intended for urban-scale development. (p. 17)

The properties that are the subject of this rezoning request are located within the Shenandoah Junction PGA/School Based Growth Area which extends from TA Lowery Elementary School to Flowing Springs Road, encompassing Shenandoah Junction and Wildwood Middle School and Jefferson High School. The Land Use and Growth Management Element of the *2035 Plan* states that this PGA abuts the Ranson UGB and includes the village of Shenandoah Junction, TA Lowery Elementary School, Wildwood Middle School, Jefferson High School, and the existing Duffield’s train stop and parking lot. It further reports that considerable input was received during the Comprehensive Plan process

Staff Report

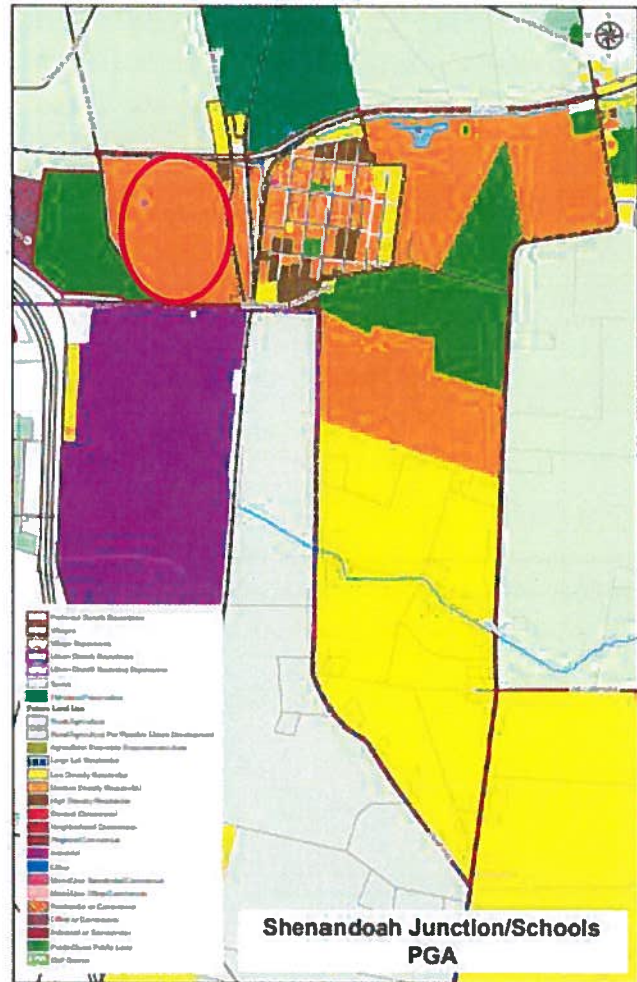
Jefferson County Planning Commission Meeting

January 11, 2022

Holden Rezoning Request (21-5-Z)

related to the desirability of siting schools in locations that are walkable and/or bikeable to the neighborhoods that the school serves. Toward this end, this PGA was designated as an area to encourage the development of such walkable neighborhoods around schools that currently exist. As noted in the discussion of this PGA, planning growth around existing schools decreases bus vehicular traffic and allows for connectivity including walking and biking trails.

The recommended land uses in this PGA include Medium Density Residential around the schools which is recommended to develop in a pattern and scale compatible with the village of Shenandoah Junction, transitioning to Low Density Residential abutting the Rural/Agricultural land uses. Residential densities of this scale would require access to public water and sewer which currently serve the schools and the village area. (p. 23)



B. Appendix G - Land Use Map Classifications

The property which is a part of this Zoning Map Amendment request is shown on the Future Land Use Guide as Future “Medium Density Residential”. Appendix G of the 2035 Plan provides a detailed explanation of the Land Use Map Classifications utilized on the Existing Land Use Map and Future Land Use Guide which are intended to provide guidance to the Planning and County Commissions when considering owner-initiated zoning map amendments (rezoning requests). It further notes that while some of the land use classifications may require new zoning categories, the land uses were not intended to be a comprehensive list of possible zoning districts (p. 235).

Appendix G states that the “Medium Density Residential” land use category (pp. 235) is a land use category “defined as three units per acre to 6.99 units per acre and reflects land occupied by a single development or a mixture of densities and housing types, including single-family detached, duplex, condominium, or townhome development. This type of development pattern would be required to be served by a public water and sewer system.” (p.235)

As the current Jefferson County Zoning Ordinance does not include a variety of zoning categories which anticipate certain residential densities, Residential Growth is a category that would permit Medium Density Residential land uses.

Staff Report
Jefferson County Planning Commission Meeting
January 11, 2022

Holden Rezoning Request (21-5-Z)

Proposed Zoning District – Residential Growth (RG)

The purpose of the Residential Growth (RG) District (Section 5.4) is to “provide for a variety of residential uses and densities which can be supported by central or public water and sewer and adequate roadways and services. This district encourages areas of commercial growth proposed as an appropriate and compatible integrated part of a residential development in conformance with Section 5.4C of this Ordinance” (complete description attached).

Staff Discussion and Recommendation

This property has been zoned Industrial-Commercial since zoning went into to effect in 1988. This zoning category was likely implemented in this location due to its proximity to the Norfolk Southern Railroad tracks and Charles Town Road. Other than the Burr Industrial Park, which was approved shortly after zoning went into effect, no other development in this area has occurred under the Industrial Commercial zoning category.

As noted in the *2035 Plan*, and above, public input and discussion which occurred during the Comprehensive Plan process encouraged both the siting schools in locations that are walkable and/or bikeable to the neighborhoods that the school serves and encouraged the development of such walkable neighborhoods around schools that currently exist. For this reason, the recommended land use for the subject properties located with the Shenandoah Junction PGA (School Based Growth Area) is Medium Density Residential. The recommendation further recommends development in a pattern and scale compatible with the village of Shenandoah Junction, transitioning to Low Density Residential abutting the Rural/Agricultural land uses and notes that residential densities of this scale would require access to public water and sewer which currently serve the schools and the village area.

Based on these recommendations of the *2035 Plan*, staff finds that the proposed Residential Growth (RG) rezoning for the lots included in this application to be **consistent** with the *Envision Jefferson 2035 Comprehensive Plan*.

Planning Commission Action

Article 12 of the Zoning Ordinance, in accordance with State Code, requires the County Commission to refer rezoning petitions to the Planning Commission for their review and recommendation as to whether the amendment is consistent with the adopted *Comprehensive Plan*. Such recommendation will be required to be sent to the County Commission prior to the County Commission’s public hearing which shall be held within 60 days of the date the petition is presented.

The petition was presented to the County Commission on December 16, 2021 and the required Public Hearing has been scheduled on January 20, 2022. Therefore, the Planning Commission is required to review this application and make a recommendation to the County Commission prior to this meeting.

Attachment:

- Section 5.4 Residential Growth (RG) District

Staff Report
Jefferson County Planning Commission Meeting
January 11, 2022

Holden Rezoning Request (21-5-Z)

ATTACHMENT:

Section 5.4 Residential Growth (RG) District

The Residential Growth District is intended to provide for a variety of residential uses and densities which can be supported by central or public water and sewer and adequate roadways and services. This district encourages areas of commercial growth proposed as an appropriate and compatible integrated part of a residential development in conformance with Section 5.4C of this Ordinance.

The following regulations govern development within the Residential Growth District.

A. Principal Permitted and Conditional Uses.

1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.
2. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.

B. Minimum Lot Area, Height, and Yard Requirements

1. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance. The minimum lot area requirements are based on the availability of central or public water and sewer facilities and West Virginia Board of Health regulations.
2. When computing the dwelling unit yield for a parcel of land, use the total area of parcel minus (1) lands contained in a wetland and (2) hillside lands to be retained in a natural, undisturbed condition as provided for in the Jefferson County Subdivision and Land Development Regulations. The balance square footage between the ADU (Area per Dwelling Unit) and the MLA (Minimum Lot Area) shall not include land set aside in a Sensitive Natural Area, Buffer to a Sensitive Natural Area, land qualifying as Hillside development or a 100 Year Flood Plain.
3. All detached accessory structures under 144 square feet in size shall have a setback of 6'.

C. Commercial Services in Residential Developments

1. Commercial services may be included in a residential development providing the commercial uses are intended to serve the residential community proposed and shall relate well to residential areas in terms of pedestrian and vehicular circulation.
2. The gross area for commercial uses shall not exceed 5 acres or 10 percent of the gross tract area, whichever is less.
3. Commercial uses shall not be built or established prior to the residential development unless built in phases consistent with phasing of the residential construction.
4. These uses shall be located within the interior of the project.
5. Commercial uses shall be subject to the Conditional Use Permit process as outlined in Section 6.3 of this Ordinance. Any proposed commercial use that is served from a road that is proposed to be located on the perimeter of the project or on a State Road shall be required to be considered as a part of the Conditional Use Public Hearing process.

Staff Report
Jefferson County Planning Commission Meeting
January 11, 2022

Holden Rezoning Request (21-5-Z)

D. Standards for Commercial Uses

1. Commercial uses are subject to the following access requirements:
 - a. Such uses will not use adjacent residential roads for through traffic; and
 - b. Will connect to principal and major arterial highways as directly as feasible considering access restrictions.
2. Commercial uses are subject to the requirements of Section 5.6D and the requirements for such standards in Article 8.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Chad Wallen (Integrity)

Department or Organization: N/A

Estimation of amount of time needed for appointment: 10 Minutes

Date Requested – 1st Choice: 12/16/2021

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

Date Requested – 2nd Choice: 12/30/2021

Subject (Wording to be placed on agenda): Ridge Road Rezoning Request

Please provide the County Commission with a description of your request or presentation, including any background information:
Ridge Road Zoning Map Amendment: Request for a public hearing and referral to Planning Commission to review zoning amendment request for a 76.22 property identified in Charles Town District (2), Map Number 1, Portion of Parcels 29 & 45.

Is this a funding request? No
If so, how much? N/A
Provide exact financial impact/request: N/A

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):
Motion to accept the zoning map amendment request, refer to Planning Commission for review of Comprehensive Plan consistency and to schedule a public hearing before the County Commission.

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

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

Contact information: Chad Wallen
Email address: cwallen@ifs-ae.com

Phone Number: 304-725-8456

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



JEFFERSON COUNTY, WEST VIRGINIA
Departments of Planning and Zoning

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

File Number:
Staff Initials:
Application Fee: \$

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

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

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

Zoning Map Amendment (Rezoning)

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

Property owner information

Name: Arnold Holden
Mailing Address: 5958 Roseto Place; Sarasota, FL 34238
Phone Number: 941-400-5345 Email: arnie941@verizon.net

Applicant contact information

Name: Arnold Holden
Mailing Address: 5958 Roseto Place; Sarasota, FL 34238
Phone Number: 941-400-5345 Email: arnie941@verizon.net

Applicant representative

Name: Integrity Engineering; Chad Wallen
Mailing Address: 148 S. Queen Street; Martinsburg, WV25401
Phone Number: 304-725-8456 Email: cwallen@ifs-ae.com

Physical property details

Physical Address: Northwest of the Shenandoah Rd & Ridge Rd intersection.
City: Shenandoah Junction State: WV Zip Code:
Tax District: 02 - Charles Town Map No: 1 Parcel No: 29 & 45
Parcel Size: 76.22 Deed Book: 1111 Page No: 394

Current Zoning District (please check one)

Grid of zoning districts with checkboxes: Residential Growth (RG), Industrial Commercial (IC), Rural (R), Residential-Light Industrial-Commercial (RLIC), Village (V), Neighborhood Commercial (NC), General Commercial (GC), Highway Commercial (HC), Light Industrial (LI), Major Industrial (MI), Planned Neighborhood Development (PND), Office/Commercial Mixed-Use (O/C). IC is checked.

Place Received Date Stamp Here

Proposed Zoning District (please check one)

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

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

Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.

See Attached

Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.

See Attached

Discuss any change(s) of transportation characteristics (i.e., type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.

See Attached

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

Yes, I request that the Planning and Zoning Staff present the petition

No, I prefer to present the petition

Plat or Sketch Plan (provide as an attachment to this application)

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

Is Plat or Sketch Plan attached?

Yes No

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).

 NOVEMBER 4, 2021

Signature of Property Owner

Date

Signature of Property Owner

Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.

Recommended Not Recommended

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.

Approved Disapproved

Final Determination/Other Comments

Plat or Sketch Plan (provide as an attachment to this application)

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

Is Plat or Sketch Plan attached?

Yes No

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).

<i>A. Shilka Caswell</i>	11/15/21		
Signature of Property Owner	Date	Signature of Property Owner	Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.

Recommended Not Recommended

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.

Approved Disapproved

Final Determination/Other Comments

Plat or Sketch Plan (provide as an attachment to this application)

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

Is Plat or Sketch Plan attached?

Yes No

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).

Allen M. Russell

4 Nov '21

Signature of Property Owner

Date

Signature of Property Owner

Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote _____ for and _____ against, this day of _____, _____, _____.

Recommended Not Recommended

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.

Approved Disapproved

Final Determination/Other Comments

Plat or Sketch Plan (provide as an attachment to this application)

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

Is Plat or Sketch Plan attached?

Yes No

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed)

Allen M. Russell 4 Nov '21

Signature of Property Owner

Date

Signature of Property Owner

Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote _____ for and _____ against, this day of _____, _____, _____.

Recommended Not Recommended

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote _____ for and _____ against, this day of _____, _____, _____.

Approved Disapproved

Final Determination/Other Comments

Zoning Map Amendment Application Addendum

Ridge Road Rezoning

December 3, 2021

Owner / Applicant:

Arnold Holden
5958 Roseto Place
Sarasota, FL 34238

Property Tax Identification:

Charles Town District (2), Map Number 1, Parcel 29 – 1.05 Acres
Charles Town District (2), Map Number 1, Parcel 45 – 75.17 Acres

Deed Information:

Deed Book 1111, Page Number 394

Property Characteristics:

Location: Northwest of the Shenandoah Junction Rd & Ridge Rd intersection.
Current Zoning: Industrial / Commercial (IC)
Current / Historic Use: Residential and Agricultural
Area of Rezoning: 76.22+/- Acres

Requested Zoning District:

Residential Growth (RG)

Table of Exhibits

1. Vicinity Map
2. Aerial Overlay
3. Existing Conditions Map
4. Concept Sketch

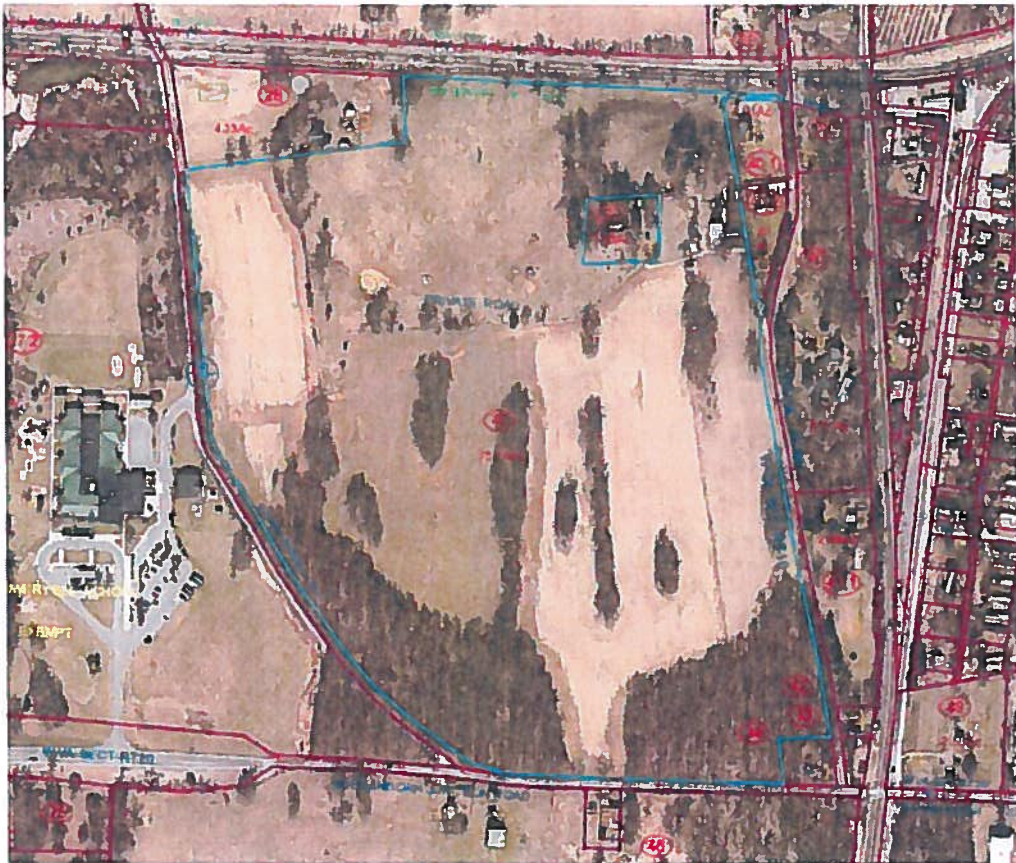
Substantiation for Request

Existing Characteristics

The properties are located along Shenandoah Junction Road between its intersections with Ridge Road and Warm Springs Road, approximately 1-mile from the Bardane exit of Route 9.

The properties are a mixture of agricultural and wooded lands and contain one residential structure. The properties are 0.6 miles from Jefferson High School and Wildwood Middle School. T.A. Lowery Elementary School is located across Warm Springs Road.

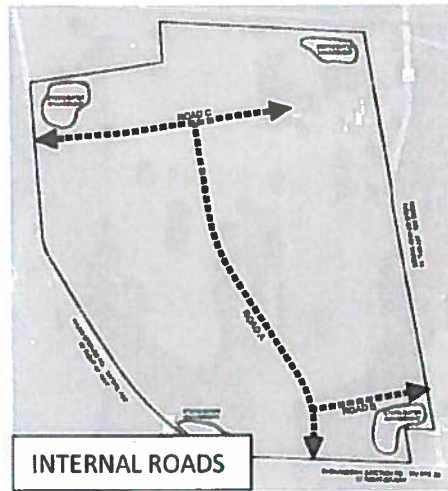
Potential permitted uses under the existing Industrial/Commercial (IC) zone include heavy industrial, salvage yards, manufacturing, and most commercial uses. The IC zone does not allow for residential development.



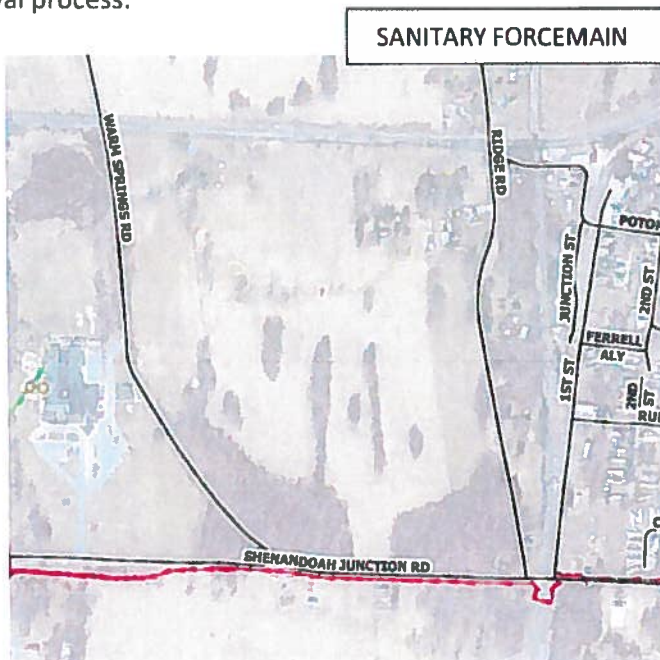
Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.

The proposed residential use of the property is not a permitted use in the current IC district. The Residential Growth district will allow the properties to be developed as envisioned by the comprehensive plan.

It is proposed that the property be developed as a residential community under the regulations of the Residential Growth (RG) zoning district. It is anticipated the development will include a mix of townhomes and single-family detached homes, but any uses under the RG district will be permitted. The development will include open spaces, storm water management facilities, utilities, and roads. Access will be provided from entrances from Shenandoah Junction Road, Ridge Road and Warm Springs Road. Like all similar developments in Jefferson County, the proposed development of the property will be subject to the County's regulations, review and approval process.



Jefferson Utilities and the Charles Town Utility Board were contacted to verify that both water and sanitary sewer service is available for the property. Water will be provided from an existing 12" water main located along Shenandoah Junction Road and will be looped through the properties and connect in to an existing water line located at T.A Lowery Elementary. Sanitary sewer from the property will tie into an existing sanitary forcemain located



along the eastbound side of Shenandoah Junction Road.

Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan (the Plan).

1. Preferred Growth Areas (Page 22)

- f. **Shenandoah Junction PGA/School Based Growth Area**
(from TA Lowery Elementary School to Flowing Springs Road, encompassing Shenandoah Junction and Wildwood Middle School and Jefferson High School)

This PGA abuts the Ranson UGB and includes the village of Shenandoah Junction, TA Lowery Elementary School, Wildwood Middle School, Jefferson High School, and the existing Duffields train stop and parking lot. Considerable input was received as to the desirability of siting schools in locations that are walkable and/or bikeable to the neighborhoods that the school serves. This PGA allows the development of such walkable neighborhoods around schools that currently exist. Planning growth around existing schools decreases bus and vehicular traffic and allows for connectivity including walking and biking trails. The recommended land uses in this area include Medium Density Residential around the schools which should be in a pattern and scale compatible with the village of Shenandoah Junction, transitioning to Low Density Residential abutting the Rural/Agricultural land uses. Densities of this scale would require access to public water and sewer which currently serve the schools and the village area. A map of the Shenandoah Junction PGA/School Based Growth Area can be found in Appendix F – Maps.

The inclusion of the property within the Shenandoah Junction / Schools PGA demonstrates the Plans vision for development to occur on the subject property.

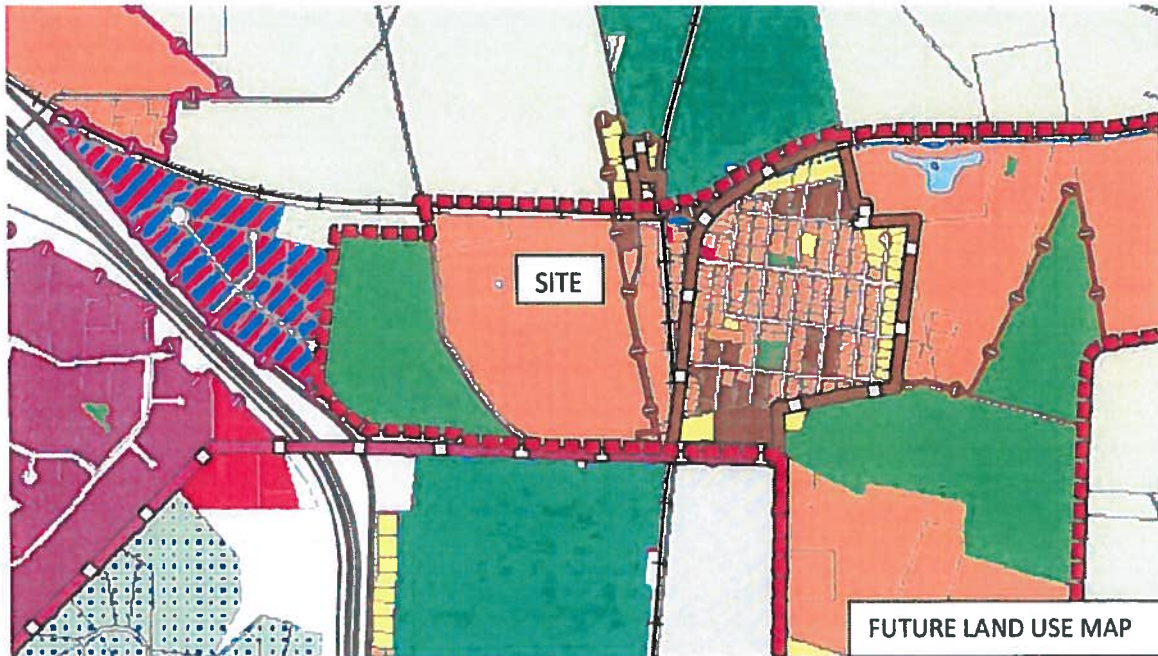
2. Future Land Use Guide – (Pages 26 & 235)

Medium Density Residential

This category is defined as three units per acre to 6.99 units per acre and reflects land occupied by a single development or a mixture of densities and housing types, including single-family detached, duplex, condominium, or townhome development. This type of development pattern would be required to be served by a public water and sewer system.

A Medium Density Residential use is identified by the Plan for the subject property. The proposed residential mix of townhomes and single-family residential units is both consistent and supported by the comprehensive plan. The Plan states on page 26 that

"Land Use Classifications are intended to provide guidance to the Planning Commissions when considering owner initiated zoning map amendments".



- | | |
|--|----------------------------------|
| Rural/Agriculture | Regional Commercial |
| Rural/Agriculture For Possible Urban Development | Industrial |
| Agricultural Economic Empowerment Area | Office |
| Large Lot Residential | Mixed Use Residential/Commercial |
| Low Density Residential | Mixed Use Office/Commercial |
| Medium Density Residential | Residential or Commercial |
| High Density Residential | Office or Commercial |
| General Commercial | Industrial or Commercial |
| Neighborhood Commercial | Public/Quasi Public Land |

Preferred Growth Area

3. Urban Level Development Recommendations (Page 30)

2.	Recognize that the County Commission has the authority to make land use decisions including Zoning Map Amendments based upon the finding of consistency with the Future Land Use Guide and the recommendations of this Plan; the County Commission may determine that petitions or decisions for zoning map amendments are consistent with the Comprehensive Plan if any of the following conditions are met after the entire Plan is taken into consideration:
	a. Economic Well-Being of the County; or
	b. Error or Under Scrutinized Property on the Future Land Use Guide; or
	c. Change in Neighborhood; or
	d. Any Other Circumstance that the Governing Body determines should have been considered when drafting the Future Land Use Guide; and/or
	e. Environmental impacts are considered.

- a) Economic Well Being: Residential Land Use in Jefferson County has not met the comprehensive plans growth projections of 0.95% per year and is only at 0.55% as of 2019. The lack of residential growth has impacted the strength of the local economy. While there are pockets of residential activity, the County is not benefiting from a robust residential economy.
- b) Future Land Use Guide: Medium Density Residential is identified as the appropriate use of the property by the comprehensive plan. The proposed RG district is consistent with this future land use.
- c) Environmental Impacts: The existing IC district permits more intense development on the subject property than would be allowed under the proposed RG district. While there are no known sensitive natural features on the properties, the change in zoning will reduce the potential impact to the property and surrounding properties.

Discuss any change(s) of transportation characteristics (i.e., type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.

The Original Zoning Ordinance was adopted on July 7, 1988. Some changes in the immediate area of the properties include:

1. Schools: T.A. Lowery Elementary is located across Warm Springs Road from the properties and did not exist when the ordinance was adopted. The location of an Industrial zoned property could allow for uses, if not planned/designed properly, to create a conflict between uses. There are three schools located within 0.6 miles of the properties, including Wildwood Middle School which also did not exist when the ordinance was adopted.
2. Adjacent Development: The property is located next to the Village Shenandoah Junction and an elementary school. Additional development has occurred along Charles Town Road which includes businesses located in the Burr Business Park east of Route 9 (Kings Pizza, café, office...). These facilities will both serve and provide employment opportunities for the future residents of the properties.



3. Transportation: A 4-lane divided Route 9 was constructed, providing a high-capacity road corridor between Jefferson County and Interstate 81. An interchange (Bardane exit) is in close proximity to the properties.

As required with any property, an entrance permit from the West Virginia Department of Transportation (WVDOT) will be needed. Obtaining an entrance permit requires the review by the WVDOT to ensure that safe and adequate access can be provided. It is anticipated that improvements to the traffic signal and intersection will be requested by WVDOT.

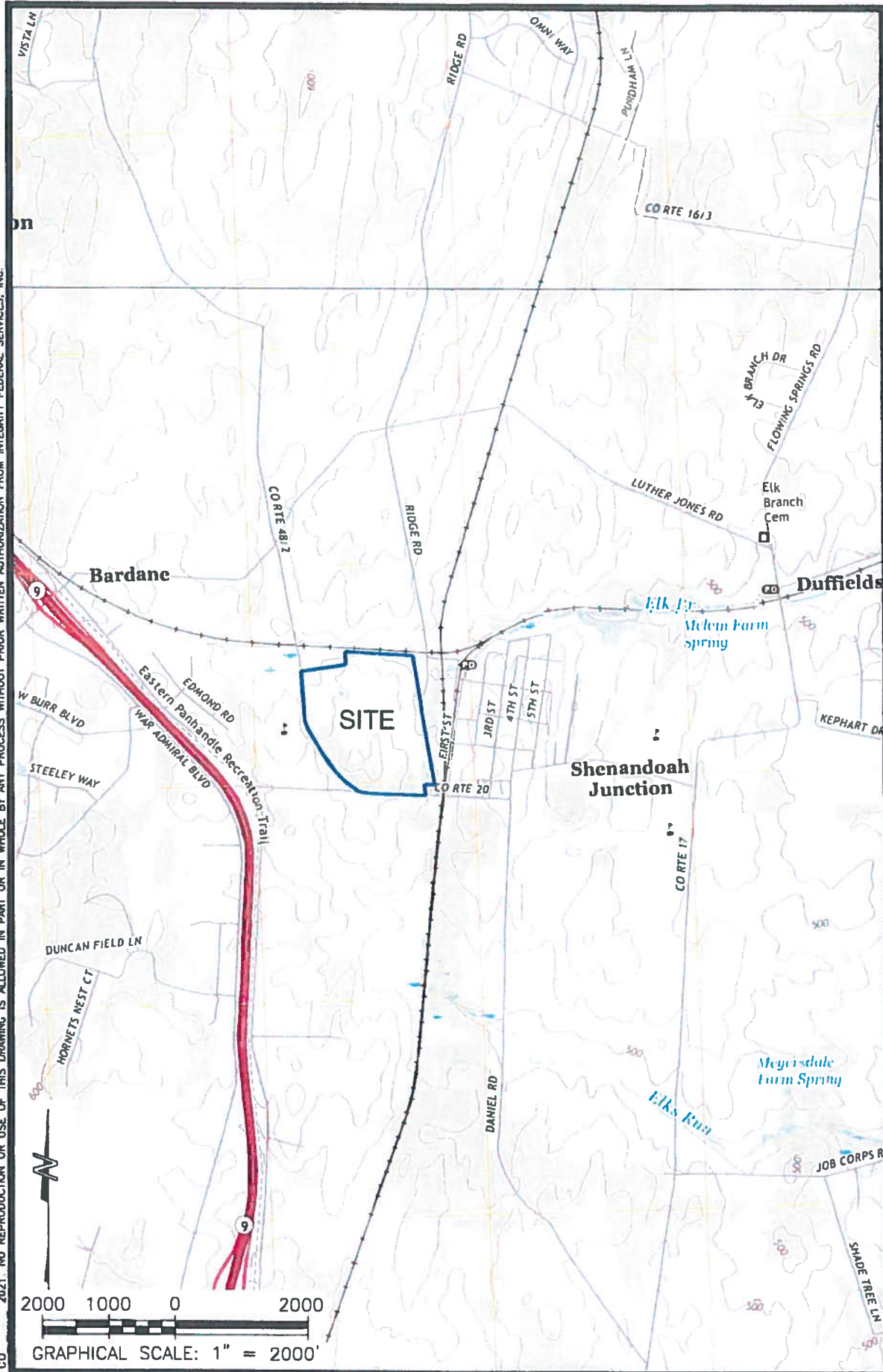


IFS-AE.com

ZONING MAP AMENDMENT EXHIBIT 1 - VICINITY MAP

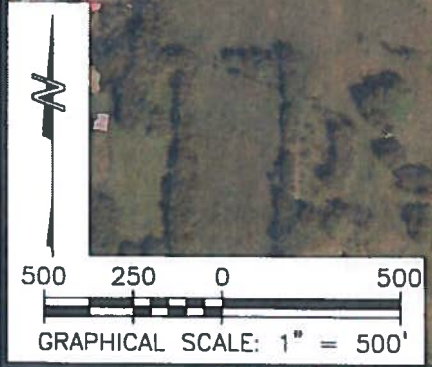
12-03-2021

RIDGE ROAD REZONING JEFFERSON COUNTY, WV



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ZONING MAP AMENDMENT

EXHIBIT 2 - AERIAL OVERLAY

12-03-2021

RIDGE ROAD REZONING
JEFFERSON COUNTY, WV



INTEGRITY FEDERAL SERVICES

Letter of Transmittal

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

Date December 8, 2021
Shipped Via Courier
Project Name Ridge Road Rezoning
Project No. 3577 Phase No. 0101
Subject Agenda Request
From Chad Wallen

County No./ Town No.

We are sending you Print(s) Correspondence(s) Electronic Media Originals
 Submission 1st 2nd 3rd Other

Copies	Date	Description
1		County Commission Agenda Request Form
1		Rezoning Application Package
1		Electronic Format (CD) of Submission

These are transmitted For your use As requested For approval For review and comment
 Other _____

Comments

The application was also submitted to the Planning Department. Please contact should there be any questions/

Chad Wallen

Signature *Chad Wallen* Date 12/8/21

C:\Users\ibock\Desktop\IFS INFO\IFS Forms\IFS Transmittal.docx



Civil Engineering | Landscape Architecture | Planning
148 South Queen Street, Suite 201, Martinsburg, WV 25401 • 304-725-8456
Service-Disabled Veteran-Owned Small Business

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Stephen S. Allen, Director

Department or Organization: **Jefferson County Office of Homeland Security and Emergency Management**

Estimation of amount of time needed for appointment: **20 minutes**

Date Requested – 1st Choice: **January 20, 2022**

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

Date Requested – 2nd Choice:

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

- 1. Approval for purchase for equipment for Bovine Emergency Response Program and training course**
- 2. Approval and signature for FEMA Hazard Mitigation Planning Grant Application**

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

- 1. This grant was prepared by the WV Division of Homeland Security and Emergency Management and approved by the County Commission on October 17, 2019 to address the need to provide agricultural and first responders with an introduction, some performance skills, and understanding relative to some of the unique situations for emergency responders that motor vehicle incidents with bovines and other large animals can present. (See the project equipment list for a description of the equipment and prices). The amounts have been increased by the State to reflect the price increase over the past two years. Nathan Cochran reviewed the content and found it to be acceptable in 2019. Only the amount has changed.**
- 2. All jurisdictions are required to have an All Hazards Risk Assessment and Mitigation Plan. Jefferson County had the first Multi-Jurisdictional All Hazards Mitigation Plan in FEMA Region III back in 2003. The plan is required to be revised every five years. We accomplished that in 2008, 2013, and 2019. It is time again for us to start to develop our 2024 plan! I am presenting to you today, a grant proposal in the amount of \$50,000 to fund this plan from FEMA through the WV EMD. This grant is a 75%/25% grant. FEMA funds the 75% and in this case, the state is funding the 25%. The grant will pay for the contractor for the project, as well as expenses that are required for advertising.**

Is this a funding request? **Item 1, Yes. Item 2, No.**

If so, how much? **Up to \$10, 634.88. This is a Homeland Security Grant which is reimbursed to the county.**

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

- 1. I move to approve the purchase of the equipment for the Bovine Emergency Response Program and training course.**
- 2. I move to approve for Director Allen to submit the grant proposal in the amount of \$50,000 and authorize the County Commission President to sign it.**

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

If not attached, explain:

Attachment:

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

Contact information:

Email address: sallen@jeffersoncountywv.org. Phone Number: 304-728-3290

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/COMMENTS

**WV Division of Emergency Management
HS SAA**

SUB-GRANT ADJUSTMENT NOTICE

Sub-grantee:	Page 1 of 1
Jefferson County Commission PO Box 250 Charles Town, WV 25414-0241	Sub-Grant Number:
	19-SHS-53
	Adjustment Number:
	1
Authorized Official:	Date:
Stephen S. Allen	1-10-22
Project Title:	Nature of Adjustment:
BERP Training	Budget Adjustment

Section I – Supplement Awards

Previous Grant Award Amount:	\$10,430.00
Adjustment:	+ 204.88
Adjusted Award Amount:	\$10,634.88

Section II – Changes

Change Authorized Official	From:		To:	
Change Project Director	From:		To:	
Change Fiscal Official	From:		To:	
Change Sub-Grant Period	From:		To:	

Section III – Additional Information and Changes

Award amount increase of \$ 204.88 to cover the price increase of the Equipment.

Name and Title: Kevin Cook, Grant Specialist	Signature: 
---	--

Recommended Equipment Purchase

Description	Qty	Unit Price	Vendor	Price
7x14 Bullet V-Nose Enclosed Cargo Trailer	1	\$ 7,695.00	Trailer Enterprises	\$ 7,695.00
Tartar 12' Heavy Duty Red Corral Panel	10	\$ 259.99	Tractor Supply	\$ 2,599.90
Tartar 4' Heavy Duty Red Bull Gate	2	\$ 169.99	Tractor Supply	\$ 339.98
			Invoice Subtotal	\$ 10,634.88
			Tax Rate	0.00%
			Sales Tax	-
			Other	-
			Deposit Received	-
			TOTAL	\$ 10,634.88

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Section 8: State Technical Support Services: Building Inventory & Flood Risk Analysis Report.....23

Section 9: Sample Flood Risk Analysis Report – Jefferson County..... 30

Section 1: Applicant Assurances

*If the project is funded, the applicant must adopt an ordinance or other policy that demonstrates the community shall comply with the following (applicant, not applicant preparer, **MUST** initial each item).*

_____ *The applicant **MUST** designate an Authorized Agent for the Project.*

_____ *The applicant **MUST** comply with **ALL** stipulations outlined in Title 44 of the Code of Federal Regulation and the current HMA Guidance.*

_____ *A public meeting **MUST** be conducted to explain project policy and procedures.*

_____ *The community **WILL** submit to WVEMD copies of their Single Audit Act Report for the year in which the grant was received, and for each subsequent year that the community receives funding under this grant.*

_____ *In the event that applicant fails to expend or is over advanced Federal and / or State disaster funds in accordance with Federal or State disaster assistance laws or programs, the Governor's Authorized Representative reserves the right to recapture funds in accordance with Federal or State laws and requirements.*

_____ *The applicant will not enter into a contract with a contractor who is on the debarred contractors list.*

_____ *The applicant will prohibit any employee, governing body, contractor, subcontractor or organization from participating in or presenting the appearance of a conflict of interest or kickbacks.*

_____ *Budgeted line items **MUST NOT** be exceeded without prior written approval of the State **AND** FEMA. Any over-runs of budgeted items without authorization becomes the responsibility of the applicant. Failure to submit written requests for over-runs constitutes grounds for recapture of grant funds for non-performance.*

_____ *Both the State and FEMA reserves the right to recapture funds for non-performance of the stipulations of the grant.*

_____ *Any changes to the scope of this grant **MUST** have the written approval of both FEMA **AND** the State. This includes changes to the budget, the participant list and timeline. Failure to submit written requests for changes in scope constitutes grounds for recapture of funds for non-performance.*

Authorized Agent Agreement

Should our community be awarded FEMA funds to implement a mitigation project, we agree to the stipulations outlined above as conditions of receiving funds and implementing said project.	
Authorized Agent's Signature-Commission President	Date
Caleb Wayne Hudson	Commission President
Name (Printed or typed)	Title

Section 2: Scope of Work

Instructions: Black Text: Fixed text must remain part of application
 Blue Text: Text customized by applicant
 Yellow Highlighted Text: Inserted text or bulleted lists customized by applicant

2.1 Identify the scope of your 5-year Multi-Hazard Mitigation Plan.

2.1.1 Overview and Extent

Jefferson County, Multi-Jurisdictional All-Hazard Risk Assessment and Mitigation Plan (MHMP). In 2003, 2008, 2013, and 2019, Jefferson County completed a FEMA-approved multi-hazard mitigation plan (MHMP) at the request of the West Virginia Emergency Management Division (WVEMD). Our next required update is due on or before September 9, 2023. The MHMP will consist of Introduction, Community Profile, Planning Process, Asset Inventory Overview, Hazard Identification, Risk Assessment, Vulnerability Analysis, Natural Hazards/Manmade Hazards, Capability Assessment, Mitigation Strategy, HHPD, BRIC and Lifelines, TEIF/TEAL (Hazus), Coordination with local and state hazard mitigation efforts, Plan Monitoring, Maintenance, and Revision, Appendix: Flood Risk Analysis Report from the State, Appendix: Documentation-Meeting/Minutes, Appendix: Local Mitigation Plan Review Tool, Appendix: Local CRS Crosswalk, Appendix: 2021, FEMA Recommendations for Improvements, Others that may be recommended by the final selected contractor or identified by the Workgroup.

The State will coordinate with the county to create a building inventory for use for all hazards identification and risk assessment. In addition, the State will provide the applicant with a Flood Risk Analysis Report based on a Hazus Level 2 flood loss to be included as an addendum in the Mitigation Plan.

2.1.2 Responsibilities of Applicants

Applicants are responsible for writing the full mitigation plan along with providing and validating local Geographic Information Systems (GIS) data to support the mitigation plan. Counties will need to provide digital surface tax parcels to the State to generate building inventories. If the applicant hires an MHMP contractor to assist with the plan, then the contractor must work with the State on GIS data collection and validation efforts of the building inventory and critical facilities.

- Develop and write entire Mitigation Plan
- Meet all the regulatory requirements of MHMP: Planning process, hazard identification and risk assessment, mitigation strategy, and plan review, evaluation, and implementation. See FEMA Local Plan Checklist in Section 7.
- Provide local GIS data to support building inventory and support plan
- Ensure hired contractors do not duplicate deliverables provided by the State WVEMD (see 2.1.3 and Section 8)

2.1.3 Responsibilities of State WV EMD - Building Inventory and Flood Risk Analysis Report

While the applicant or their contractor will be responsible for a comprehensive, multi-hazard risk assessment, a specific Flood Risk Analysis will be performed by the State in conjunction with the building inventory update. This analysis will generate the number and cost (exposure) of buildings in the 1% annual floodplain and includes a GIS point overlay data analysis as well as Hazus-MH aggregate flood loss estimates. The Flood Risk Analysis Report is envisioned as an appendix to the MHMP.4

The State will provide a Flood Risk Analysis Report which will consist of the following:

- A building inventory with replacement costs.
- Coordinating critical facilities, essential facilities, community assets, and other data sets of interest.
- A complete Flood Risk Analysis Report based on a Hazus Level 2 flood loss which includes more accurate local inventories of buildings, essential facilities, and other infrastructure for each jurisdiction. The report will be provided before the plan due date and will be included as an addendum in the Mitigation Plan. Refer to Section 8 for the technical support services and more detailed information of deliverables and products associated with the building inventory and Flood Analysis Report. A sample report will be provided to applicants to better understand the content of Flood Risk Analysis study (Section 9).
- The regional flood risk analyses and data will be vertically integrated into the current State Hazard Mitigation Plan.

2.1.4 Budget

Applicants will complete an estimated budget in Section 3.

2.1.5 Work Schedule, Timelines, Progress Reports

Applicants will complete the Work Schedule in Section 4. The schedule must adhere to the performance period set forth in the application. Applicants should follow the recommended timelines and descriptive milestones discussed in the meetings (Section 2.4) and major work tasks (Section 6) sections. Applicants are responsible to provide quarterly progress reports to the State.

Jefferson County will complete its five-year update commencing upon award of the grant and hiring their contractor. The plan will be completed prior to the January 14, 2024 expiration of the current plan.

2.2 Describe the MHMP Content and Process.

2.2.1 Regulations Checklist

The plan shall meet the minimum FEMA regulation guidelines set forth in Section 7.

- Local Mitigation Plan Review Crosswalk Comparison Tool
<https://www.fema.gov/media-library/assets/documents/24118>

2.2.2 Contents

Identify and list the main elements of the plan.

- Introduction
- Community Profile
- Planning Process
- Asset Inventory Overview
- Hazard Identification, Risk Assessment, Vulnerability Analysis (Natural Hazards/Manmade Hazards)
- Capability Assessment
- Mitigation Strategy
- Coordination with local and state hazard mitigation efforts
- Plan Monitoring, Maintenance, and Revision
- Appendix: Flood Risk Analysis Report from the State
- Appendix: Documentation-Meetings/Minutes
- Appendix: Local Mitigation Plan Review Tool
- Appendix: Local CRS Activity #510 Floodplain Management Planning Checklist
- Appendix: 2019 FEMA Recommendations for Improvements
- Others that may be recommended by final selected contractor or identified by the Workgroup

2.2.3 MHMP Development Guidelines

Refer to Section 6 for major work tasks and activities required to develop the plan, including public involvement, identification of hazards, development of a comprehensive risk/vulnerability assessment, identification of mitigation goals, and plan adoption. These major tasks should consist of the scheduled milestones submitted in the Work Schedule (Section 4) by the applicant. Ensure the hazard mitigation plan meets all the FEMA regulations in Section 7 including the (1) planning process, (2) hazards identification and risk assessment, (3) mitigation strategy, and (4) plan review, evaluation, and implementation.

2.2.3.A Planning Process

Describe the planning process and who will be involved in the process. List the local stakeholders (Businesses, non-profit organizations, academic institutions, GIS specialists) that will be invited to participate on the Committee that will develop the update plan.

- Jefferson County Government Offices and Officials to include Planning, Zoning and Engineering, GIS , IT, Emergency Management, Emergency Communications, and Floodplain Manager
- Bolivar Town Officials & Floodplain Manager
- Charles Town City Officials & Floodplain Manager
- Harpers Ferry City Officials & Floodplain Manager
- Ranson City Officials & Floodplain Manager
- Shepherdstown Officials & Floodplain Manager

- Jefferson County Emergency Responder Agencies
 - Jefferson County LEPC
 - Frontier Communications (Utility)
 - First Energy/Potomac Edison Power Company
 - Water Provider/Owners of Source Water Protection Plans
 - Sewage Plant Operators
 - Jefferson County Department of Health
 - American Red Cross
 - WVU Extension Service
 - Jefferson County Chamber of Commerce
 - Jefferson County Community Organizations Active in Disasters
 - Jefferson County Development Authority
 - Jefferson County Parks and Recreation
 - Kent Cartridge
 - Region 9 Planning and Development Council Executive
 - The National Weather Service – Sterling, VA
 - CSX Railroad
 - Norfolk Southern Railroad
 - U.S. Customs and Border Protection-Advanced Training Center
 - National Park Service-Antietam National Battlefield
 - Berkeley County Emergency Management
 - Loudon County, VA Emergency Management
 - Clarke County, VA Emergency Management
 - Frederick County, VA Emergency Management
 - Washington County, MD Emergency Management
 - Frederick County, MD Emergency Management
 - Interested Citizens/Residents
 - Media Representatives
 - WVU GIS Technical Center
 - WVEMD WVHLSR3 Liaison and NFIP/Mitigation Divisions
 - Eastern Panhandle Soil and Water Conservation District
- In addition to those groups listed above, Jefferson County will send letters to the following major employers inviting them to participate in the process.
- PNGI Charles Town Gaming, LLC
 - Wal-Mart Associates, Inc.
 - National Park Service-Harpers Ferry National and Historic Park
 - Jefferson County Board of Education
 - Shepherd University
 - American Public University System
 - WVU Medicine-Jefferson Medical Center
 - U.S. Fish and Wildlife Center/National Conservation Training Center

- Ox Paperboard, LLC
 - Summit Point Motorsports
 - Harpers Ferry Job Corps
 - Rockwool
- Describe how the public will be involved in the planning process during the drafting stage.
- Jefferson County Homeland Security and Emergency Management wants and encourages public participation from a variety of stakeholders throughout the update process! Stakeholders will be encouraged to attend a public kick off meeting, as well as other workgroup meetings throughout the process, including changes to the MHMP process from the FEMA release of updated MHMP Guidance. Additionally, the public will be kept informed in accordance with the West Virginia sunshine laws, and will have opportunities to comment at the kick off meeting. The public will also have an opportunity before the kick off even begins to fill out a survey at the JCHSEM booth at the Jefferson County Fair in August, of 2022.
 - Our current approved plan is posted on our website at [Plans | Jefferson County Commission, WV \(jeffersoncountywv.org\)](https://www.jeffersoncountywv.org/plans)
 - As part of the update process, the workgroup will hold a public meeting in which the Contractor and County staff will present the draft plan including risk assessment and mitigation strategies. This meeting will allow time for public Q&A at the end. All public input will be documented in the meeting minutes.
 - Once the MHMP update is completed, approved, and adopted, Jefferson County/Contractor will continue to engage the public in the maintenance of the plan. The updated plan will replace the current 2018 version of the plan on the County's website.

2.2.3.B Hazards Identification and Risk Assessment (HIRA)

- The plan will address the following points:
 - How the community/ies will continue public participation in the plan maintenance process.
 - Once the MHMP update is completed, approved, and adopted, the County/Contractor will continue to engage the public in the maintenance of the plan. The public will be notified of periodic planning meetings through notices in the local newspaper, and copies of the updated plan will be maintained on the County's website and in the JCHSEM and County Commission offices.
 - Describe the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a 5-year cycle)
 - Include a description of the type, location, and extent of all natural hazards that can affect each jurisdiction(s)?

- Include information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction.
- Describe each identified hazard's impact on the community as well as an overall summary of the community's vulnerability for each jurisdiction.
- In 2018, the following hazards were assessed in for applicability:
 - Flooding
 - Landslides
 - Tornados
 - Earthquakes
 - Droughts
 - Dam/levee failure
 - Excessive temperature
 - Severe lightning
 - Hailstorm
 - Severe winter/ice storm
 - High wind/derecho
 - Wildfire
 - Acts of Violence
 - Hazardous Materials
 - Radiological
 - Public Health Crisis
- For the updated plan Jefferson County will identify the following hazards:

Same as above and any others that are identified by the workgroup and/or the contractor.
- Describe the process for reviewing and incorporating existing plans, studies, reports, and technical information. Note: Previous plans and resources are available on the website.
- Describe mitigation plan implementation efforts since the approval of the last plan.
 - Monitor all of our projects and strategies. Jefferson County Homeland Security and Emergency Management holds an annual meeting with stakeholders from the Workgroup that has been in existence since 2002 to annually review our strategies and projects to monitor progress. Annual meetings were held each year since the last plan was completed. Copies of the annual meeting minutes are distributed to the County Commission. Local press, WVEMD, and FEMA, as required.
 - Jefferson County has yearly mail out letters to all property owners in or near a floodplain, including properties that are repetitive loss properties that provides information for flood insurance, mitigation techniques, and contact information for floodplain permit information and ordinance information. This is part of the CRS requirements.

- Initiate storm management projects that tie into the Chesapeake Bay Watershed Initiatives, regulations now have been strengthened for a 1" inch capture to slow runoff down. Additionally, Jefferson County participates in the C-trees program with Region 9 Planning and Development Council and the Cacapon Institute.
- Jefferson County has moved to a Class 6 Community Rating.
- A river gauge has been installed on the Potomac River near Shepherdstown. This has been an on-going strategy since the old gauge was damaged several years ago. The new gauge was installed and implemented by the USGS/City of Shepherdstown since 2016.
- Jefferson County HSEM has improved flood information for residents with the addition of a Flood Information Page on their website. It includes the history of flooding, real time forecasting of local rivers and streams, WV Flood Tool, links to FEMA flooding information, the local Hazard Mitigation Plan and other interesting facts about flooding. It can found at [Floodplain Information | Jefferson County Commission, WV \(jeffersoncountywv.org\)](http://Floodplain Information | Jefferson County Commission, WV (jeffersoncountywv.org)) or can be accessed directly from the Jefferson County Commission's front page of their website. This is also a CRS Requirement.
- The Town of Bolivar increased their storm water capabilities in and around the town by creating new sidewalks and rain gardens to assist with storm water runoff as a part of the Chesapeake Bay Watershed initiative.
- The City of Charles Town has reduced the overall flooding potential in the City by targeting areas for a recreation that is interconnected with trails and parkland, beyond the required floodplain and wetland areas, and laid out a strategy for green space protection. The West End Plan was developed in the fall of 2014.
- Harpers Ferry reported that they are ensuring a public drinking water supply following flooding events by rerouting an 8" water main near Elk Run (town's main water source). In October 2016, it was reported that this project is a part of the projected \$6.2 Million upgrade with funding from USDA. Harpers Ferry also uses the Potomac River as a backup water source.
- The City of Ranson reduced the potential for environmental issues resulting from hazardous waste by cleaning up sites where hazardous waste was currently present. This was accomplished at the Brownfield site at the former Kidde Plant site in Ranson.
- The City of Shepherdstown, constructed additional water tanks to increase water storage capabilities to reduce the effects of drought in their city.
- To increase the stability of the public drinking water supply and provide for an emergency backup power supply at all water treatment facilities in the County. Prime Power Surveys have been completed for most of the water and waste water treatment facilities and generators have been installed. In some instances, additional propane has been stored for use on the more remote sites.
- Several additional projects were completed over the past 5 years, but this is a good representation of projects that the county and the municipalities successfully completed.

- A Flood Risk Analysis Report will be provided by the State for the flood hazard. All other hazards are the responsibility of the applicant. Refer to Section 8.

2.2.3.C Mitigation Strategy

- The plan will address the following points:
 - Document each jurisdiction's existing authorities, policies, programs and resources and its ability to expand on and improve these existing policies and programs.
 - Address each jurisdiction's participation in the NFIP and continued compliance with NFIP requirements, as appropriate.
 - Include goals to reduce/avoid long-term vulnerabilities to the identified hazards.
 - Identify and analyze a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure.
 - Contain an action plan that describes how the actions identified will be prioritized (including cost benefit review), implemented, and administered by each jurisdiction.
 - Describe a process by which local governments will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate.

2.2.3.D Plan Review, Evaluation, and Implementation

- The plan will address the following points:
 - Include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval.
 - For multi-jurisdictional plans, each jurisdiction requesting approval of the plan documented formal plan adoption.
 - FEMA Lifelines. (See: <https://www.fema.gov/emergency-managers/practitioners/lifelines-toolkit>)
- Adoption Process:
 - The plan adoption process must ensure sufficient time to complete the plan, as well as time for State (30 days) and FEMA (45 days) plan review. The plan adoption will allow time for the jurisdiction(s) to make any modifications required as part of the plan review process and allow sufficient time for jurisdictions to formally adopt the plan.
 - Throughout the planning process, the jurisdictions in Jefferson County will have multiple opportunities to review draft portions of the plan. Upon completion of the MHMP update, Jefferson County and Contractor will present the plan to the Workgroup for final revisions. The Workgroup (which will include at least one member of each participating jurisdiction) will review the plan in detail and notify Jefferson County and Contractor of any and all revisions desired with the understanding that upon completion of these revisions, the communities of County will feel comfortable adopting the plan.

- o Upon conditional approval from FEMA, each incorporated jurisdiction within Jefferson County and the five (5) Municipalities will officially adopt the plan.

2.3 MHMP Contractor. Will the applicant hire a contractor to help develop your local hazard mitigation plan update? Note: Refer to Sections 2.1.2 (Responsibilities of State) to avoid duplication of efforts.

Yes, a contractor will be utilized to perform the plan update. Upon award of this grant, Jefferson County will put out an RFP (Request for Proposal) to hire a contractor to perform tasks such as (but not limited to) hazard identification and risk assessment, writing and developing the plan, facilitating meetings, coordinating community input, GIS services, etc.

Meet all regulatory requirements of MHMP, including but not limited to coordinate and facilitate all local meetings to be held in person in Jefferson County; Coordinate all community input; research and integrate other known plans (comprehensive plans, building codes, zoning ordinances, storm water management plans, source water protection plans, THIRA (Threat Hazard Identification Risk Assessment), sub-division and land use/land development plans, Hospital and Health Department All Hazards Plans, National Flood Insurance Rate maps, Community Rating System Information, Program for Public Information (CRS), Emergency Management Plans, Repetitive Loss Areas, and other County and Municipal plans, Planning Process; Hazard Identification, Risk Assessment, Mitigation Strategies/Project Identification; Integration of maximizing CRS points using this as the Activity #510 Plan and Integrate the CRS Crosswalk for maximization of accumulating CRS points, and plan review, evaluation, and implementation (See also FEMA Local Plan Checklist in Section 7), provide GIS data to support the building inventory and support plan, ensuring that the contractor is not duplication deliverables provided by the WVU GIS, WVEMD, or Jefferson County GIS (see 2.1.3 and Section 8).

Meet all the regulatory requirements of MHMP, Planning process, hazard identification and risk assessment, mitigation strategy, and plan review, evaluation, and implementation.

The State will provide coordination with building inventories based on input GIS data provided by your jurisdictions and a Flood Risk Analysis Report addendum. See Section 8 for State technical support services provided.

2.4 MHMP Meetings.

The Applicant will discuss in detail the type of meetings and how the meetings align with the performance objectives, timeline, and work schedule.

Meeting 1 [Initial Meeting]: In the kickoff meeting, the applicant will meet with the planning team to describe the rationale behind the MHMP program and answer questions from county and municipal participants. This meeting will also include a discussion of roles, responsibilities, decision making processes, administrative procedures, and communication strategies. The Jefferson County Contractor

will present the municipalities with a Memorandum of Understanding (MOU) for sharing data and information.

At this meeting, the contractor will present county map(s) with the critical facilities plotted. This map will be used to elicit better local information from the workgroup. The workgroup will also prioritize the hazards it feels most affects the county and profile the hazards for the state to model with updated Hazus-MH scenarios including earthquakes, floods, tornadoes, and hazardous materials spills.

Jurisdictional Meetings: Here the applicant will meet with each individual jurisdiction covered by the plan to discuss mitigation strategies. The group will review the strategies developed in the previous version of the MHMP, and will discuss the following: 1) completed, successful strategies, 2) strategies that were not implemented and reasons for incompleteness, 3) new strategies needed. At the end of the meeting, the group will prioritize its new strategies and develop goals and objectives to implement them.

State Coordination: During the initial meetings WV EMD or its designee will meet with the various stakeholders to provide information about coordination of the (1) building inventory and (2) Flood Risk Analysis report.

Meeting 2 [Present Draft Plan]: Meeting 2 is a public meeting. The applicant/contractor will present the draft plan with the results of the modeling and risk assessment analyses and the mitigation strategies developed by the jurisdictions. The workgroup and the public will have the opportunity to ask questions.

Meeting 3 [Final Review and Revisions of Draft Plan]: The workgroup meets to review and revise the draft plan before submitting it to the State and FEMA.

2.5 Community Signed Statements. FEMA application development guidance requires that each community that intends to participate in a multi-jurisdictional plan provide an individually signed statement on how the overall planning effort will be coordinated. The letter should also indicate if there will be additional costs associated with a particular community's participation in the planning process. A sample letter of intent is included on the next page. The letter can and should be modified to describe how your multi-jurisdictional planning effort will be coordinated. Refer to Section 5 for a template for the signed letters of intent to this application. Please also list the communities that will participate in the planning effort in the space below.

This is a single jurisdiction All Hazards Mitigation Plan Update developed for Jefferson County, WV to include:

Jefferson County (NFIP Community #540065), Bolivar (NFIP #540030), Charles Town (NFIP Community #540066), Harpers Ferry (NFIP Community #540067), Ranson (NFIP Community #540068, and Shepherdstown (NFIP Community #540069).

Section 3: Estimated Budget				
Special care needs to be taken when estimating the project budget to ensure that the community doesn't under-estimate. An under-estimated budget can lead to a cost over-run which could result in delays and even cancellation of the grant due to non-performance. If in doubt, estimate high. You MUST provide justification for budget line items in the budget narrative.				
Professional Services:				
	A. Accounting and Auditing Fees			\$0.00
	B. Advertising and Public Information Fees			\$3,000.00
	C. Data Collection Fees			\$0.00
	D. Contractor Fees			\$57,000.00
	E. Data Analysis Fees (Lifelines)			\$0.00
	F.			\$0.00
	In 2017 Congress passed the Disaster Resilience and Recovery Act (DRRA) requiring States to provide "pass-through" of 5% of the project cost to Sub-Recipients for project management. This cost is outside of the final budget and MUST be supported by documentation prior to payment. The lines below will help you determine the proper allowable items.			
	U. Travel Fees			\$0.00
	V. Office Supplies / Equipment Fees			\$0.00
	W. Phone Fees			\$0.00
	X. Project Manager Fees			\$0.00
	Y. Time and Attendance Fees			\$0.00
	Z. Other Project Management Fees (Give Details)			\$0.00
	Sub-total			\$0.00
Other Project Expenses (Give Details):				
	AA.			
	BB.			
	CC.			
	DD.			
	Sub-total			\$0.00
	GRAND TOTAL			\$60,000.00
Projected Source Funds:				
Federal Share	\$0.00	Percent		Source FEMA
Non-federal Share	\$0.00	Percent		Source Non-Federal Share

In Kind Service	\$0.00	Percent		Source	
Other Source	\$0.00	Percent		Source	
Budget Narrative:					
Project Administration/Project Management					
		AMOUNT	RATE	HOURS	TOTAL %
		\$			
		\$			
		\$			
FRINGE (0.6661)		\$			
INDIRECT (0.7760)		\$			
CONTRACTOR FEES		\$60,000.00			
TOTAL		\$60,000.00			

Section 5: Community Signed Statement

Statement of Interest in Multi-Hazard Mitigation Planning

As a potential participant in the Hazard Mitigation Assistance Program, Jefferson County, West Virginia hereby states their interest in participating in the multi-jurisdictional Jefferson County Natural Hazard Mitigation Plan.

After Federal Emergency Management Agency approval and during the implementation, Jefferson County agrees to actively participate in the hazard mitigation planning process.

As signed, we understand this is a voluntary program and our participation may benefit our jurisdiction by identifying hazards and prioritizing potential projects to mitigate the effects of natural hazards.

Signature of Authorized Community Representative

Date

Jefferson County Commission President

Title

Section 6: MHMP Major Work Tasks Template

Task 1. Organize Resources, Profile Hazards, Determine GIS Analyses

The applicant and MHMP contractor (if applicable) will work with participating stakeholders to review FEMA's regulation checklist (Section 7). The planning team will address comments and suggestions from the crosswalk in the updated plan. The county will identify and organize a planning team to act as point of contact for the various interested groups and provide support in the mitigation planning process. The plan update will incorporate individual community MHMPs into the larger county MHMP for a more comprehensive picture of the county's risks.

The planning team will consist of at least one representative from each of the county's incorporated jurisdictions. Members may include local first responders and emergency personnel, as well as academic institutions and local businesses. The MHMP contractor will attend an organizational meeting with the team to collect and organize the GIS resources that the county will provide towards its match. To ensure that the best available data is used and available for an improved GIS risk assessments, the applicant should develop a Memorandum of Understanding (MOU) with the county (ies) for sharing of data for the mitigation plan.

The applicant and planning team will coordinate with the WV EMD or designee regarding the building inventory and Flood Risk Analysis report. It is important that applicant coordinates closely with the State to minimize duplicative efforts and to fully integrate regional plans into the State Mitigation Plan.

The applicant will identify hazards to include in its plan including additional hazards not listed in its previous plans.

Rank hazards by overall risk

In this step, the applicant will present the hazard rankings that the county developed in its first plan and lead the planning team through an exercise to determine if the rankings have changed. The exercise will consider significant hazard events that have occurred since 2019, changes in land use that may impact the county's vulnerability to certain hazards, and additional relevant information from state and local experts.

Profile hazard events

The applicant will create new hazard event profiles using the best available GIS resources and historical information. The profiles will answer the question: What are the possible magnitudes and severities of each hazard event? The information gathered in this step will help determine the assets in the hazard areas that will be inventoried in the next task.

- Obtain and create a base map.

The applicant will identify and collect the best available base map information to show the areas that are subject to various hazards. The GIS base map data from the community will be used in conjunction with regional and statewide data. *All GIS data collection efforts will be coordinated with the State to ensure consistent and comprehensive hazard databases are compiled in a consistent and efficient manner.*

- Obtain hazard event profile information.

Using the information obtained in the previous tasks, the applicant will determine the return frequency for each hazard. The hazard frequency will be based on the most commonly available information for a particular hazard. A more comprehensive hazard profile that considers all possible events, such as floods with different probabilities, may still be needed at some future date, but this simplified version will be adequate to help identify each community's risks and narrow the focus for planning efforts. The State will provide a Flood Risk Analysis report of each county to be an addendum for the MHMP.

- Record hazard event profile information.

The applicant will record the research information for each hazard profile. The task will include documenting the source of the various maps such as the Flood Insurance Rate Maps (FIRMs) or other hazard event data.

Task 2. Kick-off Meeting (meeting #1)

In the kickoff meeting, the applicant will meet with the planning team to describe the rationale behind the MHMP program and answer questions from county participants. This meeting will also include a discussion of roles, responsibilities, decision-making processes, administrative procedures, and communication strategies. The applicant will present the county with a Memorandum of Understanding (MOU) for sharing data and information. At this meeting, the applicant with coordination with the State will present regional and county maps with the Hazus-MH critical facilities plotted. This map will be used to elicit better local information from the planning team. The team will also prioritize the hazards it feels most affects the county and profile the hazards to model with Hazus-MH including floods, tornadoes, earthquakes, and hazardous materials spills.

Task 3. Risk Analysis

Inventory assets

The inventory subtask effort identifies the assets in the community that will be affected by the hazard event. The task includes conducting an inventory of the vulnerable assets. The updated MHMP will begin with a Hazus-MH inventory but will refine it using local available data. The effort includes incorporating critical facilities identified by the planning team, existing local GIS data, and available community property assessment information including property ownership and building replacement costs. The effort includes developing and mapping a general inventory of assets in the community. Using the base map developed in the previous task, the applicant will identify the assets inside hazard areas, for example, using available floodplain maps to identify assets within the 100-year floodplain boundary. This subtask includes the following activities:

- The plan will run GIS risk analyses for flood, landslides, severe weather, tornado, etc.
- Using local resources including the community assessor's data, aerial photography, local planning documents, census data, and Hazus-MH data, the applicant with support from the State will determine the total number and value of

buildings. The information will be grouped by occupancy class, such as residential, commercial, or industrial. Hazus-MH, current census data, or local population figures will be used to estimate the current population.

- The applicant and State will use GIS techniques to estimate the total number of buildings, total value of buildings, and number of people in flood hazards while the applicant is responsible for other hazards. Throughout this process, applicant will engage community officials to identify areas of recent and future growth and note whether these areas lie within hazard boundaries.
- *All GIS data collection efforts will be coordinated with the State to ensure consistent and comprehensive hazard databases are compiled in a consistent and efficient manner*

Estimate Losses

The next step in the loss estimation process determines how the community's assets will be affected by the hazard event. Hazus-MH software and GIS tools will be used to estimate these losses. Some buildings, infrastructure, or functions will be damaged more than others in the same hazard event because they are more vulnerable due to their location or construction. The State will use Hazus-MH structure loss estimation tables to determine the estimated percent of damage from the various hazard events for flood hazards while the applicant is responsible for other hazards. The analysis reports will include estimated structure losses (use and function), content losses and human losses.

The applicant will prepare a draft risk assessment and present the report to the planning team, elected officials, and general public at an open meeting which will include the State Flood Risk Analysis report. In the presentation, the applicant will highlight significant changes in analysis results from the 2019 plan. This meeting will significantly inform the development of the mitigation section of the plan.

Task 4. Update and Create New Mitigation Strategies

The applicant will update the mitigation section of its MHMP, developing a strategy to address the priorities including costs and timeframes. The goal of this task is to review the goals and objectives and mitigation strategies listed in the 2019 MHMP, assess which strategies were successful and how, discuss why certain strategies were not completed, and reprioritize/develop new strategies based on the results of the hazard profiles and loss estimation.

Task 5. Prioritize Mitigation Actions

The applicant will meet with each individual jurisdiction to discuss mitigation strategies. The group will review the strategies developed in the previous version of the MHMP, and will discuss the following: (1) completed, successful strategies, (2) strategies that were not implemented and reasons for incompleteness, (3) new strategies needed. At the end of the meeting, the group will prioritize its new strategies and develop goals and objectives to implement them.

Task 6. Public Involvement

Advertise and develop materials for public MHMP meeting.

Task 7. Public MHMP Meeting (meeting #2)

Meeting 2 is a public meeting. Prior to the meeting, the applicant will publish the date, location, and time of the meeting in a local newspaper. At the meeting, the applicant will present the draft plan with the results of the modeling and risk assessment analyses and the mitigation strategies developed by the jurisdictions. The planning team and the public will have the opportunity to ask questions.

Task 8. MHMP Development

The applicant will develop the final MHMP by compiling the results of each section of the planning process. This step is the culmination of a process that begins with Task 1 and continues throughout.

Task 9. Distribute Draft Plan for Comment

Draft copies of the MHMP will be distributed to all jurisdictions ahead of the final review meeting.

Task 10. Final MHMP Review (meeting #3)

The planning team will review the final product and have opportunity to revise it.

Task 11. Finalize and Publish MHMP

After the planning team has approved the plan, the applicant will deliver it to WV EMD and FEMA for review and conditional approval. Upon FEMA's conditional approval, each jurisdiction in the county will adopt the plan and send signed resolutions to FEMA for official approval.

Section 7: FEMA Local Mitigation Plan Checklist**PLANNING PROCESS**

- Does the Plan document the planning process, including how it was prepared and who was involved in the process
- Does the Plan document an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, agencies that have the authority to regulate development as well as other interests to be involved in the planning process?
- Does the Plan document how the public was involved in the planning process during the drafting stage?

HAZARD IDENTIFICATION AND RISK ASSESSMENT (HIRA)

- Does the Plan describe the review and incorporation of existing plans, studies, reports, and technical information?
- Is there discussion of how the community (ies) will continue public participation in the plan maintenance process?
- Is there a description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a 5-year cycle)?
- Does the Plan include a description of the type, location, and extent of all natural hazards that can affect each jurisdiction(s)?
- Does the Plan include information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction?
- Is there a description of each identified hazard's impact on the community as well as an overall summary of the community's vulnerability for each jurisdiction?
- Does the Plan address NFIP insured structures within the jurisdiction that have been repetitively damaged by floods?

MITIGATION STRATEGY

- Does the plan document each jurisdiction's existing authorities, policies, programs and resources and its ability to expand on and improve these existing policies and programs?
- Does the Plan address each jurisdiction's participation in the NFIP and continued compliance with NFIP requirements, as appropriate?
- Does the Plan include goals to reduce/avoid long-term vulnerabilities to the identified hazards?
- Does the Plan identify and analyze a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure?
- Does the Plan contain an action plan that describes how the actions identified will be prioritized (including cost benefit review), implemented, and administered by each jurisdiction?
- Does the Plan describe a process by which local governments will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate?

PLAN REVIEW, EVALUATION, AND IMPLEMENTATION

- Does the Plan include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval?
- For multi-jurisdictional plans, has each jurisdiction requesting approval of the plan documented formal plan adoption?

Source: The Local Plan Review Crosswalk Comparison Tool provides a comparative analysis between the Local Mitigation Plan Review Crosswalk and Local Mitigation Plan Review Tool Regulation Checklist. See website: www.fema.gov/media-library/assets/documents

Section 8: State Technical Support Services: Building Inventory & Flood Risk Analysis Report

The WV Regional Planning and Development Councils (PDC) will be allowed *flexibility* to construct their own mitigation plans unique to hazards identified by each PDC. However, all regional councils will implement a more *systematic approach* for the data collection, aggregation, and analysis of hazards. *Geospatial technologies* will be a major instrument to accomplish this new approach. In addition, building inventories and flood hazard models developed at the local and regional levels will be integrated and stored in *comprehensive* statewide hazard databases to *improve efficiencies* and to model hazards *seamlessly* across political boundaries. A *shared workflow* for the analysis of specific hazards will be implemented by the State and the PDCs to ensure *credible hazard studies* are produced. As a result, this *systematic approach* employed at the local and regional levels will in turn improve the State Mitigation Plan by allowing all the regional hazard identifications and risk assessments in West Virginia to be evaluated and ranked in a more coherent and suitable manner.

The WV State Hazard Mitigation Officer (Brian Penix) will provide technical support services for coordination with the building inventory and Flood Risk Analysis Report. A schedule will be provided to the applicant regarding the estimated dates for completing the Flood Risk Analysis Report, although dependent on the applicant providing the necessary GIS data layers.

Principal reasons for the State providing technical support services:

- Coordinate critical facilities, essential facilities, community assets, and other data sets required for hazard risk plans in a consistent and effective manner.
- Generate a statewide building inventory with replacement costs determined from county assessment data. The building inventory must be generated by a customized Building Inventory Tool for West Virginia funded by FEMA and developed in collaboration with the WVU GIS Technical Center, West Virginia University.
- Develop county Flood Risk Analysis Reports based on a Hazus Level 2 flood loss which includes more accurate local inventories of buildings, essential facilities and other infrastructure for each jurisdiction.
- Improve the integration of the county and regional flood risk analyses and data to the State Hazard Mitigation Plan.
- Provide longevity and continuity measures for sustaining GIS data and risk analysis products that supports the local plans.
- Transfer knowledge, completed reports and data to regions and counties so they can use in future projects.
- Build capacity within regions and counties so they can depend less on outside contractors to complete local hazard mitigation plans.
- Incorporate results of county and regional into statewide flood risk planning tools such as the WV Flood Tool.

The following tables describe work that will be done by the State in support of PDC regions completing FEMA Hazard Mitigation Plans. This work targets all 55 counties and 11 PDC

regions with a goal of completion in time for inclusion in the State Hazard Mitigation Plan which expires in October of 2018.

- Table 1: Tasks associated with compiling building inventory and completing Flood Risk Analysis Report.
- Table 2: Matrix of inputs and outputs intended to relate them to their respective tasks and processes.
- Table 3: Flood Risk Analysis Deliverables, by County/Community
- Table 4: Structure of Flood Risk Analysis Report

Table 1. Major tasks associated with building inventory and Flood Risk Analysis Report

		Per- County Hours	
Task 1.	DATA ACQUISITION: Outreach to region, counties, and communities to acquire needed data for Flood Risk Analysis Report.	16	
1.1	Review previous plans, determine needed data sets, and sources with MHMP plan team		
1.2	Acquire <i>building inventory</i> data sets from state, region, county and local entities		
		Data Set	Federal / State Source
1.2.1	Surface Parcels		Assessor
1.2.2	CAMA / Assessment tables	WV Tax Dept.	Assessor
1.2.3	E-911 Address Points	WV EMD	County OEM
1.2.4	Building Footprints		County GIS
1.2.5	Critical Facilities ¹	WV EMD	County GIS
1.2.6	Essential Facilities ² (Hospitals, police stations, fire stations, schools, EOCs) ³	WV EMD	County GIS
1.2.7	State government facilities	WV Admin.	County GIS
1.3	Acquire <i>other</i> data sets of interest from available sources		
1.3.1	Elevation / Lidar	State web service	County sources
1.3.2	Aerial Imagery	State web service	County flights
1.3.3	Dams	USACE, NRCS, state agencies	County GIS
1.3.4	Bridges (public and private; local and state)	Multiple sources	County GIS
1.3.5	Buy-out properties	WV EMD	Flood Mgrs.

¹ Critical facilities or assets are buildings deemed economically or socially vital to the community. Regional and county GIS coordinators will provide community asset data (in kind cost share). Spatial locations will be validated (centroid on buildings) by local GIS coordinators. Attribute information (building names; etc.) verification is the responsibility of the local GIS Coordinators.

² Essential Facilities are a Hazus priority subset of critical facilities and considered vital to the community during and following hazard events. Region and counties will provide technical staff to collect essential facilities and potentially eligible as part of the in kind match.

³ Schools consist of public and private K-12 schools and colleges. Hospitals consist of public and private hospitals. Care facilities defined by WV EMD criteria.

<p>Task 2. DATA ASSESSMENT AND FEEDBACK: Stakeholders meetings to review data development plan to include building inventory, data quality assessment, data recommendations, etc. Review timeline and deliverables to complete Flood Risk Analysis Report.</p> <p>2.1 Present critical maps and essential facilities</p> <p>2.2 Present county building inventories if data available and processed</p> <p>2.3 Provide data quality assessment and feedback</p> <p>2.4 Review Flood Risk Analysis report timeline and deliverables</p> <p>2.5 Community feedback and data changes submitted within two weeks by local data stewards</p>	<p>4</p>
<p>Task 3. FLOOD RISK ANALYSIS REPORT. Assess risks; GIS data collection and analysis</p> <p>3.1 Pre-process data, parcels, CAMA, etc., for FME Building Inventory Tool</p> <p>3.2 Run FME Tool to create updated Building Inventory (BI)</p> <p>3.3 Compile dam locations, buyout properties, bridges affected by 1% flood and related overlay data in consultation with the SHMO</p> <p>3.4 Analyze flood vulnerability - GIS overlay analysis</p> <p> 3.4.1 Number of buildings damaged by 1% flood</p> <p> 3.4.2 Cost of buildings damaged by 1% flood</p> <p> 3.4.3 Critical facilities in floodplain</p> <p> 3.4.4 Essential facilities in floodplain</p> <p>3.5 Update Hazus-MH databases with BI, UDF</p> <p>3.6 Run Hazus-MH for flood hazard, level 2, with updated BI, to generate loss estimates</p> <p>3.7 Knowledge and data transfer</p> <p> 3.7.1 Prepare final Risk Analysis Report</p> <p> 3.7.2 Submit Risk Analysis Report to PDC Region, counties and OEM directors, as appropriate along with technical guide to aid in interpretation of results</p> <p> 3.7.3 Package GIS overlay data for transfer to county/region</p> <p> 3.7.4 Prepare formal metadata for submission with GIS data</p> <p>3.8 Publish Loss Estimates on WV Flood Tool</p>	<p>80</p>
<p>Total Time Billable Per County:</p>	<p>100</p>

Table 2. Flood Risk Analysis Input-Output Matrix

	Inputs	Outputs
Updated Building Inventory	CAMA/IAS Parcels Footprints Address points	Building Inventory (BI) - countywide General Building Stock (GBS - Hazus-MH update) User Defined Facilities (UDF - Hazus-MH update)
Enhanced Building Inventory	Critical facilities Essential facilities Govt. facilities	Maps Tables Hazus-MH database updates
Hazus / GIS Flood Risk Analysis	GBS UDF DEM DFIRM	Buildings in floodplain Critical/Essential facilities in floodplain Exposure maps, tables Depth grids Debris estimate grid Shelter estimate grid

Table 3. Flood Risk Analysis Deliverables, by County/Community

	County Deliverable Item
Task 1.	1.1 Plan for data set acquisition
	1.2 Data sets acquired
Task 2.	2.1 Maps of critical, essential facilities for review
	2.2 Flood risk analysis process overview
	2.3 Community feedback
Task 3.	3.1 FME Tool-ready data
	3.2 Updated building inventory
	3.3 Flood vulnerability analysis
	3.3.1 Table: Number of buildings in 1% floodplain
	3.3.2 Table: Cost of buildings damaged by 1% flood
	3.3.3 Map: Critical facilities in 1% floodplain
	3.3.4 Map: Essential facilities in 1% floodplain
	3.4 Updated BI, UDF in Hazus-MH
	3.5 Updated Hazus-MH Loss Estimates
	3.6 Dam vulnerability analysis
	3.7 Knowledge and data transfer
	3.7.1 Risk analysis report
	3.7.2 Technical guide for interpreting report, data
	3.7.3 GIS overlay data
3.7.4 Metadata	
3.8 WV Flood Tool updated with new loss estimates	

Table 4. County Risk Analysis Report Structure

- | | |
|--|---|
| <ul style="list-style-type: none"> • Overview • Flood hazard definition & vulnerability analysis • Table: critical facilities • Table: essential facilities • facility replacement costs • Table: buildings affected by 1% flood • Table: building exposure • Map: 1% riverine flood • Table: 1% riverine flood building losses • Map: loss ratio percentage (optional) • Map: buildings in 1% floodplain • Map: unincorporated buildings in 1% floodplain • Map(s): Community buildings in 1% floodplain • Essential facility 1% riverine flood losses • Map: essential facilities in 1% floodplain • Critical facilities analysis • Map: Critical facilities in 1% floodplain • Map(s): Community critical facilities in 1% flood • Mitigated Buyout Properties • Map: County mitigated buyout properties • Riverine 1% flood shelter requirements • Map: riverine 1% flood shelter requirements • Riverine 1% flood debris | <ul style="list-style-type: none"> • Map: riverine 1% flood debris • Table: County Dam Location Inventory • Map: County Dams |
|--|---|

Section 9: Sample Flood Risk Analysis Report – Jefferson County

Sample report is in progress and made available upon completion.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jennifer Myers

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

Estimation of amount of time needed for appointment: 5 min.

Date Requested – 1st Choice: **January 20, 2022**

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

Date Requested – 2nd Choice: N/A

Subject (*Wording to be placed on agenda*): Letter of Support for Economic Development Grant application.

Please provide the County Commission with a description of your request or presentation, including any background information: The Jefferson County Parks & Recreation Commission in partnership with the Chesapeake Conservancy is applying for an Economic Development Grant in the amount of \$150,000 to develop a master plan for Moulton Park and the Riverside Expansion of Moulton Park. The plan will include a vision for the 86 acre property as well as address current development, parking, and traffic concerns.

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*):

The Jefferson County Commission approves the grant application with Jefferson County Parks & Recreation and the Chesapeake Conservancy and approves the letter of support for the development of a Master Plan for Moulton Park.

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

If not attached, explain:

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

Contact information: Jennifer Myers

Email address: jmyers@jcprc.org

Phone Number: 304-728-3207

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable



JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT
Steve Stolipher

VICE PRESIDENT
Tricia Jackson

COMMISSIONER
Clare Ath

COMMISSIONER
Caleb Hudson

COMMISSIONER
Jane Tabb

January 20, 2022

Re: Support for Economic Administration Grant/Moulton Park Master Plan

To Whom It May Concern:

The Jefferson County Commission is writing in strong support of the Chesapeake Conservancy's Economic Development Administrations grant application, in the amount of \$150,000, that supports Jefferson County Parks & Recreation Commission in the development of a master plan for Moulton Park.

Located in the Eastern Panhandle of WV, Jefferson County is known for its rich history, stunning views, and recreation opportunities. Jefferson County is just a short drive from the Washington DC area and is a tourist destination year-round. The County is home to a variety of outdoor recreational opportunities for residents and visitors, such as fishing, hunting, hiking, disc golf, bicycling, a wide range of river activities, and other outdoor adventure activities.

Jefferson County relies on tourism, which plays a tremendous part in funding our parks & recreation department. Moulton Park lies along the Shenandoah River and is one of the most utilized parks in the County park system. It provides public access to the Shenandoah River for fishing, boating, and tubing as well as camping. In addition, it is a popular 'go to' area for families, visitors and individuals seeking a scenic picnic spot along the river. According to our Envision Jefferson 2035 Comprehensive Plan, "Outdoor recreation complements the County's natural, cultural, and built environments. It is anticipated that recreational tourism opportunities in Jefferson County will continue to expand in the coming years. This is particularly true in areas near the Potomac and Shenandoah Rivers, where the numerous outfitters and private outdoor recreation providers in the region are expanding their offerings to visitors and residents"

In March 2022, Moulton Park will expand to include an additional 82-acres. With this expansion, the park will become an even bigger focal point within the County and a destination for visitors near and far. With such high usage and demand, it is important to utilize the park to its best potential. It is with this, that the Jefferson County Commission fully supports development of a master plan that would allow for more passive and recreational opportunities along the Shenandoah River.

Sincerely,

Caleb Hudson, President
Jefferson County Commission

Interim County Administrator
Sandy Slusher McDonald

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Russell Burgess

Department or Organization: **Information Technology**

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1st Choice: **January 20, 2022**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Downtown Data Center Refresh/Upgrade**

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

Discussion of Downtown Data Center Refresh/Upgrade, Systems Replacement and Request Approval to Purchase Hardware/Software to include Host Infrastructure, Storage Area Network Infrastructure, Distribution and Application Switch Infrastructure, Windows and appropriate Software Licensing. Current infrastructure has aged to the point it will not support software upgrades required to maintain Cyber Security Standards to protect our infrastructure. Hardware/Software to be provided by Dell/EMC, Hewlett Packard Enterprise, Storage Networks, Microsoft

Is this a funding request? Y/N Yes

If so, how much? \$ 246,910.95

Provide exact financial impact/request: This is a Capital Outlay Project

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

- Motion to Approve the Purchase of the related components to Refresh/Upgrade the Downtown Data Center in the amount of \$246,910.95

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

If not attached, explain:

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

Contact information: Russell Burgess

Email address: rburgess@jeffersoncountywv.org

Phone Number: 304-728-5605

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name:

Department or Organization:

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 20, 2022**

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

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

- **Interviews and Appointment – Jefferson County Emergency Services Agency – Jefferson County Fire and Rescue Association Representative – One unexpired term ending June 30, 2022 – Three candidates selected by the JCFRA – JCC picks one**

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: Rebecca Hall

Department or Organization: **Prosecuting Attorney's Office Victim Advocate Program**

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: **January 20th, 2022**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): Supplemental VOCA Grant Contract

Please provide the County Commission with a description of your request or presentation, including any background information:
Supplemental VOCA Grant contract requires County Commission President signature

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*):
Approves Supplemental VOCA Grant Contract.

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

If not attached, explain:

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

Contact information: Rebecca Hall

Email address: rhall@jeffersoncountywv.org

Phone Number: 304-725-6550

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

GRANT CONTRACT AGREEMENT
BETWEEN
DIVISION OF ADMINISTRATIVE SERVICES
JUSTICE AND COMMUNITY SERVICES SECTION
AND
Jefferson County Commission
21-SVA-027

This **AGREEMENT**, entered into this 14th Day of December 2021, by the Assistant Director of the Division of Administrative Services, Justice and Community Services Section, hereinafter referred to as "JCS", and the Jefferson County Commission, hereinafter referred to as "Grantee."

WHEREAS, JCS is the recipient of Community Corrections Funds from the State of West Virginia., and

WHEREAS, the Grantee is an eligible applicant who is desirous of receiving funds for: **This grant will fund staff in the Jefferson County Prosecuting Attorney's Office to provide direct services to crime victims in Jefferson County.**

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. The Grantee agrees to comply with all applicable federal and state laws and rules, regulations and policies promulgated thereunder.
2. JCS agrees to assist the Grantee to perform such tasks and functions as set forth in the application, which is attached hereto and made part hereof, hereinafter referred to as Attachment A.
3. The Grantee shall do, perform, and carry out in a satisfactory and proper manner as determined by JCS all duties, tasks and functions necessary to implement the application which is hereto attached as Attachment A.
4. The Grantee will commence its duties under the Agreement on **October 1, 2021** and shall continue those services/activities until **June 30, 2022**. The terms of this Agreement may only be extended or modified by the mutual written agreement of the parties hereto.
5. In consideration of the services rendered by the Grantee, the sum of up to **\$24,888.00** shall be obligated by JCS and said amount shall be deemed to be the maximum compensation to be received for this Agreement unless a written modification is entered into between the parties amending this Agreement.
6. It is the understanding of all parties to this Agreement that JCS by joining in the Agreement does not pledge, or promise to pledge, the credit of the State of West Virginia, nor does it promise to pay all of the compensation hereunder from monies of the Treasury of the State of West Virginia.

7. It is the understanding of all parties to this Agreement that JCS has determined that the Grantee will receive an upfront scheduled allocation of funds.
8. If the Grantee is not receiving an upfront scheduled allocation of funds: To be eligible for any and all payments of the grant amount, the Grantee shall submit a Request for Reimbursement of Funds once per month to JCS. Upon receipt of said request, JCS shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five hereinbefore cited and said compensation will be expended only as outlined in the budget sections of Attachment A, unless written approval of modification of the budget is signed by the parties hereto. Grantee shall submit a fiscal report detailing expenditures to JCS by the twentieth (20th) day of each month.
9. If the Grantee is receiving an upfront scheduled allocation of funds, the Grantee hereby agrees to adopt a schedule of payments dictated by JCS: To be eligible for any and all scheduled allocation of funds of the total grant amount, the Grantee shall submit a Request for Funds to JCS which adheres to the schedule of payments. Upon receipt of said request, JCS shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five hereinbefore cited and said compensation will be expended only as outlined in the budget sections of Attachment A, unless written approval of modification of the budget is signed by the parties hereto. Grantee shall submit a fiscal report detailing expenditures to JCS by the twentieth (20th) day of each month.
10. Grantee hereby represents that it possesses the legal authority to contract for this Agreement and that attached hereto and made a part hereof as Attachment B is a certified copy of the resolution, motion or similar action which was clearly adopted or passed by the Grantee's governing body; and further, that it has directed and authorized an official representative to act in connection with this Agreement. If the Grantee is a State agency, the completed application signed by the agency head is sufficient.
11. Grantee agrees to abide by the grant conditions, terms, assurances and certifications which are a part of Attachment A and such other special terms and conditions that JCS has set forth in Attachment C which is incorporated herein and made part hereof, if said Special Conditions are appropriate to this Agreement.
12. If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner, obligations under this Agreement, the JCS may withhold payments to the Grantee upon notice in writing, suspend, or cancel this Agreement and Attachments. The notice of withholding payments, suspension, or cancellation should set forth the JCS reasons for taking said action.
13. JCS and Grantee may from time to time require changes in the scope of services performed hereunder. Grantee agrees to submit a written request for modification prior to changing any budget line item. All such changes, including any increase or decrease in the amount of compensation hereunder or work to be performed, which are mutually agreed upon between the parties shall be in writing.
14. If for any reason funds received by JCS are suspended or terminated, in whole or in part, funding for this Agreement shall cease.

15. Grantee shall within the time period prescribed by grant conditions upon the termination of the Agreement, submit to JCS a final report on forms provided by JCS. Said reports shall reflect actual costs incurred or expended during the terms of this Agreement.
16. The parties hereto agree that notice shall be given by personal service or served when mailed certified U.S. Mail, postage prepaid, return receipt requested to the following addresses:
 - a. Justice and Community Services Section
1124 Smith Street, Suite 3100
Charleston, West Virginia 25301-1323
 - b. **Grantee Mailing Address:**
Jefferson County Commission
PO Box 250
Charles Town, WV 25414
17. The Grantee shall hold and save JCS and its officers, agents and employees harmless from liability of any nature, including cost and expense, for or on account of any suits or damages of any character whatsoever resulting from injuries or damages sustained by any persons or property resulting in whole or in part from the negligent performance or omission of any employee, agent or representative of the Grantee.

IN WITNESS WHEREOF, the parties hereto attach their signatures representing that each is acting with full authority.

Caleb Hudson
Commission President
Jefferson County Commission

Jeff Estep, Assistant Director
Justice and Community Services Section



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

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

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

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

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

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

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

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

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

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

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

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

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

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

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

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

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

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

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

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

(1) Abide by the terms of the statement: and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check D if there are workplaces on file that are not identified here.

Section 67. 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check D if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 Seventh Street NW., Washington, DC 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address: Jefferson County Commission PO Box 250 Charles Town WV 25414

Victims of Crime Act (VOCA) 21-SVA-027

55-6000333

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

Caleb Hudson, President

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

CERTIFICATION FORM

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three. If recipient completes Section A or C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Recipient's Name: <u>Jefferson County</u>	
Address: <u>124 E. Washington St. Charles Town WV 25414</u>	
Is agency a: <input type="checkbox"/> Direct or <input type="checkbox"/> Sub recipient of OJP, OVW or COPS funding? Law Enforcement Agency? <input type="checkbox"/> Yes <input type="checkbox"/> No	
DUNS Number: <u>67-741-4548</u>	Vendor Number (only if direct recipient)
Name and Title of Contact Person: <u>Rebecca Hall</u>	
Telephone Number: <u>304-725-6550</u>	E-Mail Address: <u>rhall@jeffersoncountywv.org</u>

Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

Please check all the following boxes that apply:

- Less than fifty employees. Indian Tribe Medical Institution.
 Nonprofit Organization Educational Institution Receiving a single award(s) less than \$25,000.

I, Caleb Hudson, President [responsible official], certify that Jefferson County Commission [recipient] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R. § 42.302. I further certify that Jefferson County Commission [recipient] will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Caleb Hudson, President

Print or Type Name and Title

Signature

Date

Section B—Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review

If a recipient agency has fifty or more employees and is receiving a single award or, subaward, of \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ [responsible official], certify that _____ [recipient], which has fifty or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E. I further certify that within the last twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office:

[organization],

[address].

Print or Type Name and Title

Signature

Date

Section C—Declaration Stating that an EEOP Short Form Has Been Submitted to the Office for Civil Rights for Review

If a recipient agency has fifty or more employees and is receiving a single award, or subaward, of \$500,000 or more, then the recipient agency must send an EEOP Short Form to the OCR for review.

I, _____ [responsible official], certify that _____ [recipient], which has fifty or more employees and is receiving a single award of \$500,000 or more, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E, and sent it for review on _____ [date] to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Print or Type Name and Title

Signature

Date

INSTRUCTIONS

Completing the Certification Form Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

The federal regulations implementing the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, require some recipients of financial assistance from the U.S. Department of Justice subject to the statute's administrative provisions to create, keep on file, submit to the Office for Civil Rights (OCR) at the Office of Justice Programs (OJP) for review, and implement an Equal Employment Opportunity Plan (EEOP). See 28 C.F.R. pt. 42, subpt. E. All awards from the Office of Community Oriented Policing Services (COPS) are subject to the EEOP requirements; many awards from OJP, including awards from the Bureau of Justice Assistance (BJA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Office for Victims of Crime (OVC) are subject to the EEOP requirements; and many awards from the Office on Violence Against Women (OVW) are also subject to the EEOP requirements. If you have any questions as to whether your award from the U.S. Department of Justice is subject to the Safe Streets Act's EEOP requirements, please consult your grant award document, your program manager, or the OCR.

Recipients should complete *either* Section A *or* Section B *or* Section C, not all three. If recipient completes Section A *or* C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Section A

The regulations exempt some recipients from all of the EEOP requirements. Your organization may claim an exemption from all of the EEOP requirements if it meets any of the following criteria: it is a nonprofit organization, an educational institution, a medical institution, or an Indian tribe; *or* it received an award under \$25,000; *or* it has less than fifty employees. To claim the complete exemption from the EEOP requirements, complete Section A.

Section B

Although the regulations require some recipients to create, maintain on file, and implement an EEOP, the regulations allow some recipients to forego submitting the EEOP to the OCR for review. Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business; *and* (2) have fifty or more employees; *and* (3) have received a single grant award of \$25,000 or more, but less than \$500,000, may claim the limited exemption from the submission requirement by completing Section B. In completing Section B, the recipient should note that the EEOP on file has been prepared within twenty-four months of the date of the most recent grant award.

Section C

Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business, *and* (2) have fifty or more employees, *and* (3) have received a single grant award of \$500,000 or more, must prepare, maintain on file, *submit to the OCR for review*, and implement an EEOP. Recipients that have submitted an EEOP Utilization Report (or in the process of submitting one) to the OCR, should complete Section C.

Section D

Recipients that (1) receive a single award over \$500,000; *and* (2) subaward a single award of \$500,000 or more must provide a list; including, name, address and DUNS # of each such sub-recipient by completing Section D.

Submission Process

Recipients should download the online Certification Form, complete required sections, have the appropriate official sign it, electronically scan the signed document, and then send the signed document to the following e-mail address: EEOPForms@usdoj.gov. *The document must have the following title: EEOP Certification.* If you have questions about completing or submitting the Certification Form, please contact the Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, DC 20531 (Telephone: (202) 307-0690 and TTY: (202) 307-2027).

Public Reporting Burden Statement

Paperwork Reduction Act Notice. Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated minimum average time to complete and file this application is 20 minutes per form. If you have any comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office of Justice Programs, 810 7th Street, N.W., Washington, D.C. 20531.

DIVISION OF ADMINISTRATIVE SERVICES JUSTICE AND COMMUNITY SERVICES	Request for Funds
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RECEIVED (For JCS Use Only)	Subgrantee: Jefferson County Commission
	Address: PO Box 250 Charles Town, WV 25414
	Project #: 21-SVA-027
	FEIN#: 55-6000333
	Funds are hereby requested to cover expenditures FROM: October 1, 2021 TO: June 30, 2022

PROJECT CASH EXPENDITURES

Payment No. 1

CATEGORY	AMOUNT
Advance Payment	\$24,888.00
TOTAL	\$24,888.00

CERTIFICATION:

I certify that the funds requested will be used for expenditures in accordance with the approved budget for this grant.

All documentation is available at our office.

BY: Caleb Hudson, President County Commission

TYPED NAME & TITLE

SIGNATURE

DATE

(Authorized Official or Grant Financial Officer ONLY)

JCS USE ONLY	
<p>ADMINISTRATIVE APPROVAL:</p> <p>This request is approved in the amount of \$ _____ <div style="display: flex; justify-content: space-around; width: 100%;"> Initials Date </div> </p> <p>Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 30%; border-top: 1px solid black; text-align: center;">Date</div> <div style="width: 60%; border-top: 1px solid black; text-align: center;">Program Accountant</div> </div>	



Division of Administrative Services
Justice and Community Services (JCS)
SCHEDULE OF PAYMENTS

The following Schedule of Payments is hereby recognized and adopted by Jefferson County Commission.

Project Number: 21-SVA-027

Total Award: \$24,888.00

Payment No.	Date	Amount
1	12/01/2021	\$24,888.00

Caleb Hudson, Commission President
Jefferson County Commission



**WEST VIRGINIA DIVISION OF ADMINISTRATIVE SERVICES
JUSTICE & COMMUNITY SERVICES SECTION
STANDARD CONDITIONS & ASSURANCES**

Effective: July 23, 2019
Revision History: N/A

The following Standard Conditions and Assurances apply to all Grant Programs that the Division of Administrative Services, Justice and Community Services (JCS) Section administers. The application of these Assurances is applicable regardless of the source of funding and/or whether the recipient receives an upfront allocation of funds or is operating under a request for reimbursement process.

All correspondence to JCS, which is required and/or occurs as a result or action of any of the following Assurances, or as a result of the administration of any JCS grant program, should be mailed to the following address:

Justice and Community Services Section
1124 Smith Street, Suite 3100
Charleston, West Virginia 25301-1323

- 1. LAWS OF WEST VIRGINIA:** This grant application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by JCS, regardless of the original funding source. At the sole discretion of JCS, this grant can be based on a "reimbursement bases" mechanism, or a mechanism which awards an "upfront allocation" of funds on a quarterly or semi-annual basis. Upon timely notification to the grantee, JCS reserves the express right to commute an upfront allocation mechanism to a request for reimbursement mechanism for a recipient of funds, at any time during a grant period.
- 2. LEGAL AUTHORITY:** The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required if applicable.
- 3. RELATIONSHIP:** The relationship of the grantee to JCS shall be that of an independent contractor, not that of a joint enterprise. The grantee shall have no authority to bind JCS for any obligation or expense without the express prior written approval from JCS.
- 4. COMMENCEMENT WITHIN 60 DAYS:** This project must be operational within 60 days of the project starting date, as specified in the grant contract agreement. If the project is not operational within 60 days of the specified project starting date, the grantee must report by letter to JCS, the steps taken to initiate the project, the reasons for delay, and the expected starting date.

5. **OPERATIONAL WITHIN 90 DAYS:** If the project is not operational within 90 days of the specified project starting date, the grantee must submit a second statement to JCS explaining the delay in implementation.

6. **SUSPENSION OF FUNDING:** The grantee acknowledges that acceptance of an award is not a guarantee of funds. Further, by accepting this award, the grantee acknowledges and agrees that JCS may suspend in whole or in part, terminate, or impose other sanctions on any grantee funds for the following reasons:

- Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program;
- 60 or more days late in submitting reports;
- Failure to submit reports;
- High Risk Grantee as determined by the JCS High Risk Assessment; or
- Any other cause shown.

7. **SANCTIONS FOR NONCOMPLIANCE:** In the event of the grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, JCS shall impose such contract sanctions, as it may deem appropriate, including but not limited to:

- Withholding of payments to the grantee until the grantee complies or, if reports are more than 60 days late, the funding for that month is forfeited and may not be recouped or remedied;
- Cancellation, termination or suspension of the contract, in whole or in part;
- Refraining from extending any further assistance to the grantee until satisfactory assurance of future compliance has been received;
- If the grantee is receiving funds on an upfront basis, JCS can commute the transfer of funds mechanism to a reimbursement only process for the remainder of the grant period;
- If the grantee is receiving funds on an upfront basis and a determination is made by JCS that funds were intentionally or unintentionally misused, misappropriated, misspent or otherwise not consistent with the intents and purpose of the grant, the grantee automatically forfeits any remaining funds from the grant program, and any other awarded funds from any other program, until a satisfactory resolution has been achieved;
- If a grantee is indebted to JCS for any amount of funds at the close of an applicable quarter, semi-annual or end of a grant period, and the debt is not resolved within 30 days following the close of those periods, the grantee acknowledges and agrees that it is automatically ineligible to receive or apply for funds from JCS for any grant program; and
- Grantee agrees and acknowledges that under no circumstances may it commute a debt to be applied as matching funds; or, will JCS reduce a future quarterly or semi-annual allotment or future award as repayment of the debt. Repayment must be from a general account or an account unrelated to the grant award.

8. **ACCOUNTING REQUIREMENTS:** Grantee agrees to record all project funds and costs following generally accepted accounting principles. A unique account number or cost recording must separate all project costs from the grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material must be retained and be available for audit purposes. Federal regulations prohibit the commingling of Federal grant funds with funds from other sources; further, funds received on an upfront basis from JCS for one program may not be comingled with funds received on an upfront basis for another JCS program.
9. **REPORTS:** Regardless of an award being on an upfront or reimbursement basis, each grantee shall submit all reports as JCS requires necessary to the execution of monitoring, stewardship, and evaluation of programmatic and fiscal responsibilities.
10. **WRITTEN APPROVAL OF CHANGES:** The grantee must obtain prior written approval from JCS for all project changes (programmatic, fiscal or otherwise) before those changes are executed.
11. **OBLIGATION OF PROJECT FUNDS:** Funds may not, without prior written approval from JCS, be obligated prior to the effective start date or subsequent to the termination date of the project period. Obligations outstanding as of the project termination date shall be liquidated within thirty (30) days.
12. **USE OF FUNDS:** Funds awarded through JCS may be expended only for the purposes and activities specifically covered by the grantee's approved project scope and budget. By attaching their signature, the grantee recognizes that any deviations from the original grant budget are unallowable.
13. **ALLOWABLE AND UNALLOWABLE COSTS:** Allowable and unallowable costs incurred under this grant shall be determined in accordance with General Accounting Office principles and standards, state guidelines, and federal guidelines pursuant to the specific grant program.
14. **PURCHASING:** When making purchases relevant to the grant, the grantee will abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government or another agency. See 148CSR1 of the West Virginia State Code.
15. **PROJECT INCOME:** All income earned by the grantee as a result of the conduct of this project must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established for grant funds by JCS. All grantees must maintain records that clearly show the source, the amount, and the timing of all project income. There is no waiver provision for the project income requirement.
16. **MATCHING CONTRIBUTION:** The grantee will have available, and will expend as required, adequate resources to defray that portion of the total costs as set forth in this application as "match" and as approved by JCS. The applicant assures that the matching funds required to pay the grant portion of the cost of each program and project, for which funds are made available, shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Matching contributions are subject to the same expenditure guidelines as grant funds for this program. All grantees must maintain records that clearly show the source, the amount, and the timing of all matching contributions. In addition, Federal grant dollars from any source may not be utilized as matching funds.

17. **TIME EXTENSIONS:** In general, time extensions will not be granted. Unexpended grant funds remaining at the close of the grant period shall be deobligated. Funds remaining at the end of a project where an upfront allocation will, by the deadline of the final financial and progress report, be remitted back to JCS.
18. **NON-SUPLANTING:** Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from state grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The grantee hereby certifies that funds made available under this grant will not be used to supplant other funding sources.
19. **TRANSFER OF FUNDS PROHIBITION:** The grantee is expressly prohibited from transferring funds between any JCS programs. Federal regulations prohibit the commingling of Federal grant funds with funds from other sources.
20. **TRAINING:** For projects involving payment of personnel, JCS reserves the right to require training as a condition of the grant before or at any time during the project period.
21. **PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:** To the extent practicable, all equipment and products purchased with state funds made available under this grant should be American-made.
22. **MARKING OF EQUIPMENT:** Grantee will ensure that all equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by Justice and Community Services."
23. **PROPERTY ACCOUNTABILITY:** The grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a grant by JCS. This obligation continues as long as the property is retained by the grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from JCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to JCS. Property must be used for the intended grant purposes. If the property is not being used in accordance with terms of the grant, said property will revert to JCS.
24. **COMPUTER EQUIPMENT:** Grantees purchasing computer equipment (hardware, software, or peripherals) with grant funds are required to adhere to the established bidding procedures for their respective units of government or agency. To ensure reputable vendors are obtained, grantees may consider utilizing the current applicable State computer contract. Computer equipment must adhere to minimum requirements established by the West Virginia Office of Technology.
25. **LEASE AGREEMENTS:** Grantee agrees to provide JCS with a copy of the lease arrangement if funds are being requested for reimbursement or utilized as match.
26. **PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:** Grantee acknowledges that JCS, or any applicable parent federal agency, reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an

award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support. Grantee agrees to consult with JCS regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

27. **ACCESS TO RECORDS:** JCS, through any authorized representative, shall have access to and the right to examine all records, books, papers, or documents related to the grant and to relevant books and records of contractors.
28. **CIVIL RIGHTS COMPLIANCE:** Grantee will comply with any applicable federal nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. §§ 10228(c) and 10221(a); the Victims of Crime Act (34 U.S.C. §20110(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); the Violence Against Women Act (34 U.S.C. § 12291(b)(13)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); Executive Order 13279, Equal Protection of the Laws for Faith-Based and Community Organizations; Executive Order 13559, Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations; and the DOJ implementing regulations at 28 C.F.R. Part 38. Subrecipients of grants under the Violence Against Women Act (VAWA) of 1994, as amended, are prohibited from discriminating on the basis of sexual orientation or gender identity. These laws collectively prohibit grantees from discriminating on the basis of race, color, national origin, sex, disability, age, religion, sexual orientation and gender identity. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of age, disability, race, color, religion, national origin, or sex against a recipient of funds, the grantee will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs and Justice and Community Services Section.
29. **RELIGIOUS ACTIVITIES:** Grantees must ensure that services are offered without regard to religious affiliation and that receipt of services is not contingent upon participation in a religious activity or event. Furthermore, all religious activities must be separate in time or place from the funded project. Participation in such activities by individuals receiving services must be voluntary.
30. **LOBBYING:** Grantee will comply with any and all lobbying provisions and/or restrictions as outlined in the Uniformed Guidelines, Department of Justice Guidelines, and as outlined in §6B-2-5 of the West Virginia State code.
31. **CONFLICT OF INTEREST:** No public official or employee of the grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can reasonably be expected to result in any benefit or remuneration to that individual or that individual's immediate family as discussed in the W. Va. Code §§ 6B-1-1 through 6B-3-11).
32. **FREEDOM OF INFORMATION ACT:** All records, papers, and other documents kept by recipients of grant funds are required to be made available to JCS. These records and other documents submitted to JCS and its grantees, including plans and application for funds, reports, etc., may be subsequently required to be made available to entities under Federal Freedom of Information Act, 5. U.S.C. §552, or Chapter 29B, Article 1 (West Virginia Freedom of Information) of the West Virginia Code. JCS recognizes that some information submitted in

the course of applying for funding under this program or provided in the course of its grant management activities, may be considered law enforcement, personnel, juvenile sensitive, or personal or otherwise important to national or state security interests. This may include threat, risk and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures.

While this information under state control is subject to requests made pursuant to the Chapter 29B, Article 1 of the West Virginia Code, all determinations concerning the release of information of this nature are made on a case-by-case basis by JCS and may fall within one or more of the available exemptions under the Act.

Grantees must consult applicable federal, state, and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive or protected. Applicants may also consult JCS regarding concerns or questions about the release of potentially sensitive, protected or exempt information applicable to federal, state, and local laws and regulations.

JCS has the authority to release all information which does not meet an exemption to the public without a FOIA.

33. NATIONAL AND STATE EVALUATION EFFORTS: The grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

34. SUBMISSION/RELEASE OF PUBLICATIONS/PRESS RELEASES: The grantee must submit one copy of all reports and proposed publications resulting from this agreement to JCS twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements: "This document [product] was prepared under a grant from the West Virginia Division of Administrative Services, Justice & Community Services Section (or simply "JCS"). Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the State of West Virginia Division of Administrative Services, Justice & Community Services Section or any entity of the Department of Justice." In addition, the grantee agrees not to utilize the JCS logo without written permission.

35. JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT: Grantee agrees to comply with the four core protections under the Juvenile Justice & Delinquency Prevention (JJDP) Act of 1974, reauthorized 2002.

- Deinstitutionalization of status offenders (DSO).
- Separation of juveniles from adults in institutions (separation).
- Removal of juveniles from adult jails and lockups (jail removal).
- Reduction of disproportionate minority contact (DMC), where it exists.

As well as, 101CSR1 of the West Virginia code. This includes, but is not limited to, completing the annual WV Certification of Non-Secure Facilities and submitting to JCS, if applicable, and submitting a monthly Secure Holding Log, if applicable.

36. COLLABORATION W/OTHER FEDERAL AND STATE GRANTS: Where warranted, this initiative/grantee shall make every effort to support or assist other federally funded or State grant programs in any manner, including but not limited to, providing personnel, supplies, equipment, and any other resources deemed necessary by JCS.

37. USE OF DATA/EXCHANGE OF INFORMATION: With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

- a. That all computer programs (software produced under this grant) will be made available to JCS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
- b. To provide a complete copy of the computer programs and documentation, upon requests, to JCS. The documentation will include, but not be limited to, system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
- c. That whenever possible all application programs will be written in standardized programming languages or will adhere to Open Database Connectivity format for use on general operating systems that can be utilized on at least three different manufacturers of computer hardware with similar size and configuration capabilities.
- d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Criminal Justice Systems Clearinghouse (916-392-2550) should be contacted to determine availability of software prior to any development effort.

38. NATIONAL AND STATE EVALUATION EFFORTS: The grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

39. EQUAL EMPLOYMENT OPPORTUNITY PLAN: The grantee will provide an Equal Employment Opportunity Plan (EEO) to the Office for Civil Rights, Office of Justice Programs (OCR) and JCS. Each grantee certifies that it has executed and has on file an Equal Employment Opportunity Plan which conforms with the provisions of 28 CFR Section 42.301, et. seq., Subpart E; or that in conformity with the foregoing regulations, no Equal Employment Opportunity Plan is required. The grantee further certifies that it has filed an EEO Certification form and, if required, an EEO Utilization Report, through the EEO Reporting Tool at <https://ojp.gov/about/ocr/eeop.htm>.

40. VETERANS PREFERENCE: This program includes a provision that grantees utilizing funds to hire additional personnel, to the extent possible, give suitable preference in employment to military veterans. JCS defines "suitable preference" as the requirement that a grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.

41. IMMIGRATION AND NATURALIZATION VERIFICATION: The grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of state funds to verify that employees are eligible to work in the United States.

42. POLITICAL ACTIVITY: The Hatch Act restricts the political activity of executive branch employees of the federal government, District of Columbia government, and some state and

local employees who work in connection with federally funded programs. In 1993, Congress passed legislation that significantly amended the Hatch Act as it applies to federal and D.C. employees (5 U.S.C. §§ 7321-7326). (These amendments did not change the provisions that apply to state and local employees. 5 U.S.C. §§ 1501- 1508.) Please reference West Virginia Code § 29-6-20 for state restricted activities.

43. PUBLIC SAFETY AND JUSTICE INFORMATION SHARING: Grantees must support public safety and justice information sharing. The grantee is required to use the Global Justice Data Model specifications and guidelines for this grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at www.it.ojp.gov/gjxdm.

To the best of my knowledge the applicant has and will comply with all of the attached Standard Conditions and Assurances.

Authorized Official [please print]: Caleb Hudson

Authorized Official Signature: _____

Date: _____

AGENDA REQUEST FORM

www.jeffersoncountywv.org

NAME: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

ESTIMATION OF TIME NEEDED FOR APPT.: 5-10 minutes

DATE REQUESTED: 1ST CHOICE January 20th, 2022

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

SUBJECT: Probate In Solemn Form

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

Approve a the petition of Evelyn A. Stephenson to probate in solemn form the last will and testament
of Charles L. Ferguson, deceased

ARE DOCUMENTS ATTACHED: Yes

IS A PROJECTOR NEEDED?: NO

lfields@jeffersoncountywv.org (304) 728-3210

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: The Estate of Charles L. Ferguson

PETITION TO PROBATE A WILL IN SOLEMN FORM

COMES NOW your Petitioner, Evelyn Stephenson, and petitions for the admission and probate in solemn form of a paper writing believed to be the Last Will and Testament (the "Will") of Charles L. Ferguson (the "Decedent") in accordance with the provisions of West Virginia Code Chapter 41, Article 5, Section 5, and represents to this Commission that:

1. Petitioner Evelyn Stephenson (PO Box 81, Kearneysville, WV 25430) was designated as Executrix and Personal Representative of The Decedent by virtue of his Last Will and Testament dated June 12, 2019, which is the subject of this Petition and a copy of which is hereto attached as Exhibit 1.
2. The Decedent died a resident of Jefferson County, West Virginia, on August 25, 2021, and a true copy of his death certificate is hereto attached as Exhibit 2.
3. The last place of residence and domicile of The Decedent at his death was 5657 Charles Town Road, Kearneysville, WV 25430.
4. At the date of his death, the nature of the estate of The Decedent consisted of lots 8, 9, and 10 of real estate situate in Middleway District, Kearneysville, Jefferson County and acquired by him by virtue of a Deed dated July 31, 1970, recorded in Deed Book 319 at page 124 and by Deed dated July 8, 1970, recorded in Deed Book 318 at page 319. The Decedent also owned real estate described as 6.25 acres, Wageleytown, Middleway District acquired by him by virtue of a Deed dated April 1, 2015, recorded in Deed Book 1155 at page 1.

5. At the date of his death, Charles L. Ferguson was a widow and had not remarried; that he was survived by his nieces, nephews and cousin consisting of: Evelyn A. Stephenson, Ja'shon Woodward, Tomeka Allen, Montee Carey and Reverend Tyrone Locket, who constitute his known heirs-at-law and distributes, as defined under West Virginia Code §42-1-3a(a).
6. Petitioner has tendered to the Court a photocopy of the Exhibit 1 Will together with the original of the Exhibit 2 Death Certificate. The original of the Decedent's Will cannot be located but the authenticity of the Will photocopy has been verified through the offices of Hamstead & Associates where it was prepared and signed.
7. Your Petitioner has tendered to the Fiduciary Supervisor of Jefferson County two Affidavits (witness deposition) with respect to Exhibit 1, one executed by Braun A. Hamstead and the other executed by Marcella G. Kay, each affirming to the genuineness of the signature of the Decedent to Exhibit #1, copies of which are attached hereto as Exhibits 3 and Exhibit 4, respectively.
8. The beneficiaries under the Will and their relation to Decedent are as follows:

Evelyn A. Stephenson	Niece
Ja'shon Woodward	Nephew
Montee Carey	Nephew
Tomeka Allen	Niece
Reverend Tyrone Locket	Cousin
9. Subsequent to the death of Charles L. Ferguson, your Petitioner made a diligent and thorough search among the possessions and papers of the Decedent, including having

gained access to his safe deposit box, in which the original Will was not located, despite which she has been unable to find the whereabouts thereof.

10. Your Petitioner has no reason to conclude that Charles L. Ferguson revoked the aforesaid document (Exhibit 1) other than the Codicil, a copy of which is attached as Exhibit 5, but is without sufficient information and knowledge to determine whether the Decedent either misplaced the same or was accidentally destroyed without the intent to revoke the same.

11. Personal jurisdiction over the Respondents is asserted pursuant to West Virginia Code § 41-5-1, *et seq.*, §44-1-1, *et seq.*, and § 56-3-33.

12. Subsequent matter jurisdiction is asserted pursuant to West Virginia Constitution Articles VIII, § 6, and West Virginia Code §§ 41-1-1, *et seq.*, and 44-1-1, *et seq.*

13. Venue lies within this Commission pursuant to West Virginia Code § 41-5-4 as this Petition involves the probate of a paper writing believed to be a Will of the Testator who at the time of his death had a known place of residence in Jefferson County, West Virginia.

WHEREFORE, the Petitioner respectfully petitions this County Commission to issue process and summons to all those persons known as the heirs-at-law of Charles L. Ferguson, deceased, to appear at a day named to show cause why the aforesaid paper writing, dated June 12, 2019, should not be admitted to probate pursuant to the provisions of West Virginia Code § 41-5-5, *et seq.*, to consider the need for the appointment of a Guardian ad Litem to represent the interest of any unknown beneficiaries of the Estate of Charles L. Ferguson (of whom there are believed to be none), to appoint Evelyn Stephenson as the Executrix of the Decedent's Estate, and to take such further action as to this Commission may seem fair and just.

EVELYN A. STEPHENSON

By Counsel

Submitted By:



Braun A. Hamstead, Esquire
West Virginia State Bar ID No. 1568
HAMSTEAD & ASSOCIATES, L.C.
507 S. Fairfax Blvd.
Charles Town, WV 25414
Phone: 304-725-1468
Fax: 304-725-1321

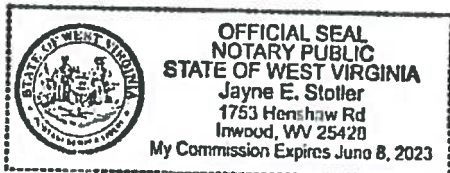
STATE OF WEST VIRGINIA
COUNTY OF JEFFERSON, to wit:

I, Evelyn Stephenson, Petitioner in the foregoing Petition, being first duly sworn, say that the facts and allegations therein contained are true, except insofar as they are therein stated to be upon information and belief, and insofar as they are therein stated to be upon information and belief, I believe them to be true.



Evelyn Stephenson

Taken, sworn to and subscribed before me this 10th day of January, 2022, by Evelyn Stephenson.



Notary Public

My Commission Expires: June 8, 2023

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: The Estate of Marian Virginia Washington

ADDENDUM TO PETITION

Evelyn A. Stephenson
582 Stubbs Rd.
PO Box 81
Kearneysville, WV 25430

Ja'shon Woodward
8150 Martinsburg Pike
Shepherdstown, WV 25443

Montee Carey
PO Box 1116
Shepherdstown, WV 25443

Tomeka Allen
PO Box 370
Kearneysville, WV 25430

Reverend Tyrone Locket
627 N. High St.
Martinsburg, WV 25404

EVELYN A. STEPHENSON
By Counsel

Submitted By:



Braun A. Hamstead, Esquire
West Virginia State Bar ID No. 1568
HAMSTEAD & ASSOCIATES, L.C.
507 S. Fairfax Blvd.
Charles Town, WV 25414
Phone: 304-725-1468
Fax: 304-725-1321

LAST WILL AND TESTAMENT

OF

CHARLES L. FERGUSON

I, Charles L. Ferguson, a resident of Jefferson County, West Virginia, being of sound and disposing mind and memory, do hereby make, publish, and declare this to be my Last Will and Testament, hereby revoking all former wills and testamentary dispositions made by me. I am a widowed man.

FIRST: I direct that all my just debts, funeral expenses and expenses of administration of my Estate, and all inheritance, estate, transfer and other succession taxes or death duties that may be legally imposed by reason of my death upon my Estate or upon any property which passes to my beneficiaries hereunder, either by this Will, as beneficiaries of life insurance policies on my life, or at my death by survivorship or otherwise, be paid as soon as practicable by my personal representative from my residuary estate, and no beneficiary shall be charged with the same or any part thereof.

SECOND: I give, devise and bequeath the real estate located at 5657 Charles Town Road, Kearneysville, Jefferson County, West Virginia to Troy Clinton Stephenson, Jr.

THIRD: I give, devise and bequeath the real estate known for tax purposes as 6 ¼ Ac Wageleytown, tax map number 6 0007 0000 0000 located on Paynes Ford Road, Kearneysville, Jefferson County, West Virginia to Reverend Tyrone Locket.

FOURTH: I give, devise and bequeath my 2015 Toyota Tacoma to Monte Lee Cary.

FIFTH: I give, devise and bequeath my 2011 Ford Fusion to Ja'shon Woodward.

SIXTH: All the rest, residue and remainder of my estate, after carrying out the provisions of the preceding paragraphs, of whatsoever kind and character and wheresoever situated, including my real estate, I give, devise and bequeath unto my niece, EVELYN A. STEPHENSON, to be hers, absolutely, in fee simple, and her heirs per stirpes.

SEVENTH: I hereby nominate and appoint my niece, EVELYN A. STEPHENSON, as Executrix of this my Last Will and Testament. In the event that Evelyn A. Stephenson is unable or unwilling to serve, then in that event I appoint my niece, BARBARA ANN McGRUDER, of Jefferson County, West Virginia, as my alternate Executrix. I direct that no Executrix named herein be required to give surety on her bond.

initials CLF

Last Will and Testament of
CHARLES L. FERGUSON
Page 1 of 4

SUPPLJUSTICE.COM

EXHIBIT

1

EIGHTH: I hereby expressly authorize and empower my Executor with respect to my Estate, including any accumulated income thereof, in their sole and absolute discretion:

(1) To purchase or otherwise acquire, and to retain, whether originally a part of my Estate or subsequently acquired, any and all stocks, bonds, notes or property, including stocks or interests in investment trusts and common trusts as may be deemed advisable, whether or not such investments be of the character permissible for investments by fiduciaries. Investments need not be diversified and may be made or retained with a view to a possible increase in value. Further, my Estate or any trust estate may be rendered liquid at any time, in whole or in part, and held in cash or readily marketable securities of little or no yield for such period as may be deemed advisable.

(2) To sell, lease, pledge, mortgage, transfer, exchange, convert, or otherwise dispose of, or grant options with respect to any and all property (including my real estate) at any time forming a part of my Estate or of any trust estate, in such manner, at such time or times, for such purposes, for such prices and upon such terms, credits and conditions as may be deemed advisable, and any leases made by them may extend beyond the period fixed by statute for the leases made by fiduciaries and beyond the duration of any trust.

(3) To borrow money for any purpose connected with the protection, preservation or improvement of my general estate or of any trust estate whenever in their judgment advisable and as security to mortgage or pledge any real or personal property of which I may die seized or possessed or forming a part of my trust estate upon such terms and conditions as may be deemed advisable.

(4) To complete, extend, modify or renew any loans, notes, bonds, mortgages, contracts or any other obligations which I may owe or to which I may be a party or which may be liens or charges against any of my property or against my Estate, although I may not be liable thereon, in such manner as may be deemed advisable; to pay, compromise, compound, adjust, submit to arbitration, sell, or release any claims or demands of my Estate or any trust estate as may be deemed advisable, including the acceptance of deeds of real property in satisfaction of bonds and mortgages and to make any payments in connection therewith which may be deemed advisable.

(5) To make distribution of my Estate or of the principal of any trust estate in kind and to cause any share to be composed of cash, property or undivided fractional shares in property different in kind from any other share.

(6) To execute and deliver any and all instruments in writing which may be deemed advisable to carry out any of the foregoing powers; no party to any such instrument in writing signed by either one of them shall be obliged to inquire into its validity, or be bound to see to the application by them of any money or other property paid or delivered to them pursuant to the terms of any such instrument.

NINTH: I have intentionally omitted and failed to give, devise, or bequeath anything of which I may die seized and possessed, or to which I may be in any way entitled at the time of my death, to any person or persons, other than as otherwise specifically provided herein.

TENTH: I declare that any mutual and reciprocal provisions for the benefit of any beneficiary herein named have not been made pursuant to any agreement, and I reserve to myself the right to revoke this will, without notice, under any and all circumstances, and irrespective of the death of any beneficiary herein named.

Initials CLF

Last Will and Testament of
CHARLES L. FERGUSON
Page 2 of 4

IN WITNESS WHEREOF, I have hereunto signed my name and set my seal to this my Last Will and Testament, written on four (4) sheets of paper, including this page, and acknowledge the same to be my Last Will and Testament in the presence of the undersigned witnesses this 12th day of June, 2019.

Charles L. Ferguson
CHARLES L. FERGUSON

SIGNED, SEALED, PUBLISHED, ACKNOWLEDGED and DECLARED by the Testator, as and for his Last Will and Testament, in the presence of us, two competent witnesses who, in his presence and at his request, and in the presence of each other, have hereunto subscribed our names as witnesses thereto on this 12th day of June, 2019, said Testator being of sound mind and over the age of eighteen (18) years.

Brown A. Hamstead of Charles Town, WV

Marcella Kay of Charles Town, WV

STATE OF WEST VIRGINIA,

COUNTY OF JEFFERSON, to-wit:

This day personally appeared before me, the undersigned authority, a Notary Public within and for Jefferson County, State of West Virginia, Brown A. Hamstead and Marcella Kay, who being first duly sworn, say that they are the subscribing witnesses to the Last Will and Testament of Charles L. Ferguson, a resident of Jefferson County, West Virginia, which is dated the 12th day of June, 2019, and that on the said date the said Charles L. Ferguson, Testator of said Will, signed, sealed, published and declared the same to be his Last Will and Testament, in the presence of all of these affiants, at the request of said Testator, all present at the same time, signed their names as attesting witnesses to said Will.

Affiants further say that this affidavit is made at the request of said Charles L. Ferguson, Testator, in his presence, and the said Charles L. Ferguson, at the time said Will was executed was, in the opinion of the affiants, of sound and disposing mind and memory and over the age of eighteen (18) years.

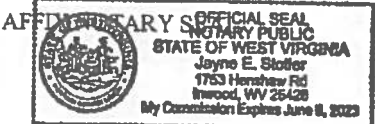
Initials CLF

Last Will and Testament of
CHARLES L. FERGUSON
Page 3 of 4

Braun A. Hamstead of Charles Town WV

Marcella Kay of Charles Town, WV

Taken, subscribed and sworn to before me by the said Braun A. Hamstead and Marcella Kay this 12th day of June, 2019.



Jayne E. Stotler
Notary Public

My commission expires on: June 8, 2023

THIS INSTRUMENT PREPARED BY BRAUN A. HAMSTEAD, HAMSTEAD & ASSOCIATES,
ATTORNEYS AT LAW, 507 S. FAIRFAX BLVD., CHARLES TOWN, WV 25414

Initials CLF

WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES
 BUREAU FOR PUBLIC HEALTH - VITAL REGISTRATION OFFICE
 PHYSICIAN'S / MEDICAL EXAMINER'S CERTIFICATE OF DEATH
 350 CAPITOL STREET, ROOM 165, CHARLESTON, WV 25301

019027

STATE FILE NUMBER

FURNERAL DIRECTOR	1 DECEDENT'S LEGAL NAME (include AKA's if any) (First, Middle, Last) CHARLES LEE FERGUSON		2. SEX M	3. SOCIAL SECURITY NUMBER 736-28-5679		
	4a. AGE (Last Birthday) (Years) 97	4b. IF UNDER 1 YEAR Months: _____ Days: _____	4c. IF UNDER 1 DAY Hours: _____ Minutes: _____	5. DATE OF BIRTH (MM/DD/YYYY) 12/20/1923		
	6. BIRTHPLACE (City and State or Foreign Country) KEARNEYSVILLE, W.V.		7a. RESIDENCE (STATE) WEST VIRGINIA			
	7b. COUNTY JEFFERSON		7c. CITY OR TOWN KEARNEYSVILLE			
	7d. STREET AND NUMBER 5657 Charles Town RD		7e. APT. NO.	7f. ZIP CODE 25430	7g. INSIDE CITY LIMITS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	7h. 2nd LEGAL RESIDENCE - PROBATE USE ONLY - OPT		STREET & NUMBER	APT. NO.	CITY OR TOWN	COUNTY STATE ZIP
	8. EVER IN US ARMED FORCES? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		9. MARITAL STATUS AT TIME OF DEATH <input type="checkbox"/> Married <input type="checkbox"/> Married, but separated <input checked="" type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Never Married <input type="checkbox"/> Unknown		10. SURVIVING SPOUSE'S NAME (Give name prior to first marriage.)	
	11. FATHER'S / PARENT 1'S NAME PRIOR TO FIRST MARRIAGE (First, Middle, Last) John Ferguson			12. MOTHER'S / PARENT 2'S NAME PRIOR TO FIRST MARRIAGE (First, Middle, Last) Alice Walker		
	13a. INFORMANT'S NAME Evelyn Stephenson		13b. RELATIONSHIP TO DECEDENT Niece	13c. MAILING ADDRESS (Street and Number, City, State, Zip Code) 582 Stubbs RD Kearneysville WV		
	14. PLACE OF DEATH (Check only one: see instructions)					
IF DEATH OCCURRED IN A HOSPITAL: <input type="checkbox"/> Inpatient <input type="checkbox"/> Emergency Room/Outpatient <input type="checkbox"/> Dead on Arrival <input type="checkbox"/> Hospice facility <input checked="" type="checkbox"/> Death OCCURRED SOMEWHERE OTHER THAN A HOSPITAL: <input type="checkbox"/> Nursing home/Long term care facility <input type="checkbox"/> Decedent's home <input type="checkbox"/> Other (Specify):						
15. FACILITY NAME (If not institution, give street & number) VA Medical Center			16. CITY OR TOWN, STATE, AND ZIP CODE MARTINSBURG, WV 25405		17. COUNTY OF DEATH JEFFERSON	
18. METHOD OF DISPOSITION <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Cremation <input type="checkbox"/> Entombment <input type="checkbox"/> Donation <input type="checkbox"/> Removal from State <input type="checkbox"/> Other (Specify):			19. PLACE OF DISPOSITION (Name of cemetery, crematory, other place - location in Box 20.) Rosedale Cemetery			
20. DISPOSITION LOCATION (City, State) Martinsburg WV			21. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY Rosedale Funeral Home Martinsburg WV 25404			
22. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH kwaten Adeyemi				23. LICENSE NUMBER (Of Licenses) FD3997		
LICENSING BOARD OR PROVIDER		ITEMS 24-28 MUST BE COMPLETED BY PERSON WHO PRONOUNCES OR CERTIFIES DEATH		24. DATE PRONOUNCED DEAD (MM/DD/YYYY) 08/25/2021	25. TIME PRONOUNCED DEAD 1330	
		26. SIGNATURE AND TITLE OF PERSON PRONOUNCING DEATH (Only when pronouncer IS NOT also the certifier)			27. DATE SIGNED (MM/DD/YYYY)	
DATE/TIME OF DEATH MUST BE COMPLETED		28. ACTUAL OR PRESUMED DATE OF DEATH (MM/DD/YYYY) 08/25/2021		29. ACTUAL OR PRESUMED TIME OF DEATH 1330		
		30. WAS MEDICAL EXAMINER OR CORONER CONTACTED? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				IF YES, MEDICAL EXAMINER CASE #
PHYSICIAN, QUALIFIED APRN / PA OR NON-PHYSICIAN CORONER		CAUSE OF DEATH				Approximate Interval Between Onset and Death
		31. PART I. Enter the chain of events - diseases, injuries, or complications that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. Enter only one cause on a line. Add additional lines if necessary. IMMEDIATE CAUSE (Final disease or condition resulting in death) → a. CONGESTIVE HEART FAILURE Due to (or as a consequence of): Sequentially list conditions, if any, leading to the cause listed on line a. Enter the UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST b. HYPERTENSIVE HEART DISEASE Due to (or as a consequence of): c. Due to (or as a consequence of): d.				
PHYSICIAN, QUALIFIED APRN / PA OR NON-PHYSICIAN CORONER		PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause in PART I.		32a. WAS AN AUTOPSY PERFORMED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	32b. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		33. DID TOBACCO USE CONTRIBUTE TO DEATH? <input type="checkbox"/> Yes <input type="checkbox"/> Probably <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	34. IF FEMALE <input type="checkbox"/> Not pregnant within past year <input type="checkbox"/> Pregnant at time of death <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death <input type="checkbox"/> Not pregnant, but pregnant 43 days to 1 year before death <input type="checkbox"/> Unknown if pregnant within the last year	35a. CAUSE/MANNER PENDING? <input type="checkbox"/> Pending investigation <input type="checkbox"/> Date Amended See 35b. for Final Manner of Death		35b. FINAL MANNER OF DEATH: <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Accident <input type="checkbox"/> Suicide <input type="checkbox"/> Homicide <input type="checkbox"/> Could not be determined
MEDICAL EXAMINER OR CORONER ONLY		36a. DATE OF INJURY (MM/DD/YYYY)	36b. TIME OF INJURY	36c. PLACE OF INJURY (e.g., Decedent's home, construction site, restaurant, office building, wooded area)		
		36d. INJURY AT WORK? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		36e. LOCATION OF INJURY: Street & Number: _____ Apt No.: _____ City or Town: _____ State or Country: _____ Zip Code: _____		
PHYSICIAN, QUALIFIED APRN / PA OR CORONER ONLY		39f. DESCRIBE HOW INJURY OCCURRED		36g. IF TRANSPORTATION INJURY: SEATBELT RESTRAINT STATUS: ROLE: <input type="checkbox"/> Driver/Operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other (Specify) _____ HELMET STATUS: <input type="checkbox"/> Helmet <input type="checkbox"/> No helmet <input type="checkbox"/> Unknown		
		37a. CERTIFIER (Check only one): <input type="checkbox"/> Certifying Physician or Qualified APRN / PA - To the best of my knowledge, death occurred due to the cause(s) and manner stated. <input checked="" type="checkbox"/> Pronouncing & Certifying Physician or Qualified APRN / PA - To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner stated. <input type="checkbox"/> Medical Examiner/Coroner - On the basis of examination, and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner stated.		Signature of Certifier Anteneh Habte Date Certified 8/25/21		37b. TITLE OF CERTIFIER
OFFICE USE ONLY		37c. PRINT NAME, ADDRESS, AND ZIP CODE OF PERSON CERTIFYING TO CAUSE OF DEATH (Item 31) ANTENEH HABTE, MD 510 BUTLER AVE MARTINSBURG, WV 25405			37d. TITLE OF CERTIFIER	
		38. FOR OFFICIAL REGISTRAR USE ONLY - SIGNATURE OF REGISTRAR Patricia Haynes			39. FOR OFFICIAL REGISTRAR USE ONLY OCT 04 2021	

STATE/COUNTY ORIGINAL
 FORM VS-002 (Rev. 5/2020)

EXHIBIT
 2

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: The Estate of Charles L. Ferguson

AFFIDAVIT

STATE OF WEST VIRGINIA,
COUNTY OF JEFFERSON, to-wit:

Appeared before the undersigned authority Braun A. Hamstead and upon his oath did depose, swear and affirm, upon information and belief, as follows:

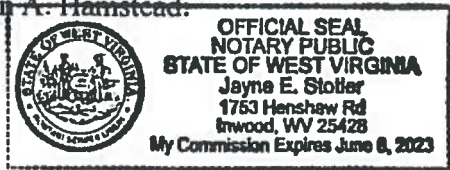
- 1) That I personally witnessed the execution of the Last Will and Testament of Charles L. Ferguson on June 12, 2019, by Charles L. Ferguson;
- 2) That Charles L. Ferguson's signature affixed to the photocopy of his said Last Will and Testament, a photocopy of which is attached to this affidavit, is true and genuine to the best of my knowledge and belief.

And further affiant sayeth naught.

Braun A. Hamstead

Taken, sworn to and subscribed before me this 12th day of January, 2022.

by Braun A. Hamstead.



Jayne E. Stotler
Notary Public

My Commission expires: June 8, 2023



LAST WILL AND TESTAMENT

OF

CHARLES L. FERGUSON

I, Charles L. Ferguson, a resident of Jefferson County, West Virginia, being of sound and disposing mind and memory, do hereby make, publish, and declare this to be my Last Will and Testament, hereby revoking all former wills and testamentary dispositions made by me. I am a widowed man.

FIRST: I direct that all my just debts, funeral expenses and expenses of administration of my Estate, and all inheritance, estate, transfer and other succession taxes or death duties that may be legally imposed by reason of my death upon my Estate or upon any property which passes to my beneficiaries hereunder, either by this Will, as beneficiaries of life insurance policies on my life, or at my death by survivorship or otherwise, be paid as soon as practicable by my personal representative from my residuary estate, and no beneficiary shall be charged with the same or any part thereof.

SECOND: I give, devise and bequeath the real estate located at 5657 Charles Town Road, Kearneysville, Jefferson County, West Virginia to Troy Clinton Stephenson, Jr.

THIRD: I give, devise and bequeath the real estate known for tax purposes as 6 ¼ Ac Wageleytown, tax map number 6 0007 0000 0000 located on Paynes Ford Road, Kearneysville, Jefferson County, West Virginia to Reverend Tyrone Locket.

FOURTH: I give, devise and bequeath my 2015 Toyota Tacoma to Monte Lee Cary.

FIFTH: I give, devise and bequeath my 2011 Ford Fusion to Ja'shon Woodward.

SIXTH: All the rest, residue and remainder of my estate, after carrying out the provisions of the preceding paragraphs, of whatsoever kind and character and wheresoever situated, including my real estate, I give, devise and bequeath unto my niece, EVELYN A. STEPHENSON, to be hers, absolutely, in fee simple, and her heirs per stirpes.

SEVENTH: I hereby nominate and appoint my niece, EVELYN A. STEPHENSON, as Executrix of this my Last Will and Testament. In the event that Evelyn A. Stephenson is unable or unwilling to serve, then in that event I appoint my niece, BARBARA ANN McGRUDER, of Jefferson County, West Virginia, as my alternate Executrix. I direct that no Executrix named herein be required to give surety on her bond.

initials CLF

Last Will and Testament of
CHARLES L. FERGUSON
Page 1 of 4

EIGHTH: I hereby expressly authorize and empower my Executor with respect to my Estate, including any accumulated income thereof, in their sole and absolute discretion:

(1) To purchase or otherwise acquire, and to retain, whether originally a part of my Estate or subsequently acquired, any and all stocks, bonds, notes or property, including stocks or interests in investment trusts and common trusts as may be deemed advisable, whether or not such investments be of the character permissible for investments by fiduciaries. Investments need not be diversified and may be made or retained with a view to a possible increase in value. Further, my Estate or any trust estate may be rendered liquid at any time, in whole or in part, and held in cash or readily marketable securities of little or no yield for such period as may be deemed advisable.

(2) To sell, lease, pledge, mortgage, transfer, exchange, convert, or otherwise dispose of, or grant options with respect to any and all property (including my real estate) at any time forming a part of my Estate or of any trust estate, in such manner, at such time or times, for such purposes, for such prices and upon such terms, credits and conditions as may be deemed advisable, and any leases made by them may extend beyond the period fixed by statute for the leases made by fiduciaries and beyond the duration of any trust.

(3) To borrow money for any purpose connected with the protection, preservation or improvement of my general estate or of any trust estate whenever in their judgment advisable and as security to mortgage or pledge any real or personal property of which I may die seized or possessed or forming a part of my trust estate upon such terms and conditions as may be deemed advisable.

(4) To complete, extend, modify or renew any loans, notes, bonds, mortgages, contracts or any other obligations which I may owe or to which I may be a party or which may be liens or charges against any of my property or against my Estate, although I may not be liable thereon, in such manner as may be deemed advisable; to pay, compromise, compound, adjust, submit to arbitration, sell, or release any claims or demands of my Estate or any trust estate as may be deemed advisable, including the acceptance of deeds of real property in satisfaction of bonds and mortgages and to make any payments in connection therewith which may be deemed advisable.

(5) To make distribution of my Estate or of the principal of any trust estate in kind and to cause any share to be composed of cash, property or undivided fractional shares in property different in kind from any other share.

(6) To execute and deliver any and all instruments in writing which may be deemed advisable to carry out any of the foregoing powers; no party to any such instrument in writing signed by either one of them shall be obliged to inquire into its validity, or be bound to see to the application by them of any money or other property paid or delivered to them pursuant to the terms of any such instrument.

NINTH: I have intentionally omitted and failed to give, devise, or bequeath anything of which I may die seized and possessed, or to which I may be in any way entitled at the time of my death, to any person or persons, other than as otherwise specifically provided herein.

TENTH: I declare that any mutual and reciprocal provisions for the benefit of any beneficiary herein named have not been made pursuant to any agreement, and I reserve to myself the right to revoke this will, without notice, under any and all circumstances, and irrespective of the death of any beneficiary herein named.

Initials CLF

Last Will and Testament of
CHARLES L. FERGUSON
Page 2 of 4

IN WITNESS WHEREOF, I have hereunto signed my name and set my seal to this my Last Will and Testament, written on four (4) sheets of paper, including this page, and acknowledge the same to be my Last Will and Testament in the presence of the undersigned witnesses this 12th day of June, 2019.

Charles L. Ferguson
CHARLES L. FERGUSON

SIGNED, SEALED, PUBLISHED, ACKNOWLEDGED and DECLARED by the Testator, as and for his Last Will and Testament, in the presence of us, two competent witnesses who, in his presence and at his request, and in the presence of each other, have hereunto subscribed our names as witnesses thereto on this 12th day of June, 2019, said Testator being of sound mind and over the age of eighteen (18) years.

Brown A. Hamstead of Charles Town, WV

Marcella Kay of Charles Town, WV

STATE OF WEST VIRGINIA,

COUNTY OF JEFFERSON, to-wit:

This day personally appeared before me, the undersigned authority, a Notary Public within and for Jefferson County, State of West Virginia, Brown A. Hamstead and Marcella Kay, who being first duly sworn, say that they are the subscribing witnesses to the Last Will and Testament of Charles L. Ferguson, a resident of Jefferson County, West Virginia, which is dated the 12th day of June, 2019, and that on the said date the said Charles L. Ferguson, Testator of said Will, signed, sealed, published and declared the same to be his Last Will and Testament, in the presence of all of these affiants, at the request of said Testator, all present at the same time, signed their names as attesting witnesses to said Will.

Affiants further say that this affidavit is made at the request of said Charles L. Ferguson, Testator, in his presence, and the said Charles L. Ferguson, at the time said Will was executed was, in the opinion of the affiants, of sound and disposing mind and memory and over the age of eighteen (18) years.

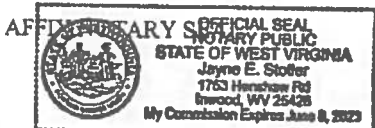
Initials CLF

Last Will and Testament of
CHARLES L. FERGUSON
Page 3 of 4

[Signature] of Charles Faxon WV

[Signature] of Charles Town, WV

Taken, subscribed and sworn to before me by the said Braun A. Hamstead and Mrcelle Kay this 12th day of June, 2019.



Jayne E. Stotter
Notary Public

My commission expires on: June 8, 2023

THIS INSTRUMENT PREPARED BY BRAUN A. HAMSTEAD, HAMSTEAD & ASSOCIATES,
ATTORNEYS AT LAW, 507 S. FAIRFAX BLVD., CHARLES TOWN, WV 25414

Initials CLF

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: The Estate of Charles L. Ferguson

AFFIDAVIT

STATE OF WEST VIRGINIA,
COUNTY OF JEFFERSON, to-wit:

Appeared before the undersigned authority Marcella G. Kay and upon her oath did
depose, swear and affirm, upon information and belief, as follows:

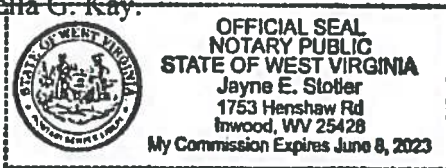
- 1) That I personally witnessed the execution of the Last Will and Testament of Charles L. Ferguson on June 12, 2019, by Charles L. Ferguson;
- 2) That Charles L. Ferguson's signature affixed to the photocopy of his said Last Will and Testament, a photocopy of which is attached to this affidavit, is true and genuine to the best of my knowledge and belief.


And further affiant sayeth naught.



Marcella G. Kay

Taken, sworn to and subscribed before me this 4th day of January, 2022, by
Marcella G. Kay.





Notary Public

My Commission expires: June 8, 2023



LAST WILL AND TESTAMENT

OF

CHARLES L. FERGUSON

I, Charles L. Ferguson, a resident of Jefferson County, West Virginia, being of sound and disposing mind and memory, do hereby make, publish, and declare this to be my Last Will and Testament, hereby revoking all former wills and testamentary dispositions made by me. I am a widowed man.

FIRST: I direct that all my just debts, funeral expenses and expenses of administration of my Estate, and all inheritance, estate, transfer and other succession taxes or death duties that may be legally imposed by reason of my death upon my Estate or upon any property which passes to my beneficiaries hereunder, either by this Will, as beneficiaries of life insurance policies on my life, or at my death by survivorship or otherwise, be paid as soon as practicable by my personal representative from my residuary estate, and no beneficiary shall be charged with the same or any part thereof.

SECOND: I give, devise and bequeath the real estate located at 5657 Charles Town Road, Kearneysville, Jefferson County, West Virginia to Troy Clinton Stephenson, Jr.

THIRD: I give, devise and bequeath the real estate known for tax purposes as 6 ¼ Ac Wageleytown, tax map number 6 0007 0000 0000 located on Paynes Ford Road, Kearneysville, Jefferson County, West Virginia to Reverend Tyrone Locket.

FOURTH: I give, devise and bequeath my 2015 Toyota Tacoma to Monte Lee Cary.

FIFTH: I give, devise and bequeath my 2011 Ford Fusion to Ja'shon Woodward.

SIXTH: All the rest, residue and remainder of my estate, after carrying out the provisions of the preceding paragraphs, of whatsoever kind and character and wheresoever situated, including my real estate, I give, devise and bequeath unto my niece, EVELYN A. STEPHENSON, to be hers, absolutely, in fee simple, and her heirs per stirpes.

SEVENTH: I hereby nominate and appoint my niece, EVELYN A. STEPHENSON, as Executrix of this my Last Will and Testament. In the event that Evelyn A. Stephenson is unable or unwilling to serve, then in that event I appoint my niece, BARBARA ANN McGRUDER, of Jefferson County, West Virginia, as my alternate Executrix. I direct that no Executrix named herein be required to give surety on her bond.

initials CLF

EIGHTH: I hereby expressly authorize and empower my Executor with respect to my Estate, including any accumulated income thereof, in their sole and absolute discretion:

(1) To purchase or otherwise acquire, and to retain, whether originally a part of my Estate or subsequently acquired, any and all stocks, bonds, notes or property, including stocks or interests in investment trusts and common trusts as may be deemed advisable, whether or not such investments be of the character permissible for investments by fiduciaries. Investments need not be diversified and may be made or retained with a view to a possible increase in value. Further, my Estate or any trust estate may be rendered liquid at any time, in whole or in part, and held in cash or readily marketable securities of little or no yield for such period as may be deemed advisable.

(2) To sell, lease, pledge, mortgage, transfer, exchange, convert, or otherwise dispose of, or grant options with respect to any and all property (including my real estate) at any time forming a part of my Estate or of any trust estate, in such manner, at such time or times, for such purposes, for such prices and upon such terms, credits and conditions as may be deemed advisable, and any leases made by them may extend beyond the period fixed by statute for the leases made by fiduciaries and beyond the duration of any trust.

(3) To borrow money for any purpose connected with the protection, preservation or improvement of my general estate or of any trust estate whenever in their judgment advisable and as security to mortgage or pledge any real or personal property of which I may die seized or possessed or forming a part of my trust estate upon such terms and conditions as may be deemed advisable.

(4) To complete, extend, modify or renew any loans, notes, bonds, mortgages, contracts or any other obligations which I may owe or to which I may be a party or which may be liens or charges against any of my property or against my Estate, although I may not be liable thereon, in such manner as may be deemed advisable; to pay, compromise, compound, adjust, submit to arbitration, sell, or release any claims or demands of my Estate or any trust estate as may be deemed advisable, including the acceptance of deeds of real property in satisfaction of bonds and mortgages and to make any payments in connection therewith which may be deemed advisable.

(5) To make distribution of my Estate or of the principal of any trust estate in kind and to cause any share to be composed of cash, property or undivided fractional shares in property different in kind from any other share.

(6) To execute and deliver any and all instruments in writing which may be deemed advisable to carry out any of the foregoing powers; no party to any such instrument in writing signed by either one of them shall be obliged to inquire into its validity, or be bound to see to the application by them of any money or other property paid or delivered to them pursuant to the terms of any such instrument.

NINTH: I have intentionally omitted and failed to give, devise, or bequeath anything of which I may die seized and possessed, or to which I may be in any way entitled at the time of my death, to any person or persons, other than as otherwise specifically provided herein.

TENTH: I declare that any mutual and reciprocal provisions for the benefit of any beneficiary herein named have not been made pursuant to any agreement, and I reserve to myself the right to revoke this will, without notice, under any and all circumstances, and irrespective of the death of any beneficiary herein named.

Initials CLF

IN WITNESS WHEREOF, I have hereunto signed my name and set my seal to this my Last Will and Testament, written on four (4) sheets of paper, including this page, and acknowledge the same to be my Last Will and Testament in the presence of the undersigned witnesses this 12th day of June, 2019.

Charles L. Ferguson
CHARLES L. FERGUSON

SIGNED, SEALED, PUBLISHED, ACKNOWLEDGED and DECLARED by the Testator, as and for his Last Will and Testament, in the presence of us, two competent witnesses who, in his presence and at his request, and in the presence of each other, have hereunto subscribed our names as witnesses thereto on this 12th day of June, 2019, said Testator being of sound mind and over the age of eighteen (18) years.

Brown A. Hamstead of Charles L. Ferguson, WV

Marcella Kay of Charles L. Ferguson, WV

STATE OF WEST VIRGINIA,

COUNTY OF JEFFERSON, to-wit:

This day personally appeared before me, the undersigned authority, a Notary Public within and for Jefferson County, State of West Virginia, Brown A. Hamstead and Marcella Kay, who being first duly sworn, say that they are the subscribing witnesses to the Last Will and Testament of **Charles L. Ferguson**, a resident of Jefferson County, West Virginia, which is dated the 12th day of June, 2019, and that on the said date the said **Charles L. Ferguson**, Testator of said Will, signed, sealed, published and declared the same to be his Last Will and Testament, in the presence of all of these affiants, at the request of said Testator, all present at the same time, signed their names as attesting witnesses to said Will.

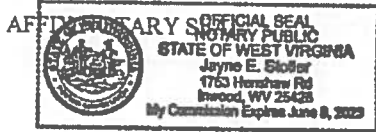
Affiants further say that this affidavit is made at the request of said **Charles L. Ferguson**, Testator, in his presence, and the said **Charles L. Ferguson**, at the time said Will was executed was, in the opinion of the affiants, of sound and disposing mind and memory and over the age of eighteen (18) years.

Initials cdj

Last Will and Testament of
CHARLES L. FERGUSON
Page 3 of 4

Initials of Charles Fourn WV
Martinsburg of Charles Town, WV

Taken, subscribed and sworn to before me by the said Braun A. Hamstead and
Mrcelle Kay this 12th day of June, 2019.



Jayne E. Stotler
Notary Public

My commission expires on: June 8, 2023

THIS INSTRUMENT PREPARED BY BRAUN A. HAMSTEAD, HAMSTEAD & ASSOCIATES,
ATTORNEYS AT LAW, 507 S. FAIRFAX BLVD., CHARLES TOWN, WV 25414

Initials CLF

**CODICIL TO THE WILL
OF
CHARLES L. FERGUSON**

I, **Charles L. Ferguson**, a resident of Jefferson County, West Virginia, declare this to be a Codicil to my Last Will and Testament dated June 12, 2019, and I revoke any other Codicils that I may have made.

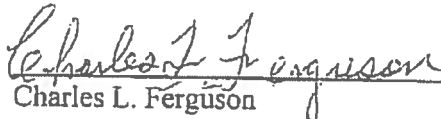
I hereby modify the **SECOND** paragraph of my Last Will and Testament, dated June 12, 2019, to read as follows:

SECOND: I give, and bequeath a *life estate* in the real estate located at 5657 Charles Town Road, Kearneysville, Jefferson County, West Virginia, to **Ja'shon Woodward** for his natural lifetime and upon his death I give, bequeath and devise the remainder interest in my said real estate to **Tomcka Allen**, and her issue, per stirpes. In the event that Tomeka Allen and her issue shall predecease Ja'shon Woodward or die within thirty (30) days from the date of his death, then in that event, I hereby give, devise and bequeath the remainder interest in my real estate to **Evelyn A. Stephenson**, and her issue per stirpes.

Otherwise my Last Will and Testament remains unaltered.

I hereby confirm and republish my Will dated the 12th day of June 2019, in all respect other than that above mentioned.

I have signed this Codicil to my Last Will and Testament dated June 12, 2019 on this 17 day of 2020 Aug, 2020.



Charles L. Ferguson



SIGNED, SEALED, PUBLISHED, ACKNOWLEDGED and DECLARED by the Testator, as and for his Codicil, in the presence of us, two competent witnesses who, in his presence and at his request, and in the presence of each other, have hereunto subscribed our names as witnesses thereto on this 17 day of August 2020, said Testator being of sound mind and over the age of eighteen (18) years.

Berkeley Co of Martinsburg Wv
(City, State)

_____ of _____
(City, State)

STATE OF WEST VIRGINIA,
COUNTY OF Berkeley, to-wit:

This day personally appeared before me, the undersigned authority, a Notary Public in and for the County and State aforesaid, Tiffany L. Harper and Barbara A. McGruder, who being first duly sworn, say that they are the subscribing witnesses to the Codicil of Charles L. Ferguson, a resident of Jefferson County, West Virginia, which is dated the 17 day of August, 2020, and that on the said date the said Charles L. Ferguson, Testator of said Will, signed, sealed, published and declared the same to be a Codicil to his Last Will and Testament, in the presence of all of these affiants, at the request of said Testator, all present at the same time, signed their names as attesting witnesses to said Codicil.

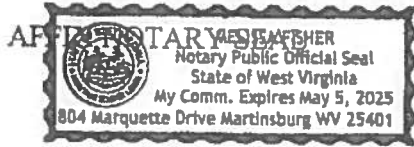
Affiants further say that this affidavit is made at the request of said Charles L. Ferguson, Testator, in his presence, and the said Charles L. Ferguson, at the time said Codicil was executed was, in the opinion of the affiants, of sound and disposing mind and memory and over the age of eighteen (18) years.

Diffany S. Idarpen of Martinsburg, WV
(City, State)

Barbara A. McQuade of Kearneysville, WV
(City, State)

Taken, subscribed and sworn to before me by the said Charles L. Ferguson and

_____ this 17 day of August, 2020.



Melissa Fisher
Notary Public



My commission expires on: May 5 2025

THIS INSTRUMENT PREPARED BY BRAUN A. HAMSTEAD, HAMSTEAD & ASSOCIATES, L.C.
ATTORNEYS AT LAW, 507 S. FAIRFAX BLVD., CHARLES TOWN, WV 25414



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: **January 20, 2022**

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*):

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 report by Counsel regarding progress in amending comprehensive plan, and discussion of 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, and WV Supreme Court No.'s 21-0727, 21-0728, and 21-0731.
3. Consider matters involving or affecting the construction planning, or purchase, sale or lease of property.
4. Report by counsel on opioid case. (Jefferson County Commission v. Purdue Pharmaceutical, et al. US District Court, Northern District of West Virginia, Civil Action #1:17-OP-45170).
5. Discussion and review of voting locations, including the location of early voting at the Courthouse and possible creation of alternate and/or annexed location.
6. Review of potential consultant, discussion and potential action regarding agreement.

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.](#)



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 20, 2022**

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

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

- **Review of Policy 319 - Financial System Access**

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.](#)



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 20, 2022**

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

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

Discussion – Executive Assistant Position – Potential Hire

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.



Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 20, 2022**

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

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

- **Possible Interviews and decision for Finance Director Position**

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:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 20, 2022**

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*):

- **Discussion - County Administrator Candidates - Potential Hire**

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

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AGENDA REQUEST FORM
www.jeffersoncountywv.org

Name:

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 20, 2022**

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*):

- **Legislative Updates**

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: **Tricia Jackson, Commissioner**

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **January 20, 2022**

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 Commission consider an amendment to the zoning ordinance to add solar energy facilities under a conditional use permit**

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
Board of Review and Equalization

The County Commission of Jefferson County will convene as a Board of Review and Equalization in the County Commission Courtroom at the Courthouse of said County, 100 E. Washington Street, Charles Town, WV on Thursday, January 27th, 2022, at 1:30 p.m., for the purpose of reviewing and equalizing assessments returned by the Assessor of Jefferson County for the tax year 2022.

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

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

The Jefferson County Commission will continue to sit as a Board of Review and Equalization in February, 2022 and hold hearings at the Courthouse of said County, 100 E. Washington Street, Charles Town, WV on the following dates and times:

Thursday	January	27,	2022	1:30 p.m.
Tuesday	February	1,	2022	1:30 p.m.
Thursday	February	3,	2022	1:30 p.m.
Tuesday	February	8,	2022	1:30 p.m.
Thursday	February	10,	2022	1:30 p.m.
Tuesday	February	15,	2022	1:30 p.m.
Thursday	February	17,	2022	1:30 p.m.

Persons wishing to appear before the Commission should apply with the Assessor's office no later than Thursday, February 10, 2022 in order to complete the proper forms and to schedule a hearing date prior to the planned final hearing date of Thursday, February 17th, 2022.

In the alternative, you may also request an appeal by filing a written protest with the Clerk of the County Commission no later than February 18, 2022, indicating you wish your protest to be heard by the County Commission sitting as a Board of Assessment Appeals in October, 2022. If the Board of Review and Equalization has adjourned sine die before February 18, 2022, and a request to have your protest heard by the Board of Assessment Appeals is filed no later than February 18, 2022 with the Clerk of the County Commission, your appeal will be heard by the County Commission sitting as a Board of Assessment Appeals in October, 2022.

Given under my hand this 6th day of January, 2022.


JACQUELINE C. SHADLE, COUNTY CLERK

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 NOVEMBER MEETING AT THE BOLIVAR TOWN HALL, LOCATED AT 60 PANAMA STREET, BOLIVAR WEST VIRGINIA. THE MEETING WAS HELD ON NOVEMBER 12th, 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 Ms. Dettmer, seconded by Mr. Lowrey to approve the October minutes, approved.

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

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

Motion by Ms. Dettmer, seconded by Mr. Lowrey to approve the October 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 receiving the domestic sewer from the HFWW treatment plant by tanker truck to the WWTP, and to have HFWW pay for quarterly testing on the waste.

Discussion on Sending sewer customers another sump pump letter in the water and sewer bill mailings. Also discussion about possible maintenance clause in the towns building code to help with sump pump discharges.

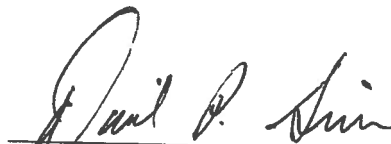
Discussion on the sewer line break on Day Street, the broken section was discovered after a customer called with a sewer backup. The damaged section was excavated and repaired.

Mr. Kunkle from J.C. Kunkle and Associates will go over the annual audit at the next Board meeting.

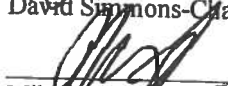
The WWTP will have an inspection with the EPA and WVRWA representatives visiting the facilities next month.

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

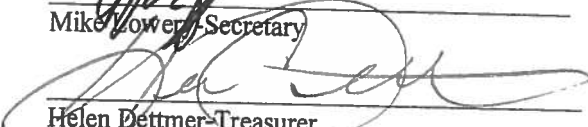
The meeting was adjourned at 8:45 a.m.



David Simmons-Chairman



Mike Lower-Secretary



Helen Dettmer-Treasurer