

**JEFFERSON COUNTY COMMISSION
SECOND QUARTERLY SESSION - APRIL - JUNE 2022
THURSDAY, MAY 5, 2022
9:30 A.M.
County Commission Meeting Room
located at the Old Charles Town Library
200 E. Washington Street, Charles Town, WV**

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- April 19, 2022 - Lay the Levy
- April 21, 2022 - Regular Meeting
- April 22, 2022 - Special Session

APPROVAL OF REQUISITIONS

- May 5, 2022

APPROVAL OF ACCOUNTS PAYABLE

- April 28, 2022
- May 5, 2022

APPROVAL OF MANUAL CHECKS

- April 29, 2022
- May 6, 2022

APPROVAL OF PAYROLL

- April 28, 2022

ANNOUNCEMENTS

- Report if there are changes in the agenda if applicable

PUBLIC COMMENT

****You may participate in public comment virtually by raising your hand in the GoToWebinar control panel. Please submit comments via email to info@jeffersoncountywv.org. Your comments will be included in the minutes and agenda correspondence. Please include your name.**

PRESENTATIONS

1. 9:45 a.m. Angela Banks, Assessor
- Approval of Exonerations
2. 9:55 a.m. Tom Hansen, Sheriff
- Part-time Bailiff Hire
- Ambulance Fee Employees
- Bank Bonding
- COPS Hiring
- Health Insurance Increase/Raises Concern
3. 10:15 a.m. Interviews & Appointments to the Jefferson County Building Commission - 3 five-year terms ending July 27, 2027
4. 10:25 a.m. Lynn Fields, Probate, Director, Jefferson County Clerk's Office
- Petition to Remove Administrators
5. 10:35 a.m. Jennifer Myers, Director, Jefferson County Parks and Recreation
- Discussion and possible action on approval of Tobacco Free Parks Policy
6. 10:45 a.m. Russell Burgess, Director, Jefferson County IT & GIS
- Approval to hire Level I GIS Analyst
7. 11:00 a.m. Nathan Cochran, Assistant Prosecuting Attorney
 - a. 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, Jefferson County Circuit Court Civil Action No. CC-19-2022-C-6 and WV Supreme Court No.'s 21-0727, 21-0728, and 21-0731.
 - b. Consider matters involving or affecting the construction planning, or purchase, sale or lease of property.
 - c. 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).
 - d. Report on West Virginia Supreme Court Case No. 21-0229 (Jefferson County 19-P-69).

OLD BUSINESS

8. Discussion of Fitch Report, including potential action regarding composition and structure of county EMS services, Jefferson County Emergency Services Agency, including the utilization, scheduling, and compensation of employees, the utilization of volunteers, acquisition and distribution of ambulance resources, and implementation of Fitch recommendations

NEW BUSINESS

9. Set time and location for Primary Election Canvass to be held Monday, May 16.
10. SB552 - Review and Correction of Delinquent Tax Lists by County Commission

COUNTY ADMINISTRATOR REPORTS

- Approval of Hire - Administrative Assistant

COUNTY COMMISSION REPORTS

11. ADJOURN

CORRESPONDENCE/INFORMATION

Jefferson County Office of Planning and Zoning 3rd Quarterly Report for FY22

Letter received from the Shepherdstown Area Independent Living Association concerning the Fitch Study.

E-mail comments received from several citizens concerning the Fitch Study.

Public comments received from David Tabb on April 19, 2022 concerning the Lay of the Levy for FY23.

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

SPECIAL SESSION TO LAY THE LEVY

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

At a Special Session of the County Commission of said County and State continued and held virtually via GoToWebinar in Charles Town, West Virginia on Tuesday, April 19, 2022, beginning at 9:30 o'clock a.m. Commissioner Tabb was absent with prior notice.

PRESENT: Caleb Hudson, President
Steve Stolipher, Vice President
Tricia Jackson, Commissioner
Clare Ath, Commissioner
John Nissel, County Administrator
Jessica Carroll, Administrative Assistant

In re: LEVY ORDER AND LEVY RATES APPROVED FOR FISCAL YEAR FY 2022-2023

The meeting was called to order at 9:30 a.m. by President Hudson.

The purpose of the meeting was to Lay the Levy for FY2022-2023.

Motion by Mr. Stolipher to approve the Levy rates for property taxation beginning July 1, 2022 as reflected in the Levy Order Rate Sheet and authorize the County Clerk to sign the Levy Order Rate Sheet as presented and forward the proper documents to the State Auditor’s Office. Motion seconded and unanimously approved.

AUTHORIZED RATES

Thirteen and eighty-six hundredths cents	(13.86) Class I Property
Twenty-seven and seventy-two hundredths cents	(27.72) Class II Property
Fifty-five and forty-four hundredths cents	(55.44) Class III and Class IV Property

There being no further business, motion by Mr. n to adjourn the Special Session to Lay the Levy. Motion seconded and unanimously approved.

Caleb Hudson, PRESIDENT

Respectively Submitted:
Jessica D. Carroll
Administrative Assistant

Minutes

Jefferson County Commission

Thursday, April 21, 2022

A meeting of the Jefferson County Commission was held on Thursday, April 21, 2022 during the second quarterly session at 6:00 p.m. The meeting was held via GoToWebinar and in-person. Present were Caleb Hudson, President, Steve Stolipher, Vice President, and Commissioners Tricia Jackson and Clare Ath. Commissioner Tabb was absent with prior notice. Also present were John Nissel, County Administrator, and Jessica Carroll, Executive Administrative Assistant (The archived meeting of the Thursday, April 21, 2022 meeting is available on the Jefferson County Commission website.)

PLEDGE OF ALLEGIANCE

Commissioner Hudson led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Hudson to approve the April 5, 2022 Special Session Minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Hudson to approve the April 7, 2022 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Hudson to approve the Payroll for April 14, 2022 in the amount of \$262,363.07. Motion seconded and unanimously approved.

APPROVAL OF REQUISITIONS

Motion by Mr. Hudson to approve the Requisitions for April 21, 2022 in the amount of 32,652.58. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHECK#		VENDOR NAME		AMOUNT
86100		AMERIFLEX		\$ 120.80
86101		AT&T		\$ 94.44
86102		BOLAND TRANE SERVICES INC		\$ 1,931.00
86103		BUREAU OF CHILD SUPPORT		\$ 492.93
86104		CITY OF CHARLES TOWN		\$ 24.00
86105		COMMERCIAL PRESS INC		\$ 785.25
86106		COMPROLLER OF MARYLAND		\$ 497.22
86107		EFTPS IRS TAXES		\$ 91,730.17
86108		EMPOWER RETIREMENT		\$ 7,267.30
86109		FEDEX		\$ 24.10
86110		FIFTH THIRD BANK		\$ 99,966.60
86111		JEFFERSON SECURITY BANK		\$ 4,335.00
86112		KELLY SPARKS		\$ 1,542.44
86113		LANGUAGE LINE SERVICES		\$ 43.25
86114		MARKL SUPPLY COMPANY		\$ 6,374.47
86115		MILLERS SUPPLIES AT WORK		\$ 202.94
86116		NAPA AUTO PARTS		\$ 237.90
86117		NATIONWIDE RETIREMENT SOLUTIONS		\$ 834.00
86118		PRECISION LASER & INSTRUMENT INC.		\$ 3,754.00
86119		RETIREE HEALTH BENEFIT TRUST		\$ 6,721.00
86120		RUSSELL BURGESS		\$ 3,197.50
86121		SOFTWARE SYSTEMS INC		\$ 93.00
86122		STATE TAX DEPARTMENT		\$ 150.00
86123		TAMMY YOKLEY		\$ 3,250.00
86124		TEK ADVISORS LLC		\$ 4,200.00
86125		WV ASSOCIATION OF CIRCUIT CLERK		\$ 1,125.00
86126		WV DEPUTY SHERIFF RETIREMENT SYSTEM		\$ 15,975.74
86127		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 45,411.07
86128		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 166.49
86129		WV REGIONAL JAIL & CORRECTION FACILITY AUTH		\$ 79,467.75
86130		XEROX CORPORATION		\$ 721.26
86131	GS/004	JEFFERSON CO GENERAL FUND-004		\$ 13,083.01
86132	GS/004	WV STATE AUDITOR		\$ 16,840.00
86133	FG/009	SHERIFF OF JEFFERSON CO		\$ 4,554.58
86134	AM/053	AXIOM STAFFING GROUP		\$ 916.75
86135	BS/011	SHERIFF OF JEFFERSON CO		\$ 6,677.51

TOTAL				\$ 422,808.47
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Motion by Mr. Hudson to approve the Accounts Payable for April 14, 2022 in the amount of \$422,808.47. Motion seconded and unanimously approved.

CHECK#		VENDOR NAME		AMOUNT
86136		GLOBALSTAR USA		\$ 2,120.20
86137		GUTTMAN OIL CO		\$ 4,356.90
86138		JEFFREY POLCZYNSKI		\$ 218.50
86139		JESSICA ASHLEY		\$ 218.50
86140		JOSEPH MURPHY		\$ 218.50
86141		JUSTTECH LLC		\$ 88.09
86142		KATHRYN KING		\$ 356.50
86143		LAURA POPE		\$ 356.50
86144		LORI BROWN		\$ 356.50
86145		PRINT-O-STAT INC.		\$ 11,182.60
86146		QUALITY UPTIME SERVICE		\$ 11,913.12
86147		SCOTT DEMORY		\$ 88.50
86148		SHI INTERNATIONAL CORP		\$ 8,903.88
86149		SOFTWARE SYSTEMS INC		\$ 36.00
86150		THOMAS HANSEN		\$ 88.50
86151		THOMSON REUTER - WEST		\$ 1,068.03
86152		XEROX CORPORATION		\$ 203.87
TOTAL				\$ 41,774.69

Motion by Mr. Hudson to approve the Accounts Payable for April 21, 2022 in the amount of \$41,774.69. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

15-Apr-22				
MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
312	DK/O3	SHERIFF OF JEFFERSON CO		\$ 22.71
788	HD/8	ATTENTI		\$ 3,238.40
789	HD/8	CORNERSTONE DIAGNOSTICS		\$ 1,568.00

790	HD/8	FIFTH THIRD BANK	\$	90.92
791	HD/8	SHERIFF OF JEFFERSON CO	\$	1,720.47
970	AV/56	FIFTH THIRD BANK	\$	445.85
971	AV/56	MONROE	\$	1,108.58
1769	CO/246	FIFTH THIRD BANK	\$	2,231.05
1770	CO/246	PRECISION LASER	\$	34,190.00
TOTAL			\$	44,615.98

Motion by Mr. Hudson to approve the Manual Checks for April 15, 2022 in the amount of \$44,615.98. Motion seconded and unanimously approved.

MANUAL CHECKS				
Check#	Fund	VENDOR		Amount
972	AV/56	GLOBAL SCIENCE & TECH	\$	7,883.42
1771	CO/246	RE MICHEL CO	\$	85.09
1772	CO/246	THOS SOMERVILLE	\$	113.98
1331	IP/249	SHERIFF JEFFERSON CO -SCHOOL	\$	107.00
1332	IP/249	SHERIFF JEFFERSON CO - LAW	\$	29,742.84
1333	IP/249	SHERIFF JEFFERSON CO - PARKS	\$	101,245.95
1334	IP/249	SHERIFF JEFFERSON CO - EMS	\$	10,702.39
1335	IP/249	SHERIFF JEFFERSON CO - ADMIN	\$	4,709.03
TOTAL			\$	154,589.70

Motion by Mr. Hudson to approve the Manual Checks for April 22, 2022 in the amount of \$154,589.70. Motion seconded and unanimously approved.

PUBLIC COMMENT

Public comment was provided by the following: David Tabb and Ross Morgan

PRESENTATIONS

1. Matt Harvey, Prosecuting Attorney - requested approval to hire part-time Victim's Advocate

- **Motion by Mr. Stolipher to approve the hire of Courtney Knill as a part-time Victim Advocate in the Prosecuting Attorney's Office at \$18.50 an hour, effective April 25, 2022. Motion seconded and unanimously approved.**

2. Magistrates D'Angelo, Cesare, and Roper - request for funding to be included in next county budget to complete previously approved 3rd floor courtroom for Magistrate Court on the 2nd floor of the Judicial Building.
 - **Motion by Mr. Stolipher to direct Mr. Nissel to research the costs for a courtroom to be built on the 3rd floor of the Judicial Building and discuss more in depth at a date to be determined. Motion seconded and unanimously approved.**
3. Regina Phillips, General Manager, White Horse Tavern and Clarion Inn – Request for Letter of Support to the WVABCA for a Floor Plan Extension for White Horse Tavern to allow for alcohol service on outdoor dining patio.
 - **Motion by Mr. Stolipher to approve the letter of support to the WVABCA for a floor plan extension for White Horse Tavern to allow for service of alcohol on outdoor dining patio. Motion seconded and unanimously approved.**
4. Interviews & Appointments to the following: Jefferson County Development Authority - one two-year term for Citizen Representative ending April 5, 2024 and one three-year term for Business Representative ending April 5, 2025.
 - **Motion by Mr. Stolipher to appoint Tara Orndorff to the Jefferson County Development Authority as a Business Representative for a three-year term ending April 5, 2025. Motion seconded and unanimously approved.**
 - **Motion by Mr. Stolipher to appoint Andy Colandrea to the Jefferson County Development Authority for a two-year term as a Citizen Representative ending April 5, 2024. Motion seconded and unanimously approved.**

- South Jefferson Public Library Board – one unexpired term ending June 30, 2023

 - **Motion by Ms. Jackson to appoint Nick DiGennaro to the South Jefferson Public Library Board for an unexpired term ending June 30, 2023. Motion seconded and unanimously approved.**
5. Keith Lowry, Jefferson County Community Ministries - request for FY23 support for launch of Jefferson County Community Ministries “Community Services Center” to support the homeless and at-risk
 - **Motion by Mr. Stolipher to approve the letter of support to the WV State Legislature for the launch of the Jefferson County Community Ministries “Community Services Center” and authorize the president of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**

6. Doug Estepp, Coal Country Tours – requested funding and access request concerning centennial events for 1922 Treason Trials.

- **Motion by Mr. Stolipher to approve access to the upstairs courtroom in the Jefferson County Courthouse on Friday, May 13, 2022 from 5:15-7:00 pm contingent on the Sheriff's ability to provide a bailiff. Motion seconded and unanimously approved.**

7. Michelle Gordon, Finance Consultant

- Review of Highmark Medical Insurance Renewal Options and Selection of Plan for FY2023

- Review of Delta Dental Insurance Renewal Options for FY2023

- Review of Employee and Employer insurance premium rates for health, dental, and vision for FY2023

- **Motion by Mr. Stolipher to accept the Highmark of West Virginia health insurance renewal for FY2023 as presented by Ms. Gordon. Motion seconded and unanimously approved.**
- **Motion by Mr. Stolipher to accept the Delta Dental insurance renewal for FY2023 as presented by Ms. Gordon.**
- **Motion by Mr. Stolipher to accept the FY2023 employee and employer premium rates for health, dental, and vision as presented by Ms. Gordon. Motion seconded and unanimously approved.**

8. Nathan Cochran, Assistant Prosecuting Attorney

- a. 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, Jefferson County Circuit Court Civil Action No. CC-19-2022-C-6 and WV Supreme Court No.'s 21-0727, 21-0728, and 21-0731.
- b. Consider matters involving or affecting the construction planning, or purchase, sale or lease of property.
- c. 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).

- **Motion by Mr. Stolipher to enter into Executive Session to consider matters involving or affecting the construction, planning, or purchase, sale, or lease of property and to receive legal advice concerning the Fitch Report, including potential action regarding composition and structure of county EMS services, Jefferson County Emergency Services Agency, acquisition and distribution of ambulance resources, funding and finance issues, and implementation of Fitch recommendations. Motion seconded and unanimously approved.**
- **Motion by Mr. Hudson to come out of Executive Session. Motion seconded and unanimously approved.**

NEW BUSINESS

9. Discussion and possible action related to contract / consultant's proposal for updates to Subdivision Regulation and Zoning Ordinance.
 - **Motion by Mr. Stolipher to approve the hire of PJ Raco Consulting to update the Jefferson County Subdivision Regulation and Zoning Ordinance. Motion seconded and unanimously approved.**

OLD BUSINESS

10. Discussion of Fitch Report, including potential action regarding composition and structure of county EMS services, Jefferson County Emergency Services Agency, acquisition and distribution of ambulance resources, funding and finance issues, and implementation of Fitch recommendations.
 - Marshall Demeritt, EMS Chief for the Shepherdstown Volunteer Fire Department and Adam Watson, Fire Chief for Independent Fire Company, provided the Commission with a presentation concerning the findings and suggestions of the Fitch Report and provided the Commission with several alternative options for fire and EMS staffing in the county.
 - **Motion by Ms. Jackson to direct Mr. Nissel to work with Bob Burner, Director of the JCESA, to research appraisers to assist in the determination of ambulance pricing. Motion seconded and unanimously approved.**
 - **Motion by Ms. Jackson to direct Mr. Nissel to engage a commercial real estate broker to assess space needs and the fair market value of space to potentially be leased by the Commission. Motion seconded and unanimously approved.**

11. **ADJOURN**

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

Caleb Hudson, PRESIDENT

Respectfully submitted
Jessica Carroll
Executive Administrative Assistant

SPECIAL SESSION

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

At a Special Session of the County Commission of said County and State continued and held at the Jefferson County Commission meeting room in the basement of the Old Charles Town Library located at 100 E. Washington St., Charles Town and virtually via GoToWebinar on April 22, 2022, beginning at 9:30 o'clock a.m.

PRESENT: Caleb Hudson, President
Clare Ath, Commissioner
Tricia Jackson, Commissioner
Tom Hansen, Sheriff
Jacqueline Shadle, County Clerk
John Nissel, County Administrator
Nathan Cochran, Assistant Prosecutor
Jessica Carroll, Administrative Assistant

In re: Special Session – Discussion of the Comprehensive County Audit with WV State Auditor John “J.B.” McCuskey.

The meeting was called to order at 9:32 a.m. by President Hudson.

In the fall of 2021, Commissioner Stolipher called for a Comprehensive Audit to be done within the county due to conflicts between certain staff and elected officials. Mr. McCuskey, WV State Auditor, sent several auditors to Jefferson County in January of 2022 to perform the task. The audit was complete and ready for presentation in April 2022. Mr. McCuskey discussed topics from the audit and fielded questions concerning the findings. No decisions were made at this meeting.

There being no further business, the meeting adjourned at 10:46 am.

Caleb Hudson, PRESIDENT

Respectively Submitted:
Jessica D. Carroll
Administrative Assistant

REQUISITIONS TO BE APPROVED

May 5, 2022

DEPARTMENT	Requisition No.	AMOUNT	VENDOR	DESCRIPTION
OTHER BUILDINGS	22044	\$ 12,875.54	FastSigns	Signage for Public Services Center
COMMUNICATIONS	22050	\$ 17,633.00	BearCommunications	Replace Failed Transmitters
GRAND TOTAL		\$ 30,508.00		

DESCRIPTION	FUND 001 CO.		TOTAL
Gross Wages	\$398,579.93		\$398,579.93
6.2% Tax Payable OASDI	\$23,653.02		\$23,653.02
1.45% Tax Payable HI	\$5,531.78		\$5,531.78
Fed Withholding	\$34,634.24		\$34,634.24
WV State Withholding	\$16,780.71		\$16,780.71
PERS Retirement Deduct 4.5%	\$8,300.64		\$8,300.64
PERS Retirement Deduct 6%	\$6,328.08		\$6,328.08
Hosp. Pre-Taxed	\$14,864.00		\$14,864.00
AFLAC Pre-Taxed	\$406.25		\$406.25
AFLAC Post-Taxed	\$818.92		\$818.92
Optional Life Post-Taxed	\$1,793.04		\$1,793.04
Christmas Club	\$4,335.00		\$4,335.00
Wage Attach #1	\$492.93		\$492.93
Wage Attach #2	\$150.00		\$150.00
Wage Attach #3			\$0.00
DSRS Retirement Deduct 8.5%	\$6,265.46		\$6,265.46
457 - Nationwide	\$834.00		\$834.00
457I - Empower	\$4,674.44		\$4,674.44
457R - Roth	\$1,170.00		\$1,170.00
MD State Tax	\$501.72		\$501.72
D/VF	\$1,811.57		\$1,811.57
VA State Tax	\$159.32		\$159.32
Colonial(Plus)	\$47.84		\$47.84
Uniforms			\$0.00
Total Deductions	\$133,552.96	\$0.00	\$133,552.96
Net Wages Total	\$265,026.97	\$0.00	\$265,026.97
Payroll Date	April 28, 2022		

AFLAC Pretax	AFLAC Posttax	Opt. Life	Dental/Vis
\$218.57	\$58.89	\$1,406.03	\$1,449.87
\$25.14	\$440.32	\$364.06	\$361.70
\$41.46	\$68.04	\$22.95	
\$14.03	\$136.02		
\$107.05	\$34.92		
	\$80.73		
\$406.25	\$818.92	\$1,793.04	\$1,811.57

	255,796.97
	6,330.00
	2,100.00
	200.00
	600.00
	<hr/>
Total Direct Deposit	
Total Checks	-
	<hr/>
	265,026.97

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Angela Banks

Department or Organization: Assessor

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: **May 5, 2022**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Approval of Exonerations**

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

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

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: 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*): Part-time Bailiff Hire
Ambulance Fee Employees
AED Donation
Bank Bonding
COPS Hiring
Health Insurance Increase/Raises Concern

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

One of the individuals designated as a part-time Bailiff has resigned, therefore I am requesting to hire Melissa Goodwin to fill the void. She would begin working on Monday, May 9, 2022 as needed at a rate of \$13.00 per hour.

In preparation for the Ambulance Fee Collection to change to the Tax Office, I am requesting that temp employee Keri Jones be converted to a Full-time 80 hour Grade 2 employee. We are also requesting permission to advertise for the second position.

After a fatal traffic accident that happened at the Oak Lee/Rt 9 traffic light, the Sheriff's Office was contacted by a company wishing to make AED donations to the department. AED's cost approximately \$2,000 per unit. The only cost to the Sheriff's Office would be a maintenance contract. This contract would include the restocking of supplies after the device is used, downloading information regarding the use event, updating devices, and annual maintenance. The cost would be \$200/device/year. I am requesting additional funding be added to my FY23 Contracted Services line to be able to accept with this donation.

Recommendations for the Annual Banking Bonding/Securities letter is attached.

This years COPS Hiring grant has been announced. I am requesting permission to apply for this grant online (only option). This is not a request for additional positions, if awarded, it would simply serve as an alternative way to fund already approved positions and save the County money the next several years.

I have concerns regarding the health insurance increase, COLA and merit raises timing vs the true cost of living increase. What is the true impact of giving everyone their raise effective July 1? Discussion/Potential Action

Is this a funding request? Y/N

If so, how much? \$

Provide exact financial impact/request:

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

I move to approve the hire of Melissa Goodwin as a Part-time Bailiff, effective May 9, 2022 at a rate of \$13/hr.

I move to approve the full-time hire of Keri Jones as an Ambulance Fee Collector 80 hr grade 2 employee.

I move to approve the acceptance of the AED donations to the Sheriff's Office and approve the addition of \$8000 to their FY23 Contracted Services budget.

I move to approve the Sheriff's Office application for the COPS Hiring Grant.

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



Office of Sheriff and Treasurer of Jefferson County

Law Enforcement Office
102 Industrial Blvd.
Kearneysville, WV 25430
304-728-3205
Fax 304-728-3299

Tax Office
PO Box 9
Charles Town, WV 25414
304-728-3220
Fax 304-728-4034

April 28, 2022

To: County Commission
County Clerk
Prosecuting Attorney

From: Sheriff Hansen *JH*

Subject: Bank Securities/Bonding – County Bank Accounts

The following is an overview of the various County Bank Accounts which hold County Monies and the Securities/Bonding for each of these accounts:

Bank of Charles Town	Account balance of \$24,513,527.98 as of 3/31/22. (\$24,000,000.00 in pledged securities.)
Jefferson Security Bank	Account balance of \$1,154,326.98 as of 3/31/22. (\$750,000.00 in pledged securities.)
United National Bank	Account balance of \$3,890,707.84 as of 3/31/22. (\$5,500,000.00 in pledged securities, all other amounts are covered by FDIC)
BB&T	Account balance of \$9,871,517.39 as of 3/31/22. (\$12,000,000.00 in pledged securities.)

Taking into consideration upcoming account transfers, it is my recommendation that the pledged securities with Bank of Charles Town be raised to \$25,000,000, the pledged securities with Jefferson Security Bank be increased to \$1,200,000, United Bank should be decreased to \$1,500,000.00, and the pledges securities with BB&T be decreased to \$10,000,000.00.

In accordance with the memorandum dated September 28, 2006 concerning bonding of depositories, the Chief Tax Deputy will continue to monitor all accounts on a monthly basis to assure that each account is sufficiently collateralized. Should it be determined that adjustments in securities on respective accounts are needed, the banking institution will be contacted for this purpose.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jessica Carroll

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: **May 5, 2022**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Interviews & Appointments to the Jefferson County Building Commission – 3 five-year terms ending July 27, 2027**

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

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

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, May 5, 2022 , or as soon thereafter as the Commission may decide:

Jefferson County Building Commission - three five-year terms ending July 27, 2027

Per West Virginia State Code:

“No more than two thirds of the total number of members of the board of each commission shall be from the same political party and no member of any such board shall hold any office (other than the office of notary public) or employment under the United States of America, the state of West Virginia, any county or political subdivision thereof, or any political party. All members of any board shall be residents of the county for which appointed.”

Interested applicants must not have ties to any local financial agencies or institutions that may potentially bid on projects approved by the members of the Jefferson County Building Commission.

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

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

ARTICLE 33. INTERGOVERNMENTAL RELATIONS -- BUILDING COMMISSIONS.

PART I. COMMISSIONS AUTHORIZED; ORGANIZATION OF COMMISSIONS.

§8-33-1. Municipal, county and municipal-county building commissions authorized; reference to county courts and county commissions.

Any municipality or county, or one or more municipalities and any county, or any two or more municipalities within any county or counties, or any combination thereof, may create and establish a municipal building commission, a county building commission, or a municipal-county building commission, as the case may be (hereinafter in this article referred to as commission or commissions). Such commissions shall be formed by an ordinance or order, as appropriate, by each governmental body establishing the same. The governing body of a county is hereinafter in this article referred to either as a county court or county commission.

§8-33-2. Commissions are public corporations.

Each commission, when created, shall be a public corporation and shall have perpetual existence.

§8-33-3. Authority vested in board; composition of board; appointment; qualifications and terms of members; vacancies; reimbursement of expenses.

All property, powers and duties and the management and control of each commission shall be vested in a board consisting of representatives appointed by the governmental body or bodies creating and establishing such commission. In the case of a municipal building commission or a county building commission such board shall consist of not less than three nor more than five members and in the case of a municipal-county building commission each participating municipality shall appoint two members and each participating county shall appoint three members. All members of any board shall be appointed for terms of five years. Prior to making the initial appointments to the board, the governmental body or bodies shall make such initial appointments so that approximately one fifth of the total number of members of the board shall be appointed for a term of one year, approximately one fifth of the total number of members of the board shall be appointed for a term of two years, approximately one fifth of the total number of members of the board shall be appointed for a term of three years, approximately one fifth of the total number of members of the board shall be appointed for a term of four years, and approximately one fifth of the total number of members of the board shall be appointed for a term of five years. As the term of each such initial appointee expires the successor to fill the vacancy created by such expired term shall be appointed for a term of five years.

The ordinance or order creating a building commission may provide for the manner of appointments to the membership of such commission by the governmental body creating such commission, which, in the case of a county, shall be the county commission or other tribunal in lieu thereof and, in the case of a municipality, shall be the governing body thereof.

Qualifications to Serve

If any member of any board die, resign or for any reason cease to be a member of the board, the governmental body which such member represented shall appoint another individual to fill the unexpired portion of the term of such member. No more than two thirds of the total number of members of the board of each commission shall be from the same political party and no member of any such board shall hold any office (other than the office of notary public) or employment under the United States of America, the State of West Virginia, any county or political subdivision thereof, or any political party. All members of any board shall be residents of the municipality or county for which appointed. No member of any board shall receive any compensation for his services as such, but each member shall be reimbursed by the commission for any reasonable and necessary expenses actually incurred in the discharge of his duties as a member of the board.

PART II. POWERS OF COMMISSIONS.

§8-33-4. Powers.

Each commission shall have plenary power and authority to:

- (a) Sue and be sued;
- (b) Contract and be contracted with;
- (c) Adopt, use and alter a common seal;
- (d) Make and adopt all necessary, appropriate and lawful bylaws and rules and regulations pertaining to its affairs;
- (e) Elect such officers, appoint such committees and agents and employ and fix the compensation of such employees and contractors as may be necessary for the conduct of the affairs and operations of the commission;
- (f)(1) Acquire, purchase, own and hold any property, real or personal, and (2) acquire, construct, equip, maintain and operate public buildings, structures, projects and appurtenant facilities, of any type or types for which the governmental body or bodies creating such commission are permitted by law to expend public funds (all hereinafter in this article referred to as facilities);
- (g) Apply for, receive and use grants-in-aid, donations and contributions from any source or sources, including, but not limited to, the United States of America, or any department or agency thereof, and accept and use bequests, devises, gifts and donations from any source whatsoever;
- (h) Sell, encumber or dispose of any property, real or personal;
- (i) Issue negotiable bonds, notes, debentures or other evidences of indebtedness and provide for the rights of the holders thereof, incur any proper indebtedness and issue any obligations and give any security therefor which it may deem necessary or advisable in connection with exercising powers as provided herein;
- (j) Raise funds by the issuance and sale of revenue bonds in the manner provided by the applicable provisions of sections seven, ten, twelve and sixteen, article sixteen of this chapter, without regard to the extent provided in section five of this article, to the limitations specified in said section twelve, article sixteen, it being hereby expressly provided that for the purpose of the issuance and sale of revenue bonds, each commission is a "governing body" as that term is used in said article sixteen only;
- (k) Subject to such reasonable limitations and conditions as the governmental body or all of the governmental bodies creating and establishing such building commission may prescribe by ordinance or by order, exercise the power of eminent domain in the manner provided in chapter fifty-four of this code for business corporations, for the purposes set forth in subdivision (f) of this section, which purposes are hereby declared public purposes for which private property may be taken or damaged;
- (l) Lease its property or any part thereof, for public purposes, to such persons and upon such terms as the commission deems proper, but when any municipality or county commission is a lessee under any such lease, such lease must contain a provision granting to such municipality or county commission the option to terminate such lease during any fiscal year covered thereby; and
- (m) Do all things reasonable and necessary to carry out the foregoing powers.

PART III. INDEBTEDNESS; SURPLUSES; EXEMPTION FROM TAXATION; FUNDS; PROPERTY.

§8-33-5. Indebtedness of commission.

No Constitutional or statutory limitation with respect to the nature or amount of or rate of interest on indebtedness which may be incurred by municipalities, counties or other public or governmental bodies shall apply to the indebtedness of a commission. No indebtedness of any nature of a commission shall constitute an indebtedness of any municipality or county creating and establishing such commission or a charge against any property of said

municipalities or counties. No indebtedness or obligation incurred by any commission shall give any right against any member of the governing body of any municipality or any member of the county commission of any county or any member of the board of any commission. The rights of creditors of any commission shall be solely against the commission as a corporate body and shall be satisfied only out of property held by it in its corporate capacity.

§8-33-6. Disposition of surplus of commission.

If a commission should realize a surplus over and above the amount required for the improvement, maintenance and operation of its facilities and for meeting all required payments on its obligations, it shall set aside such reserve for future improvements, maintenance, operations and contingencies as it shall deem proper and shall then apply the residue of such surplus, if any, to the payment of any recognized and established obligations not then due, and after all such recognized and established obligations have been paid and discharged in full, the commission shall, at the end of each fiscal year, set aside the reserve for future improvements, maintenance, operations and contingencies, as aforesaid, and then pay the residue of such surplus, if any, to the governmental bodies creating and establishing such commission in direct proportion to their financial contribution.

§8-33-7. Property, bonds and obligations of commissions exempt from taxation.

Each commission shall be exempt from the payment of any taxes or fees to the state or any subdivisions thereof or any municipalities or to any officer or employee of the state or of any subdivision thereof or of any municipality. The property of each commission shall be exempt from all municipal and county taxes. Bonds, notes, debentures and other evidences of indebtedness of each commission are declared to be issued for a public purpose and to be public instrumentalities, and, together with interest thereon, shall be exempt from taxation.

§8-33-8. Contributions to commissions; funds and accounts of commissions; reports; audits.

Contributions may be made to each commission from time to time by the governmental body or bodies creating and establishing it, and persons that shall desire to do so. All funds received by each commission shall be deposited in such banking institution or banking institutions as the board may direct and shall be withdrawn therefrom in such manner as the board may direct. Each commission shall keep strict account of all of its receipts and expenditures and shall each quarter make a quarterly report thereon to the municipalities, counties and persons which have made contributions to it, and such report shall contain an itemized account of its receipts and disbursements during the preceding quarter. Such report shall be made within sixty days after the termination of the quarter. Within sixty days after the end of each fiscal year, each commission shall make an annual report containing an itemized statement of its receipts and disbursements for the preceding fiscal year and publish the same as a Class II-0 legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this code, and the publication area for such publication shall be each county in which the commission's facilities are located. The books, records and accounts of each commission shall be subject to audit and examination by the State Tax Commissioner and by other proper public official or body in the manner provided by law.

§8-33-9. Authority to convey or transfer property to commission.

Any municipality or county is hereby empowered and authorized to convey or transfer to a commission which it has created and established either alone or with another governmental body, property of any kind, heretofore acquired by said municipality or county, to carry out the purposes of said commission. When property is conveyed or transferred as aforesaid, the conveying or transferring municipality or county court and the board shall agree in writing at the time the conveyance or transfer is made as to the fair market value of such property. The members of the board appointed by any municipality or county court conveying or transferring property shall not participate in connection with, otherwise than to provide a quorum, or vote on, any motion or resolution by which the board agrees to the fair market value of the property so conveyed or transferred.

§8-33-10. Sale of property by commission.

In the event a majority of the governmental bodies contributing funds or property to a commission shall so direct in writing and if all indebtedness of said commission has been paid in full, the commission shall sell all or any part of its properties and assets so directed and distribute the proceeds thereof among the governmental bodies creating and establishing it in direct proportion to their contributions of funds or property to the commission.

PART IV. WORKERS' COMPENSATION; CONSTRUCTION.

§8-33-11. Workers' compensation.

Each commission shall subscribe to the workers' compensation fund of this state and pay all necessary premiums thereto, to the end that all eligible employees of such commission shall be covered by workers' compensation.

§8-33-12. Liberal construction.

The provisions of this article are hereby declared to be remedial and shall be liberally construed to effectuate the purposes hereof. The provisions of this article are in addition to and not in derogation of any power granted to or vested in municipalities and county courts under any Constitutional, statutory or charter provisions which may now or hereafter be in effect.

AGENDA REQUEST FORM

www.jeffersoncountywv.org

NAME: Lynn Fields

DEPARTMENT OR ORGANIZATION: Probate Office

ESTIMATION OF TIME NEEDED FOR APPT.: 15-30 minutes

DATE REQUESTED: 1ST CHOICE May 5th, 2022

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

SUBJECT: PETITION TO REMOVE ADMINISTRATORS

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

Attached is a petition to remove administrators on the estate of Robert Lee Holmes. Petition and estate information has been forwarded to Nathan Cochran for review prior to the county commission meeting.

ARE DOCUMENTS ATTACHED: yes

IS A PROJECTOR NEEDED?: NO

lfields@jeffersoncountywv.org (304) 728-3210

March 22, 2022

Attention Jefferson County Commissioner: Petition to Remove Executors

I am writing on behalf of Robert Lee Holmes' Estate. I am his daughter and one of four Executors on his estate. He did not have a will. At this time, we would like to petition the court to remove both Carla Henderson and Rochelle Marshall from acting as Executors on his estate.

Carla Henderson is neglecting assets of the estate. She indicated effective today "I am done with all communication and services." We are currently in the middle of selling the property. The closing date is 3/25/22 and she is bailing out! Carla has indicated in writing that "I will not pay a dime on the mortgage." Since she is writing this in our group chat, we want to honor her wishes legally.

Carla Henderson is mismanaging assets. She "gifted" a 1994 Cadillac to our uncle instead of selling it off to pay bills. She took guns off the property and fled to North Carolina only to be forced to bring them back and give to their owners. Carla has gifted furniture, jewelry and clothing to family members.

Carla Henderson is causing conflicts of interests. She is not getting along with the Realtor working on the sell of the property. She is fighting with my other sister, an Executor on the estate, and she refuses to communicate.

Carla is breaching fiduciary duties. She is the only Executor with access to the bank account but refuses to share statements, provide information about the balance or share information regarding what bills are being paid or not.

Rochelle Marshall must also be removed as Executor. She is engaging in self-dealing. We informed the court during probate that we would return his truck. It is still carrying monthly payments. Rochelle agreed to surrender the truck during the probate meeting. After the meeting, she decided the truck would be put into her name through refinancing. She took possession of the truck in late January. As of today, she is still using the truck while refusing to make the monthly payments.

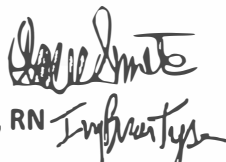
Rochelle Marshall is also neglecting assets of the state. She refuses to engage with the Realtor hired to sell the property. Meanwhile, she refuses to make mortgage, tax and other payments associated with the house. Please force her to surrender the truck to the bank. If they wanted to repossess it, they would not know where to find it. Last we spoke, she had it "hidden behind her grandmother's house."

For the above reasons, both ladies need to be removed immediately!

Kindest regards,

Stacie Smith, MS ABA

Ivy Brown-Tyson MSN, RN



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: 15 min.

Date Requested – 1st Choice: **May 5**

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

Date Requested – 2nd Choice: May 19

Subject (*Wording to be placed on agenda*): **Discussion and possible action on approval of Tobacco Free Parks.**

Please provide the County Commission with a description of your request or presentation, including any background information: The Jefferson County Parks & Recreation Commission voted at their April 27, 2022 meeting to have Tobacco Free Parks. The tobacco-free recreation policy clearly states that the Jefferson County Parks & Recreation Commission views tobacco use during its recreation activities and at our recreational facilities to be contrary to the mission and purpose of the Parks and Recreation Commission and detrimental to the health and welfare of the participants and their families, and as such is deemed an unacceptable behavior.

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 supports and approves the tobacco-free recreation policy adopted by the Jefferson County Parks & Recreation Commission that prohibits tobacco at any park owned or operated by the Jefferson County Parks & Recreation Commission.

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: 304-433-4049

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

Tobacco – Free Park and Recreational Facilities

Jefferson County Parks and Recreation Commission

<i>Category: Park Operations</i>	
<i>Policy #002</i>	<i>Title: Tobacco Free Policy</i>
<i>Author: Jennifer Myers, Director</i>	<i>Effective Date: 4/27/22</i> <i>Last Revision:</i> <i>Next Scheduled Review: TBD</i>
<i>Page 1 of 2</i>	<i>Location: Jefferson County Community Center</i>

PURPOSE:

The tobacco-free recreation policy clearly states that the Jefferson County Parks & Recreation Commission views tobacco use during its recreation activities and at our recreational facilities to be contrary to the mission and purpose of the Parks and Recreation Commission and detrimental to the health and welfare of the participants and their families, and as such is deemed an unacceptable behavior.

The tobacco-free recreation policy prohibits tobacco at any park owned or operated by the Jefferson County Parks & Recreation Commission.

- The Jefferson County Parks & Recreation Commission has a responsibility to protect the health and safety of our community’s children, youth and adults while they use county recreational facilities and adopting a tobacco-free policy is part of this responsibility. Improving the health of the community youth also directly reflects one of the commissions main goals.
- By having a tobacco-free policy, a positive example is established for community youth by discouraging adult role models from using tobacco in recreational settings.
- By adopting a tobacco-free policy, the amount of tobacco related litter in the parks will be reduced. When people don’t use tobacco in the parks, they will not be able to litter with tobacco waste.
- Secondhand smoke is harmful in both indoor and outdoor settings. Secondhand smoke is a health risk which can be prevented. Children and adults using county recreational facilities should not be exposed to the effects of secondhand smoke and cigarette butts that are often present in these areas.

TOBACCO-FREE FACILITIES:

All owned and operated Jefferson County Parks & Recreation Commission park property, including: Jefferson County Community Center, maintenance building, playgrounds, athletic fields, courts, pavilion, amphitheater, walking/hiking/bike trails, etc.

POLICY ENFORCEMENT PLAN:

In order to most effectively educate the community about this policy and to ensure compliance, this is the enforcement plan:

- Appropriate signs shall be posted in the above specific areas.

- The community, especially facility users and staff, will be notified about this policy (park and recreation brochure, handouts, social media, email correspondence, registration forms, and league agreements).
- Statement of the policy included in information to families regarding organized youth activities.
- Promotion of the policy by park and recreation staff, coaches, and other county employees whose jobs require them to be present in parks.
- Concerned citizens can ask violators to stop using tobacco in the recreational settings.

VIOLATIONS AND PENALTIES:

- Any person found violating this policy and refusing to comply upon request may be requested to vacate park or facility for the remainder of the event.

DEFINITIONS:

Tobacco –Any and all tobacco products, including but not limited to, cigarettes, vape, e-cigarettes, cigars, pipes, snuff, and chewing tobacco.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Russell Burgess**

Department or Organization: **Information Technology**

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

Date Requested – 1st Choice: **May 5, 2022**

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

Date Requested – 2nd Choice:

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

- **Approval of GIS Analysts Level 1, Rebecca Westbrook to fill the open position in the GIS Department. This is in the overall plan of the reorganization of the GIS Department previously approved by the County Commission.**

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

- **Rebecca Westbrook is an experienced GIS Analyst who has held a top secret clearance working for SAIC in Chantilly, Virginia. Rebecca has shown her ability to coordinate and build relationships with customers and provide technical GIS briefings to users. We are excited to have her join our team and looking forward to working with her.**

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

If so, how much? **\$**

Provide exact financial impact/request:

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

- **Motion to approve Rebecca Westbrook for the position of GIS Analyst Level 1, full time position at a salary of \$50,000 per year. Funding from the Information Technology Department budget. This is in line with the previously approved agenda item approved by the County Commission to fill the position and generates and overall cost savings of at least \$6,000.**

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



Name: **Nathan Cochran**

Department or Organization: **Prosecuting Attorney's Office**

Estimation of amount of time needed for appointment:

Date Requested – 1st Choice: **May 5, 2022**

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

Date Requested – 2nd Choice: **May 19, 2022**

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

1. Discussion of legal issues regarding proposed solar text amendment including bonding, comprehensive plan, and related matters, including discussion of 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, Jefferson County Circuit Court Civil Action No. CC-19-2022-C-6 and WV Supreme Court No.'s 21-0727, 21-0728, and 21-0731.
2. Discussion of Jefferson County Circuit Court Civil Action No. CC-19-2022-C-48.
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).

Is this a funding request? **No**

If so, how much? **N/A**

Provide exact financial impact/request:

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:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Jessica Carroll

Department or Organization: **County Commission**

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: **May 5, 2022**

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

Date Requested – 2nd Choice:

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

- ⬇ **Selection of time and location for the May 16, 2022 Primary Election Canvass**
- ⬇ **SB522 – Review and Correction of delinquent tax lists by County Commission**

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

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

If so, how much? \$

Provide exact financial impact/request:

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

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

16 a transfer on said landbooks with the delinquent owner as the transferor, the sheriff shall send to
17 the transferee at his or her last known address by first class United States mail a copy of the
18 annual tax ticket or tickets showing what taxes are due upon the real property of such transferee
19 and how they may be paid as prescribed in this section.

20 Failure of the sheriff to send or failure of the taxpayer to receive such copy shall not impair
21 the right to collect such taxes, the right to collect any interest or penalty imposed as a result of
22 the failure to pay such taxes or the method of enforcing the payment of such taxes, interest, or
23 penalty.

24 (b) In addition to the notice of real or property taxes owed, provided in this section, the
25 county commission of any county may order that the sheriff include in the mailing notice of any
26 taxes or other fees owed to the county or a municipality in the county.

27 (c)(1) The sheriff shall accept credit cards in payment of any of the taxes, interest, or
28 penalty described in this section. The type of credit card accepted shall be at the discretion of the
29 sheriff.

30 (2) The sheriff may set a fee to be added to each credit card transaction equal to the
31 charge paid by the state, county, sheriff, or taxpayer for the use of the credit card by the taxpayer.
32 Except for fees imposed pursuant to this subdivision, no other fees for the use of a credit card
33 may be imposed upon the taxpayer.

34 (d) The tax commissioner may promulgate legislative rules to provide for the payment of
35 tax liability by installment payments other than those prescribed in subsection (a) of this section.

ARTICLE 2. DELINQUENCY AND METHODS OF ENFORCING PAYMENT.



§ 11A-2-14. Correction of delinquent lists by county commission; certification to Auditor; recordation.

1 The sheriff shall on or before May 15 of each year present the delinquent lists to the county
2 commission for examination. The county commission having become satisfied that the lists are
3 correct, or having corrected them if erroneous, shall direct the clerk of the county commission to



Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email: zoning@jeffersoncountywv.org

Fax: (304) 728-8126

3rd Quarterly Report for Planning and Zoning FY 2022 (January 1, 2022 – March 31, 2022)

Attached is an electronically generated report of all applications submitted and reviewed within the 3rd Quarter of FY2022. This data is being provided as a part of the 3rd Quarterly Report from the Planning Commission and Offices of Planning and Zoning to the County Commission. The items below reflect actions of the Planning Commission and Board of Zoning Appeals in this same time period and related meetings attended by Planning and Zoning staff.

PLANNING COMMISSION ITEMS

Planning Commission Meetings: **4 Meetings**

Subdivision Regulations Text Amendments **On-going Major updates/revisions on hold**

Zoning Ordinance Text Amendments **1 scrivener's error correction**

3/8/22: The Zoning Administrator reported a formatting error that was identified in the Zoning Ordinance, specifically, in Appendix A – Residential Site Development Standards related to parking/drive aisle setbacks and screened buffer for townhouse and explained proposed correction which was recorded.

Envision Jefferson 2035 Comprehensive Plan Text Amendments **1**

On-going: County Commission's request (9/2/21) to the Planning Commission to draft an amendment to the *Envision Jefferson 2035 Comprehensive Plan* to identify and secure the role of solar facilities throughout the rural and residential zoning districts in Jefferson County.
Draft Amendment presented to the CC by the PC 1/6/22; CC PH held 2/3/22 and left open until 2/17/22; no action taken in this quarter

Zoning Map Amendments/Rezoning **4**

•March 17, 2022: Approved the following Zoning Map Amendments after their Public Hearing:

#22-2-Z Planning Commission review and recommendation to the County Commission regarding whether petition for a Zoning Map Amendment to rezone the subject property from Rural to Highway Commercial (HC) is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. Owner/Applicant: Guy Chicchirichi/Sheetz. Property Location: NE corner of Augustine Ave. & US 340 intersection. Tax District: Charles Town (02); Tax Map: 16; Parcel: 1. Size: 0.52 acres of a 4.42 acre site.
PC review and recommendation to the CC that the proposed Zoning Map Amendment is compatible with the Comprehensive Plan 3/08/22 PC meeting; CC PH 3/17/22; approved.

#22-1-Z Planning Commission review and recommendation to the County Commission regarding whether petition for a Zoning Map Amendment to rezone the subject property from Rural to Residential Growth (RG) is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. Owner/Applicant: William Reilly, Managing Member (Green Hill). Property Location: Vacant parcel located northeast of the Flowing Springs Rd (WV17) and Daniel Rd (WV18) intersection. Tax District: Charles Town (02); Tax Map: 03; Parcel: 9. Size: 102 acres.
PC review and recommendation to the CC that the proposed Zoning Map Amendment is compatible with the Comprehensive Plan 3/08/22 PC meeting; CC PH 3/17/22; approved.

#21-5-Z 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/Applicant: Arnold Holden. Property Location: NW of Shenandoah Road and Ridge Road, Shenandoah Junction, WV. Tax District: Charles Town (02), Map: 1; Parcels: 29 and 45. Combined acreage: 76.22 acres.
PC review and recommendation to the CC that the proposed Zoning Map Amendment is compatible with the Comprehensive Plan 1/11/22 PC meeting; CC PH 1/20/22; approved.

#21-4-Z
(revised) Planning Commission review and recommendation to the County Commission regarding whether the *revised* 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. Property Location: 16, 30, and 36 Old Leetown Road, Kearneysville, WV. Tax District: Middleway (07), Map: 11; Parcels: 2.1 and 2.2. Combined acreage: 1-acre.
PC review and recommendation to the CC that the proposed Zoning Map Amendment is compatible with the Comprehensive Plan 1/11/22; CC PH 01/20/22; approved.

Concept Plan Public Workshops **none this quarter**

BOARD OF ZONING APPEALS (BZA) ITEMS

Board of Zoning Appeals Meetings: **3 meetings**

Zoning Appeal of Administrative Decision **none this quarter**

PLANNING & ZONING STAFF ITEMS

Pre-Proposal Conference (PPC) Meetings: 23 Total (11 Subdivision & 12 Site Plan)

Information Request Forms (IRFs) -- general inquiries from the public: 35 Total

Zoning and Land Development Fees Collected: \$ 112,143.24

Regional Transportation Planning Meetings (all remote)	
Eastern Panhandle Transit Authority (EPTA) Board Meetings	1/24/22; 3/21/22
EPTA Safety Committee	2/14/22
Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Technical Advisory Committee (TAC) Meetings	2/2/22
HEPMPO Long Range Plan TAC Meetings	2/23/22

Local and Regional Planning Meetings (all remote)	
WV APA Chapter Executive Committee Meetings (ZOOM);	1/25/22; 2/22/22 3/14/22
WV APA Chapter Membership Committee	2/15/22 3/15/22
Mid Atlantic Planning Collaboration Webinar (Land Use Law/Planning Professional Credits)	3/17/22

Planning and Zoning FY 2022 3rd Quarterly Report
01/01/2022 - 03/31/2022 (Generated 4/1/2022)

Type	Project Number	Creation Date	Owner Name	Location	Status	Description
Conditional Use Permit	22-1-CUP	1/3/2022	MUTH RAYMOND M JR & KERRY F	21 SOUTHPAW LN SHEPHERDSTOWN	Closed	CUP to expand an existing emergency vehicle outfitting and retrofitting professional office
	22-2-CUP	3/24/2022	STAUBS JOHN T	3807 CHESTNUT HILL RD, HARPERS FERRY	Open	CUP to operate a Restaurant/ Mobile Food Truck with a 10' x 10' tent with a bench and two picnic tables will be provided.
					Category Total:	2
Easements	22-1-E	3/21/2022	H&G CATROW CONTRACTING INC	7174 MARTINSBURG PIKE, SHEPHERDSTOWN	Open	Create a 50' access easement across two properties
	22-2-E	3/31/2022	AAL LLC	8285 MARTINSBURG PIKE, SHEPHERDSTOWN	Open	40 2-bedroom apartments with associated parking and signage
					Category Total:	2
Merger or Boundary Line Adjustment	22-1-M	1/5/2022	SECATELLO CONTRACTING LLC - VINCENT SECATELLO	4590 BOWERS RD. KEARNEYSVILLE	Open	First of two related merger plats (w/ 22-5-M) Final configurations for this first step Parcel 1 3 = 17.8549 acres, Parcel 2 = 48 1763 acres
	22-2-M	1/11/2022	GUY GARETH CHICCHIRICHI	AUGUSTINE AVE, CHARLES TOWN	Open	BLA of 1.4 acres from Parcel 1 to Parcel 3
	22-3-M	1/19/2022	LOUGHLIN SHAWN P A G & TONI L	310 FRISKY CT, HARPERS FERRY	Open	Proposed "land swap" to correct a setback violation on the Loughlin property (Parcel 28 3)
	22-4 M	2/2/2022	KRAUS JAMES M	1559 KNOTT RD, SHEPHERDSTOWN	Open	BLA from Rife to Kraus to correct a setback violation
	22-5-M	2/2/2022	SECATELLO CONTRACTING, LLC - VINCENT SECATELLO	4590 BOWERS RD. KEARNEYSVILLE	Open	Second of two related merger plats (w/ 22 1 M) Final Configurations Parcel 1 3 = 6 09 acres. Parcel 2 51058 acres
	22-6-M	2/3/2022	HY-CREST FARMS LLC - Arnie Dailey	1694 S CHILDS RD, KEARNEYSVILLE	Open	BLA of 4 092 acres from Parcel 6 (Hy crest) to Parcel 6 14 (Schneider) Creation of a 50' access easement for Parcel 6
	22-7-M	2/3/2022	HY-CREST FARMS LLC - Arnie Dailey	1694 S CHILDS RD, KEARNEYSVILLE	Open	BLA of 1 526 acres from Parcel 6 (Hy crest) to Parcel 6 12 (Carroll)
	22-8-M	2/11/2022	FRICKEY PAULA JEAN	297 MCQUILKIN RUN WAY SHEPHERDSTOWN	Open	BLA of 0 1288 acres from Parcel 1 17 to Parcel 1 18
	22-9-M	2/23/2022	AAL LLC	8285 MARTINSBURG PIKE SHEPHERDSTOWN	Open	Consolidation of Seneca Crossing North (PB 24/PG 52(A II)) consisting of 25 residential lots, common areas and SWM facilities
	22-10-M	2/24/2022	GUGULIS MICHAEL W & KATHERINE C TR	SAVANNAH DR, CHARLES TOWN	Open	Combining Lot 3 of the Chad Johnson MSD and Lot 4 of the Karen Miller MSD into a single parcel
	22-11-M	2/28/2022	CHAPMAN PAUL D TRUST	1621 BERRYVILLE PIKE, CHARLES TOWN	Open	BLA of 0 140 acres from parcel 4 to parcel 3
	22-12-M	2/28/2022	CHAPMAN PAUL M	1657 BERRYVILLE PIKE CHARLES TOWN	Open	BLA of 0 49 acres from parcel 2 to parcel 3
	22-13-M	3/23/2022	VALERI JOYCE S - TR VALERI FAMILY REV TRUST	4364 OLD LEETOWN PIKE, RANSON	Open	BLA between Lot 1 and Lot 2 Final Lot 1 = 0 7944 ac, Lot 2 = 1 0275 ac
	22-14-M	3/24/2022	LAKESIDE DRIVE LLC - Susan Reichel	LAKESIDE DR, HARPERS FERRY	Open	BLA to split Lot 13 between Lot 14 and Lot 12
	22-15-M	3/28/2022	SCHEERER JARED G	101 CHERRY LN, SHEPHERDSTOWN	Open	BLA from Lowe to Scheerer to correct a setback violation
	22-16-M	3/28/2022	Dead Rock Contractor Services, LLC Chris Livingston	Vacant Parcel, Charles Town	Open	To consolidate two existing lots shown as a single parcel
	22-17-M	3/29/2022	POTOMAC EDISON COMPANY - Wendy Jones	1320 OLD COUNTRY CLUB RD, CHARLES TOWN	Open	Potomac Edison - BC Partners (Sleepy Hollow Tower Site)
	22-18 M	3/31/2022	WINKLEPLECK KENNETH D & MARIA C ET AL	76 GRUBER RD, SUMMIT POINT	Open	BLA of 1 4908 acres from Parcel 1 1 to Parcel 1 3
				Category Total:	18	
Miscellaneous Fees	22-1-MPC	1/4/2022	Susan Healy	VACANT, Harpers Ferry	Closed	Minor Plat Change to relocate the septic reserve area - Lot 23 Lake Forest Estates
	22-2-MPC	1/7/2022	COLLIER MARTIN P & KIBONG LEE - PAUL & LEE COLLIER	Vacant Parcel - Waterside Drive, Harpers Ferry	Closed	Minor Plat Change relocate septic reserve area for Lot 23 of Waterside Reserve Phase I Subdivision
	22-3-MPC	3/17/2022	KLEFFNER JURGEN M & VERONICA D	1325 SHIRLEY RD, SUMMIT POINT	Open	Kleffner MSD, Lot 3 - Septic Reserve Relocation
	22-4-MPC	3/18/2022	CORBIN NORMAN R IV & CHERYL L	2751 ENGLE MOLERS RD, HARPERS FERRY	Open	Minor Plat Change, relocate driveway and reallocate the required greenspace area
	22-5-MPC	3/25/2022	DECK ANDREW N & MARCY J	11 SHADY MEADOWS CT, CHARLES TOWN	Open	Apple Blossom Meadows, Lot 7 - septic reserve relocation
				Category Total:	5	

Planning Commission Waiver	22-1-PCW	1/3/2022	EXECUTIVE EMERGENCY LIGHTING LLC - RAYMUND MUTH	21 SOUTHPAW LANE, SHEPHERDSTOWN	Withdrawn	Waiver from Section 20 2038B of the Sub Regulations, which requires a Site Plan
	22-2-PCW	2/15/2022	B C. Partners, Inc	Country Club Road, Charles Town	Open	Request for a waiver of Section 24.113 B.10 of the Sub Regs (Archaeological Survey) for all Major Subdivision Preliminary Plats
	22-3-PCW	2/15/2022	B C. Partners, Inc	Country Club Road, Charles Town	Open	Request for a waiver from various commercial road standards from Appendix B Table 2 2-1 "Roadway Design Standards" of the Subdivision Regulations.
	22-4-PCW	2/16/2022	BEAHM NORMAN A & CHARLOTTE	382 MISSION RD, HARPERS FERRY	Open	Waiver of Section 20 201C.2 to allow a lot in a proposed minor subdivision to utilize an existing 20' access easement (Tabernacle Lane).
	22-5-PCW	2/16/2022	BEAHM NORMAN A & CHARLOTTE	382 MISSION RD, HARPERS FERRY	Open	Waiver of Section 20 201C.3, Appendix B, Sec 3.1, and Appendix A, Sec. 1.4.2B to allow a lot in a proposed minor subdivision for a church parking lot to process a final plat without obtaining health department approval.
	22-6-PCW	3/18/2022	Guy Chicchirichi	Vacant Lot NE OF US 340 AND AUGUSTINE AVENUE INTERSECTION. CHARLES, WV	Open	Waiver from Section 20 201A 2 b to reduce the required road frontage from 200' to 161' for the proposed residue lot that will remain zoned as Rural
	22-7-PCW	3/18/2022	Guy Chicchirichi	NE OF US 340 AND AUGUSTINE AVENUE INTERSECTION, CHARLES TOWN. WV	Open	Waiver from Section 20 201A to waive the requirement related to the extension of off-site utilities to allow the subdivision to process as a Minor Subdivision
	22-8-PCW	3/18/2022	POTOMAC EDISON COMPANY	1320 OLD COUNTRY CLUB RD, CHARLES TOWN	Open	Request for a waiver from Section 11 1B of the Subdivision Regulations which requires a site plan for all new telecommunication towers
					Category Total:	8
Final Plat Amendments	22-1-FPA	2/28/2022	PALMER LUCAS J & MELISSA A	68 WILDERNESS CT, HARPERS FERRY	Open	Final Plat Amendment to allow a 22 x 44 inground pool to be located within a platted 10' drainage/utility easement See Note #15 on Final Plat / PC File 05 26
	22-2-FPA	3/1/2022	KNOTT MELISSA B - John Knott	80 QUAKING ASPEN WAY, CHARLES TOWN	Open	Final Plat Amendment to allow a 12 x 55 deck to be located within a platted 12' drainage/utility easement See Note #24 on Final Plat / PC File 07 15
	22-3-FPA	3/1/2022	ROLFE JASON & KARA M	708 RUDDER RD. SHEPHERDSTOWN	Open	Final Plat Amendment to allow the construction of a detached accessory dwelling unit for a family member See Note #4 on Final Plat / PC File 01 17
				Category Total:	3	
Site Plan	22-1-SP	1/19/2022	POTOMAC EDISON COMPANY	1320 OLD COUNTRY CLUB RD, CHARLES TOWN	Open	Concept Plan for new 150' Monopole Telecommunications Facility to be constructed within an existing substation compound
	22-1-NSP	3/29/2022	NORTOM INVESTMENTS LLC	69 CLENDENING DR, KEARNEYSVILLE	Open	Outdoor Storage Area for Rockwool Inventory in existing NorTom parking lot
	22-2-SP	3/30/2022	JEFFERSON COUNTY COMMISSION	235 SAM MICHAELS LN, SHENANDOAH JUNCTION	Open	Master Plan Layout for full build out of Sam Michaels Park
				Category Total:	3	
Subdivision	22-1-SD	1/5/2022	Secatello Contracting, LLC - Vincent Secatello	Vacant Parcel - Bowers Road, Kearneysville	Open	2-Lots and a Residue Minor Subdivision
	22-2-SD	1/5/2022	SECATELLO CONTRACTING, LLC - VINCENT TODD SECATELLO	4590 BOWERS RD, KEARNEYSVILLE	Open	Cluster Subdivision Lots 2A, 2B, 2C, 2D, and 2E Residue
	22-3-SD	2/16/2022	WILSON MICHAEL C & ALLA A	225 AMNESTY WAY, SHEPHERDSTOWN	Open	Minor Subdivision 2 lots and 1 residue
	22-4-SD	2/17/2022	O SULLIVAN FARMS LLC	1501 EARLE RD, CHARLES TOWN	Open	MSD for Lots A and B-Residue
	22-5-SD	2/22/2022	Sam Staley	STALEY DR, SHEPHERDSTOWN	Open	Creation of three family transfer lots
	22-6-SD	3/4/2022	Jo Shue-Povless	60 KIDWILER RD, HARPERS FERRY	Open	Family Transfer MSD - 3 lots
	22-7-SD	3/7/2022	OUELLETTE JOHN J & TINA J	772 N CHILDS RD, KEARNEYSVILLE	Open	Creation of 1 family transfer lot and a residue.
	22-1-RR	3/10/2022	ILA Properties, Inc	Charles Town Road, Kearneysville, WV 25430	Open	Redline Revision (pavement)
	22-8-SD	3/25/2022	GAESTEL WILLIAM H	1602 KEARNEYSVILLE PIKE, SHEPHERDSTOWN, WV 25443	Open	William Gaestel Family Transfer, Lots 1-Residue, and 2-4
22-9-SD	3/25/2022	FINCH GREGORY L & MELANIE M	Kearneysville Pike, Shepherdstown, WV 25443	Open	Gregory and Melanie Finch FT MSD, Lots 1-3, and 4-Residue	

	22-10-SD	3/28/2022	LUTMAN LAND DEVELOPMENT LLC - Dave Lutman	45 FOX MEADOW LN. SUMMIT POINT, WV 25446	Open	Minor Subdivision of property formerly addressed as 1319 Shirley Road. Lost 1-4 (residue)
					Category Total:	10
Redline Revisions	22-1-RR	3/10/2022	ILA Properties, Inc	Charles Town Road, Kearneysville	Open	Redline Revision (pavement)
					Category Total:	1
Zoning Certificate	22-1-ZC	1/11/2022	HERBERT JOSEPH A & SHELBY M	1122 DUNCAN RD. HARPERS FERRY	Closed	Farm Vacation Enterprise - five lodging units
	22-2-ZC	1/11/2022	HERBERT JOSEPH A & SHELBY M	1122 DUNCAN RD, HARPERS FERRY	Open	Farm Vacation Enterprise
	22-3-ZC	1/31/2022	GRANTHAM JOHN W & SHAUNA F	364 WOOD END FARM LN, SUMMIT POINT	Closed	Agricultural Event Facility & Farm Vacation Enterprise (garage apartment)
	22-4-ZC	1/31/2022	SNYDER STEPHEN P & KATIE MCELROY-WOODRUM - STEPHEN SNYDER	38 MARCUM LN, HARPERS FERRY	Closed	Zoning Certificate to operate under the Landscaping land use designation
	22-5-ZC	2/3/2022	HALVERSON DEBORAH	8025 SHEPHERDSTOWN PIKE, SHEPHERDSTOWN	Closed	Proposed Use Farm Vacation Enterprise
	22-6-ZC	2/25/2022	TODORA MATTHEW	245 MASON DR, HARPERS FERRY	Closed	Short Term Rental
	22-7-ZC	3/7/2022	OUELLETTE JOHN J & TINA J	772 N CHILDS RD, KEARNEYSVILLE	Closed	Accessory Dwelling Unit for son
	22-8-ZC	3/9/2022	SUNNYSIDE LIMITED PARTNERSHIP	844 WHEATLAND RD. CHARLES TOWN	Closed	To install a generator and pad within an existing fenced cell tower compound
	22-9-ZC	3/9/2022	KROP PROPERTIES LLC	640 WAR ADMIRAL BLVD, CHARLES TOWN	Closed	The project consists of seasonal retail items, a food truck, alcohol sales, outdoor seating area. Approximately 10 employees. Up to 30 parking spaces will be provided
	22-10-ZC	3/9/2022	BANKS T NEILL & KENNA	3343 SHEPHERDSTOWN PIKE, SHENANDOAH JUNCTION	Closed	Tower and Ground modifications to an existing telecommunications facility site
	22-11-ZC	3/22/2022	BROWN ALVIN L & CYNTHIA D	2464 HITE RD, KEARNEYSVILLE	Closed	Equipment modifications to existing 300' nonconforming telecommunications tower
	22-12-ZC	3/25/2022	LEFEVRE THOMAS E	237 TEL FARM LN KEARNEYSVILLE,	Closed	Tower equipment modification (antennas) on an existing 196' telecommunication facility
	22-13-ZC	3/29/2022	Dead Rock Contractor Services, LLC Chris Livingston	Shipley Road, Charles Town	Open	Contractor's Office with Outdoor Storage 1500 SF Steel Building with Office & Storage and parking lot
	22-14-ZC	3/29/2022	D'ANGELO STANLEY W	1333 MOUNT HAMMOND LN. CHARLES TOWN	Open	Tower equipment modification (antennas) on an existing 195' telecommunication facility
					Category Total:	14
Zoning Map Amendment	22-1-Z	1/26/2022	FLOWING SPRINGS ROAD LLC	Flowing Springs Road, Charles Town	Open	To rezone 102 acres from Rural to Residential Growth (PC review/recommendation to the CC re: whether the ZMA petition is consistent with Comp Plan)
	22-2-Z	1/26/2022	Guy Chicchirichi	Augustine Ave, Charles Town	Closed	To rezone 0.52 acres of the remaining 1.92 acres from Rural to Highway Commercial (PC review/recommendation to the CC re: whether the ZMA petition is consistent with Comp Plan)
					Category Total:	2
	22-1-ZV	1/3/2022	STAUBS KIMBERLIN L & TOMMY G SR	88 CAVALIER DR. HARPERS FERRY	Closed	Variance request from Section 9.7 & 9.6C to reduce the front setback from 20' to 15' for a proposed 28' x 30' detached garage
	22-3-ZV	1/3/2022	PINE PROPERTIES LLC - DONALD PINE	989 ENGLE MOLERS RD. HARPERS FERRY	Closed	Variance request from Sections 9.5(b) and 5.7(b) of the April 8, 2005 Zoning Ordinance, as amended, to reduce the side setback from 15' to 0' for a 9' tall privacy fence
	22-2-ZV	1/3/2022	MENGES JOEL & ANTOINETTE SIGNORI	222 MADDEX DR, SHEPHERDSTOWN	Closed	Variance request from Sections 5.4B (01/10/02 Zoning Ordinance, as amended) to reduce the side and rear setbacks from 12' to 4' and 20' to 13' for a proposed 16' x 40' in ground pool with surrounding concrete
	22-4-ZV	1/3/2022	MUTH RAYMOND M JR & KERRY F RAY MUTH	21 SOUTHPAW LN, SHEPHERDSTOWN	Closed	Variance request from Section 4.10A to waive the requirement to process a site plan for a proposed expansion to an existing commercial building
	22-5-ZV	1/28/2022	BRITTON SHERRY M & TIMMY D	153 CARDINAL KNOLL LN, SHENANDOAH JUNCTION	Open	Variance from Section 5.7B of the Zoning Ordinance (as amended 02/11/98) to reduce the front setback from 40' to 10'; and the rear setback from 50' to 10' to allow for the replacement of an existing singlewide mobile home with a new ~2,200 square foot home.

Zoning Variance	22-6-ZV	1/28/2022	SACCUCCI MARC A	290 MADDEX DR, SHEPHERDSTOWN	Open	Variance from Section 5.4B of the Zoning Ordinance (as amended 05/01/03) to reduce the front setback from 25 to 20 to construct a front porch.
	22-7-ZV	1/28/2022	RAPATTONI CHERYLE JOANNA	267 RIVERSIDE DR, HARPERS FERRY	Open	Variance from Section 9.7 to reduce the side setback along the northern boundary from 12' to 5' for a 26' x 31' detached garage with covered breezeway
	22-8-ZV	1/28/2022	RAPATTONI CHERYLE JOANNA	267 RIVERSIDE DR, HARPERS FERRY	Open	Variance from Section 9.7 to reduce the side setback along the southern boundary from 12' to 6' for a 30' x 33' addition
	22-9-ZV	1/31/2022	PALMER LUCAS J & MELISSA A	68 WILDERNESS CT, HARPERS FERRY	Open	Variance request from Section 5.4B of the Zoning Ordinance, as amended on 04/08/05, to reduce the side setback from 12' to 5' and to reduce the rear setback from 20' to 5' for a 22' x 44' in-ground pool including surrounding concrete.
	22-10-ZV	2/28/2022	B C Partners, Inc	Old Country Club Road, Charles Town	Open	Variance request from Section 8.9A.10 to modify the 50' landscape buffer requirement along a limited access highway for a proposed four (4) lot nonresidential subdivision
	22-11-ZV	3/17/2022	STAUBS KIMBERLIN L & TOMMY G SR	88 CAVALIER DR, HARPERS FERRY	Open	Variance request from Section 9.7 & 9.6C to reduce the front setback from 20' to 5' for a proposed 36' x 26' detached garage
	22-12-ZV	3/24/2022	KING BRIAN B	76 BRIERLY SPRING LN, SHEPHERDSTOWN	Open	Variance from Section 9.7 to reduce the front setback from 40' to 18' to construct an addition to an existing home
	22-13-ZV	3/25/2022	POTOMAC COTTAGE LLC - Robert Starkey	1523 KNOTT RD, SHEPHERDSTOWN	Open	Variance from Section 9.7 to reduce the size setback from 8' to 6" for a deck.
						Category Total:
					Grand Total:	81



SAIL
Shepherdstown Area Independent Living

April 21, 2022

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

Dear County Commissioners,

On behalf of the Board of SAIL, I am writing to you about the Jefferson County Commission's study of our county's current level of Emergency Medical Services. We are deeply concerned that any potential modifications to the current EMS system may negatively affect the health and safety of Shepherdstown area residents.

SAIL is a nonprofit organization of 120 seniors living in our own homes in the Shepherdstown area where we contribute to our local economy with our dollars and actively engage in the civic life of our community. The core mission of our organization is to help seniors remain in their own homes as long as possible.

One of the main reasons SAIL members feel confident in our ability to remain in our homes and active in our community is our trust in the current level of emergency medical service. As older adults, the most likely age group to suffer a heart attack or stroke, we are particularly concerned about the response time in an emergency call for medical help. This response time is, as you know, a major determinant in the health outcome of a stroke or heart attack patient.

While we appreciate local government's concern about the efficiency of our emergency services and the effectiveness of our tax dollars, **we strongly oppose any changes in Jefferson County's services that would result in an increase in EMS response time.**

We look forward to learning more about this EMS issue in our community as more information on this issue is presented and discussed.

Sincerely,

A handwritten signature in black ink that reads "Marianne Alexander". The signature is written in a cursive style with a long horizontal flourish at the end.

Marianne Alexander, SAIL President
Shepherdstown Area Independent Living

Jessica Carroll

From: WebmastervJCC <webmaster@jeffersoncountywv.org>
Sent: Saturday, April 30, 2022 7:41 AM
To: JCCInfo
Subject: Jefferson County Commission, WV: Website Form Notification

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

Form Name: County Commission Contact
Date & Time: 04/30/2022 7:41 AM
Response #: 2515
Submitter ID: 6571
IP address: 73.250.130.226
Time to complete: 13 min. , 27 sec.

Survey Details

Page 1

1. Name

Mark Kheim

2. Email

cemar818@yahoo.com

3. Questions or Concerns

The population of this county is exploding. With all of the new homes being built there is no infrastructure to support the residents any longer. You can see it in the grocery stores that are too busy. You can see it in the commuter traffic jams that are occurring in the last couple of years. This is certainly NOT THE TIME to reduce emergency services to our communities because of some "study" that is totally flawed. If anything, services need to be increased to keep-up with the needs. Please reconsider any changes proposed and listen to the residents you were elected to represent!

4. Would you like to receive email notifications from Jefferson County?

Yes

Thank you,
Jefferson County Commission, WV

This is an automated message generated by Granicus. Please do not reply directly to this email.

Jessica Carroll

From: WebmastervJCC <webmaster@jeffersoncountywv.org>
Sent: Saturday, April 30, 2022 11:57 PM
To: JCCInfo
Subject: Jefferson County Commission, WV: Website Form Notification

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

Form Name: County Commission Contact
Date & Time: 04/30/2022 11:56 PM
Response #: 2517
Submitter ID: 6573
IP address: 73.250.130.89
Time to complete: 15 min. , 9 sec.

Survey Details

Page 1

1. Name

Jon Gregoryk

2. Email

Ksmgregoryk@aol.com

3. Questions or Concerns

What is the \$40.00 a year paying for if the ambulance services are being reduced? You guys let builders come in a throw up generic box houses with no regulations, impact fees or city planning. Charles Town is a mess!

4. Would you like to receive email notifications from Jefferson County?

Yes

Thank you,
Jefferson County Commission, WV

This is an automated message generated by Granicus. Please do not reply directly to this email.

Jessica Carroll

From: WebmastervJCC <webmaster@jeffersoncountywv.org>
Sent: Sunday, May 1, 2022 1:24 PM
To: JCCInfo
Subject: Jefferson County Commission, WV: Website Form Notification

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

Form Name: County Commission Contact
Date & Time: 05/01/2022 1:24 PM
Response #: 2518
Submitter ID: 6574
IP address: 73.212.68.240
Time to complete: 8 min. , 20 sec.

Survey Details

Page 1

1. Name

Penny Beales

2. Email

pennylanebeales@gmail.com

3. Questions or Concerns

I have big concerns about protecting our community and not cutting ALL EMS Station 1,2,3,4.

This is a DANGEROUS reduction in EMS Services. The largest sub division in the State of WV.

We need more help not less.

Please reconsider to help us.

4. Would you like to receive email notifications from Jefferson County?

Yes

Thank you,
Jefferson County Commission, WV

This is an automated message generated by Granicus. Please do not reply directly to this email.

Jessica Carroll

From: WebmastervJCC <webmaster@jeffersoncountywv.org>
Sent: Friday, April 29, 2022 5:07 PM
To: JCCInfo
Subject: Jefferson County Commission, WV: Website Form Notification

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

Form Name: County Commission Contact
Date & Time: 04/29/2022 5:06 PM
Response #: 2514
Submitter ID: 6570
IP address: 69.255.65.101
Time to complete: 1 min. , 58 sec.

Survey Details

Page 1

1. Name

Stephanie Boylan

2. Email

cajunsteph0@gmail.com

3. Questions or Concerns

I'm writing to express dismay over possible cuts to ambulance services. The County continues to grow, lacks a trauma center and is going backwards in my opinion!

Please do not cut the number of available ambulances in the County.

4. Would you like to receive email notifications from Jefferson County?

Yes

Thank you,
Jefferson County Commission, WV

This is an automated message generated by Granicus. Please do not reply directly to this email.

Public Comment for Jefferson County Commission
SPECIAL SESSION "LAY THE LEVY"
meeting April 19, 2022

I, David Tabb, a lifelong resident/taxpayer makes the following comments:

First, I would like to comment on how hard it was to find any information on the website pertaining to the Levy/Budget. The website contains a proposed budget 2/6/22. I was handed a proposed budget at the Commission office dated 2/26/22 and attached to the Special Session was a proposed budget of 1/30/22. Needless to say, this is the normal process of our current County Commission. The public does not have the proper information to know what is about to happen. So, hold on to your wallet, here we go again.

Within the 1/30/22 proposed budget, on the website in part, states "future increase to other revenue sources in the form of user fees may be needed to generate sufficient revenues to support current services.". Me, personally, believes the five commissioners do not have the authority to change fees or other revenue sources without the Jefferson County's taxpayer's approval. The letter also refers to the possibility of lost revenues due to the CoVid impact that reduces tax revenues. This has already occurred and the county already received ARPA (American Recue Plan Act) funding that could have been used to assist the local businesses and has failed to do so. Instead, this County Commission has chosen to keep this money in their pockets. Furthermore, the 1/30/22 FY23 Budget list gives ZERO dollars to the volunteer fire companies with a statement of "713- Fire Departments – No request was received from Fire departments.". I know for a fact this is not true!

I object to any Lay the Levy proposition because I feel that the County Commission is not being transparent/hiding the information from the residents/taxpayers.

Furthermore, this Special Session, Lay the Levy, is required to be an open meeting by Order of Governor Justice. Anything less would be a violation of said Order.