Agenda

Jefferson County Water Advisory Committee

Wednesday, September 17, 2025 at 3:00 PM

By order of the Chairman of the Jefferson County Water Advisory Committee
Public Participation is available in-person only.
The meeting will be broadcast live via ZOOM for viewing purposes only.

In-Person Meeting Location: County Commission Meeting Room located in the main level of the Jefferson County Government Complex (entrance on East side of the building) 393 North Lawrence Street, Charles Town, WV 25414

ZOOM Broadcast Information*: Meeting ID: 882 0748 6325
Meeting Link: https://us06web.zoom.us/j/88207486325

**If watching live broadcast, please ensure your microphone is muted and be mindful that your video is streaming to others.*

I. Call to Order

II. Determination of Members Present and Existence of a Quorum

III. Public Comment Period

IV. Review/ Approve Minutes

V. Old Business

VI. New Business

- Introduction and Welcome of Water Advisory Committee Appointed Members: Elizabeth Riordan and Daniel Hayes
- Presentation by Robert K. Denton, Jr., Certified Professional Geologist, LPSS: https://www.terracon.com/2025/01/28/robert-denton-receives-richard-s-ladd-standards-development-award/
    - Review of: *Standard Practice for Preliminary Karst Terrain Assessment for Site Development (ASTM Standard Designation D8512)*
    - Overview of National, State and local ordinances for site development in Karst Terrain

VI. New Business (cont'd.)

- Additional references:
  - 2025 Regular WV legislative session – proposed legislation (attached)
  - USGS Hydrogeology and Water Quality of the Leetown Area, West Virginia https://pubs.usgs.gov/of/2007/1358/pdf/ofr2007-1358.all.pdf
  - Berkeley County Appendix E – Subdivision Ordinance (attached)

- Bylaws – Proposed Revisions: Date of Meeting; Renumbering Sections; Special Meeting Notice timeline, and minor corrections (attached)
- Other New Business: Set meeting dates for remainder of the 2025

VII. Member Comment

VIII. Adjournment

Jefferson County Water Advisory Committee

DRAFT Minutes of Special Meeting | Tuesday, July 29, 2025, at 3 :00 PM

Address of Meeting: County Commission Meeting Room located at the main level of the Jefferson County Government Complex- **East Side Entrance**
393 North Lawrence Street, Charles Town, WV 25414

I. Call to Order – Commissioner Mike Mood (County Liaison) called the meeting to order at 3pm.

II. Establishment of Quorum: Attendees Commissioner Mike Mood, Mary Sell, Kirsten Stolipher, Margaret Liskey, Nathaniel Hitt, William Smith and Alexis Davey

III. Public Comment Period – there were no public comments

Special Session

IV. Election of Officers

1. Selection of a Chairman Pro Tem. - Commissioner Mood nominated Mary Sell as Chairman Pro Tem, Motion was seconded, all Members present voted in favor
2. Election of Officers – Chairman Pro Tem Mary Sell called for nominations of Officers
    a. President – Nomination from the Floor to elect Mary Sell as President, Motion was seconded, all Members voted in favor
    b. Vice President – Nomination from the Floor to elect Kristen Stolipher as Vice President, Motion was seconded, all Members voted in favor
    c. Secretary- Nomination from the Floor to elect Margaret Liskey as Secretary, Motion was seconded, all Members voted in favor

VI. New Business

- Review of the Bylaws: Draft revised Bylaws will be prepared for review at the WAC's next meeting to correct minor non-substantive corrections.
- WAC's Initial Assignment was identified and discussed: upon receipt of Technical Questions from the Jefferson County Commission, the WAC will move forward with a plan of action to respond to the Jefferson County Commission
    - *"Review and advisement on 2025 state well-monitoring legislation for possible adoption at the local level*
- Other New Business
    - Discussion of available WV ETHICS Training

VII. Member Comment

- Commissioner Mike Mood and each WAC Member personally introduced themselves and provided information on their backgrounds, and interests as related to their membership and roles on the WAC

VIII. Adjournment

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Originating

Senate Bill

BY SENATORS RUCKER, BARRETT, CHAPMAN,

CHARNOCK, HAMILTON, HELTON, JEFFRIES, MAYNARD,

PHILLIPS, ROSE, WILLIS, WOELFEL, AND WOODRUM

[Originating in the Committee on Government

Organization; Reported March 27, 2025]

A BILL to amend and reenact §22-26-8 of the Code of West Virginia, 1931, as amended, relating to the Water Resources Protection Act; establishing initial study requirements for proposed “large quantity users” in karst terrain and establishing monitoring requirements for “large quantity users” who extract underground water in counties featuring karst geology.

Be it enacted by the Legislature of West Virginia:

ARTICLE 26. WATER RESOURCES PROTECTION ACT.

§22-26-8. State Water Resources Management Plan; powers and duty of secretary.

(a) The secretary shall oversee the development of a State Water Resources Management Plan to be completed no later than November 30, 2013. The plan shall be reviewed and revised as needed after its initial adoption. The plan shall be developed with the cooperation and involvement of local and state agencies with regulatory, research or other functions relating to water resources including, but not limited to, those agencies and institutions of higher education set forth in section three of this article and a representative of large-quantity users. The State Water Resources Management Plan shall be developed utilizing the information obtained pursuant to said section and any other relevant information available to the secretary.

(b) The secretary shall develop definitions for use in the State Water Resources Management Plan for terms that are defined differently by various state and federal governmental entities as well as other terms necessary for implementation of this article.

(c) The secretary shall continue to develop and obtain the following:

(1) An inventory of the surface water resources of each region of this state, including an identification of the boundaries of significant watersheds and an estimate of the safe yield of sources for consumptive and nonconsumptive uses during periods of normal conditions and drought.

(2) A listing of each consumptive or nonconsumptive withdrawal by a large-quantity user, including the amount of water used, location of the water resources, the nature of the use, location

of each intake and discharge point by longitude and latitude where available and, if the use involves more than one watershed or basin, the watersheds or basins involved and the amount transferred.

(3) A plan for the development of the infrastructure necessary to identify the groundwater resources of each region of this state, including an identification of aquifers and groundwater basins and an assessment of their safe yield, prime recharge areas, recharge capacity, consumptive limits and relationship to stream base flows.

(4) After consulting with the appropriate state and federal agencies, assess and project the existing and future nonconsumptive use needs of the water resources required to serve areas with important or unique natural, scenic, environmental or recreational values of national, regional, local or statewide significance, including national and state parks; designated wild, scenic and recreational rivers; national and state wildlife refuges; and the habitats of federal and state endangered or threatened species.

(5) Assessment and projection of existing and future consumptive use demands.

(6) Identification of potential problems with water availability or conflicts among water uses and users including, but not limited to, the following:

(A) A discussion of any area of concern regarding historical or current conditions that indicate a low-flow condition or where a drought or flood has occurred or is likely to occur that threatens the beneficial use of the surface water or groundwater in the area; and

(B) Current or potential in-stream or off-stream uses that contribute to or are likely to exacerbate natural low-flow conditions to the detriment of the water resources.

(7) Establish criteria for designation of critical water planning areas comprising any significant hydrologic unit where existing or future demands exceed or threaten to exceed the safe yield of available water resources.

(8) An assessment of the current and future capabilities of public water supply agencies and private water supply companies to provide an adequate quantity and quality of water to their

service areas.

(9) An assessment of floodplain and stormwater management problems.

(10) Efforts to improve data collection, reporting and water monitoring where prior reports have found deficiencies.

(11) A process for identifying projects and practices that are being, or have been, implemented by water users that reduce the amount of consumptive use, improve efficiency in water use, provide for reuse and recycling of water, increase the supply or storage of water or preserve or increase groundwater recharge and a recommended process for providing appropriate positive recognition of those projects or practices in actions, programs, policies, projects or management activities.

(12) An assessment of both structural and nonstructural alternatives to address identified water availability problems, adverse impacts on water uses or conflicts between water users, including potential actions to develop additional or alternative supplies, conservation measures and management techniques.

(13) A review and evaluation of statutes, rules, policies and institutional arrangements for the development, conservation, distribution and emergency management of water resources.

(14) A review and evaluation of water resources management alternatives and recommended programs, policies, institutional arrangements, projects and other provisions to meet the water resources needs of each region and of this state.

(15) Proposed methods of implementing various recommended actions, programs, policies, projects or management activities.

(d) The State Water Resources Management Plan shall consider:

(1) The interconnections and relationships between groundwater and surface water as components of a single hydrologic resource.

(2) Regional or watershed water resources needs, objectives and priorities.

(3) Federal, state and interstate water resource policies, plans, objectives and priorities,

including those identified in statutes, rules, regulations, compacts, interstate agreements or comprehensive plans adopted by federal and state agencies and compact basin commissions.

(4) The needs and priorities reflected in comprehensive plans and zoning ordinances adopted by a county or municipal government.

(5) The water quantity and quality necessary to support reasonable and beneficial uses.

(6) A balancing and encouragement of multiple uses of water resources, recognizing that all water resources of this state are capable of serving multiple uses and human needs, including multiple uses of water resources for reasonable and beneficial uses.

(7) The distinctions between short-term and long-term conditions, impacts, needs and solutions to ensure appropriate and cost-effective responses to water resources issues.

(8) Application of the principle of equal and uniform treatment of all water users that are similarly situated without regard to established political boundaries.

(e) Each November, the secretary shall report to the Joint Legislative Oversight Commission on State Water Resources on the implementation of the State Water Resources Management Plan.

(f) The State Water Resources Management Plan is adopted. Persons identified as large-quantity users prior to the effective date of this subsection shall report actual monthly water withdrawals, or monthly water withdrawals by a method approved by the secretary, for the previous calendar year by March 31 of each succeeding year. Persons identified as large-quantity users on or after the effective date of this subsection shall submit their initial annual report no later than March 31, 2016, and subsequent annual reports by March 31 of each year thereafter.

(g) Any commercial entity that seeks to withdraw groundwater in a quantity that would qualify it as a large-quantity user, as that term is defined in §22-26-2 of this code, in an area that lies primarily in karst terrain, as that term is defined in §22-6A-4 of this code, and that intends to bottle water for resale, directly or indirectly, shall, prior to the initiation of operations and prior to the withdrawal of any groundwater, conduct and submit to the secretary a study, performed within

60 days prior to submittal, that shows to the secretary's satisfaction that the proposed large quantity user's operations will not negatively affect already-existing users and uses of groundwater in that area. The secretary shall review and approve or deny the study and proposed subsequent water use within 60 days of receipt of the study. If approved, the new large quantity user must conduct and submit to the secretary quarterly sampling of the groundwater to show that the large quantity user's operations are not having a negative effect on already-existing users and uses of groundwater in that area. If at any time the sampling shows that the large-quantity user's operations are negatively affecting already-existing users and uses of groundwater in that area, the secretary is authorized to restrict the volume of groundwater that may be withdrawn by the large quantity user's operations to an amount that remediates the negative effect on already-existing users and uses.

(h) The provisions of subsection (g) of this section do not apply to any existing commercial entities that bottle water for resale, directly or indirectly, nor to any expansion of their current operations.

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 3025

By Delegates Funkhouser, Ridenour, Flanigan, and Linville

[Introduced February 27, 2025; referred to the Committee on Energy and Public Works]

A BILL to amend and reenact §22-26-8 of the Code of West Virginia, 1931, as amended, relating to the Water Resources Protection Act; providing definitions; and establishing reporting requirements for underground water extracted in growth counties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 26. WATER RESOURCES PROTECTION ACT.

§22-26-8. State Water Resources Management Plan; powers and duty of secretary.

(a) The secretary shall oversee the development of a State Water Resources Management Plan to be completed no later than November 30, 2013. The plan shall be reviewed and revised as needed after its initial adoption. The plan shall be developed with the cooperation and involvement of local and state agencies with regulatory, research or other functions relating to water resources including, but not limited to, those agencies and institutions of higher education set forth in section three of this article and a representative of large-quantity users. The State Water Resources Management Plan shall be developed utilizing the information obtained pursuant to said section and any other relevant information available to the secretary.

(b) The secretary shall develop definitions for use in the State Water Resources Management Plan for terms that are defined differently by various state and federal governmental entities as well as other terms necessary for implementation of this article.

(c) The secretary shall continue to develop and obtain the following:

(1) An inventory of the surface water resources of each region of this state, including an identification of the boundaries of significant watersheds and an estimate of the safe yield of sources for consumptive and nonconsumptive uses during periods of normal conditions and drought.

(2) A listing of each consumptive or nonconsumptive withdrawal by a large-quantity user, including the amount of water used, location of the water resources, the nature of the use, location of each intake and discharge point by longitude and latitude where available and, if the use involves more than one watershed or basin, the watersheds or basins involved and the amount

transferred.

(3) A plan for the development of the infrastructure necessary to identify the groundwater resources of each region of this state, including an identification of aquifers and groundwater basins and an assessment of their safe yield, prime recharge areas, recharge capacity, consumptive limits and relationship to stream base flows.

(4) After consulting with the appropriate state and federal agencies, assess and project the existing and future nonconsumptive use needs of the water resources required to serve areas with important or unique natural, scenic, environmental or recreational values of national, regional, local or statewide significance, including national and state parks; designated wild, scenic and recreational rivers; national and state wildlife refuges; and the habitats of federal and state endangered or threatened species.

(5) Assessment and projection of existing and future consumptive use demands.

(6) Identification of potential problems with water availability or conflicts among water uses and users including, but not limited to, the following:

(A) A discussion of any area of concern regarding historical or current conditions that indicate a low-flow condition or where a drought or flood has occurred or is likely to occur that threatens the beneficial use of the surface water or groundwater in the area; and

(B) Current or potential in-stream or off-stream uses that contribute to or are likely to exacerbate natural low-flow conditions to the detriment of the water resources.

(7) Establish criteria for designation of critical water planning areas comprising any significant hydrologic unit where existing or future demands exceed or threaten to exceed the safe yield of available water resources.

(8) An assessment of the current and future capabilities of public water supply agencies and private water supply companies to provide an adequate quantity and quality of water to their service areas.

(9) An assessment of floodplain and stormwater management problems.

(10) Efforts to improve data collection, reporting and water monitoring where prior reports have found deficiencies.

(11) A process for identifying projects and practices that are being, or have been, implemented by water users that reduce the amount of consumptive use, improve efficiency in water use, provide for reuse and recycling of water, increase the supply or storage of water or preserve or increase groundwater recharge and a recommended process for providing appropriate positive recognition of those projects or practices in actions, programs, policies, projects or management activities.

(12) An assessment of both structural and nonstructural alternatives to address identified water availability problems, adverse impacts on water uses or conflicts between water users, including potential actions to develop additional or alternative supplies, conservation measures and management techniques.

(13) A review and evaluation of statutes, rules, policies and institutional arrangements for the development, conservation, distribution and emergency management of water resources.

(14) A review and evaluation of water resources management alternatives and recommended programs, policies, institutional arrangements, projects and other provisions to meet the water resources needs of each region and of this state.

(15) Proposed methods of implementing various recommended actions, programs, policies, projects or management activities.

(d) The State Water Resources Management Plan shall consider:

(1) The interconnections and relationships between groundwater and surface water as components of a single hydrologic resource.

(2) Regional or watershed water resources needs, objectives and priorities.

(3) Federal, state and interstate water resource policies, plans, objectives and priorities, including those identified in statutes, rules, regulations, compacts, interstate agreements or comprehensive plans adopted by federal and state agencies and compact basin commissions.

(4) The needs and priorities reflected in comprehensive plans and zoning ordinances adopted by a county or municipal government.

(5) The water quantity and quality necessary to support reasonable and beneficial uses.

(6) A balancing and encouragement of multiple uses of water resources, recognizing that all water resources of this state are capable of serving multiple uses and human needs, including multiple uses of water resources for reasonable and beneficial uses.

(7) The distinctions between short-term and long-term conditions, impacts, needs and solutions to ensure appropriate and cost-effective responses to water resources issues.

(8) Application of the principle of equal and uniform treatment of all water users that are similarly situated without regard to established political boundaries.

(e) Each November, the secretary shall report to the Joint Legislative Oversight Commission on State Water Resources on the implementation of the State Water Resources Management Plan.

(f) The State Water Resources Management Plan is adopted. Persons identified as large-quantity users prior to the effective date of this subsection shall report actual monthly water withdrawals, or monthly water withdrawals by a method approved by the secretary, for the previous calendar year by March 31 of each succeeding year. Persons identified as large-quantity users on or after the effective date of this subsection shall submit their initial annual report no later than March 31, 2016, and subsequent annual reports by March 31 of each year thereafter.

(g) The secretary shall establish a plan for reporting requirements for underground water extracted in growth counties as that term is defined in §7-20-3. The plan shall include limitations for water extracted by commercial users that may adversely impact the underground water supply or dry out the water supply for residents or farmers who have wells. The plan shall also prioritize the use of or extraction of groundwater by an individual resident, farmers, or activities on the land from where water was drawn, including use on property owner’s land or a separate parcel of land owned or leased by the property owner. The word "extracted" in this subsection means water

taken from subsurface wells for commercial sale or shipment outside of West Virginia directly or indirectly.

NOTE: The purpose of this bill is to establish reporting requirements for underground water extracted in growth counties.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.

APPENDIX E

HYDROGEOLOGIC TESTING

Table of Contents

Section 1.1 Hydrogeologic Testing

Hydrogeologic testing as set forth in this document is an evaluation of groundwater quantity and quality and the potential effects that a proposed land development may have on water resources. The evaluation is based on both on-site hydrogeologic testing and existing and readily available information.

Hydrogeologic testing and reports are required and specifically defined for residential subdivisions not served by public water and public sewer with fifteen (15) or more lots. Each hydrogeologic test shall be performed by or under the direct supervision of a professional geologist. A report of the evaluation, the Hydrogeologic Report, shall be prepared and signed by the professional geologist and submitted to the County for review. Where not specifically defined in this Appendix, the methodology used for testing and evaluation shall follow generally accepted professional hydrologic and hydrogeologic practices and standards.

Section 1.2 Testing Requirements for Subdivisions with 15 lots or more not served by Public Water and Public Sewer

A hydrogeologic report for subdivisions will examine the local hydrogeologic conditions and the relationship between the proposed land use and those conditions. The testing will focus on the groundwater quantity and quality as they relate to the requirements of the proposed land development and the potential impacts the subdivision may have on the water resources. A hydrogeologic report is required prior to a preliminary subdivision submission.

Subdivisions not served by public water and public sewer can be divided into two (2) groups based on the type of water supply system; those having a private well on each individual lot and those having community water systems serving two or more lots.

Section 2.1 Water: Home and Business Consumption

This section addresses water for home and business consumption. The intent is to establish: 1) demand levels which satisfy quality of life, 2) requirements for well/pump testing, and 3) procedures to enhance sustainability of this resource.

Section 2.1.1 Acronyms

gpm = gallons per minute
gpd = gallons per day
psi = pounds per square inch
ERU= equivalent residential unit
ADD = average daily demand (gallons per day/ERU)

AARn = average annual rainfall under normal conditions
AARd = average annual rainfall under drought conditions
MDD = maximum daily demand (gallons per day/ERU)
PHD = peak hourly demand (gallons per day/ERU)

Section 2.1.2 Standard Units for Berkeley County Applications

AARn for Berkeley County = 39.4 inches/year
AARd for Berkeley County = 19.7 inches/year
ADD = 180 gpd (based on Berkeley County Public Service District (PSD) statistics
MDD = 360 gpd (2 x ADD)

Section 2.1.3 Private Wells

1. A private well shall be defined as a well which supplies a single ERU.
2. Each private well must be capable of providing a continuous yield of > 3 gpm.
3. If the well does not yield at the minimum required rate, then the water supply system (i.e. borehole + storage/pressure tank) must provide a reservoir of 360 gallons (equivalent to the regional MDD). In addition, the well must be capable of supplying enough water to refill the reservoir within a twenty-four (24) hour period.

Section 2.1.4 Community Wells

1. A community well shall be defined as a well, which supplies more than one ERU.

2. Community well yield shall be determined based on the number of ERUs being supplied. It is critical that the water system source, treatment and storage facilities must be designed such that, together, they provide the MDD for the system based on the number of residences. It is preferable that the system be designed such that the source alone will be able to meet, and preferably exceed, the MDD. This is important, as larger storage tanks, with corresponding residence times of stored water, are more susceptible to water quality issues such as stale water, warm water in the summer, and biological growth. It is notable that that the more a utility relies on storage rather than source to meet the MDD, the longer it will take the utility to replenish the storage once it is depleted. In addition, fire protection authorities generally recommend the ability to replenish fire protection storage within a twenty-four (24) hour period after it is depleted. To accomplish this, the flow rates must equal or exceed the MDD.

3. The yield for a community well shall be determined by multiplying the number of proposed ERUs to be supplied by the system by the MDD, as shown in the following formula:

Community Well Yield (gpd)=(No. of ERUs)(MDD in gpd)

For example: (No. of ERUs)(MDD) = CYY
(200)(360)=72,000gpd

Section 2.1.5 Non-Residential Wells

1. All wells that supply commercial establishments (e.g. agricultural, retail, industrial, recreational, etc.) shall be sized based upon the design engineer's recommendations regarding the specific establishment's water supply requirements. Guidance for the requirements of a specific establishment should be derived from Table 4-1 as follows:

Table E-1 Guide for Non-Residential Water Demand

Type of Establishment	Water Used (gpd)
Airport (per passenger)	3 - 5
Apartment, multiple family (per resident)	50
Bathhouse (per bather)	10
Boardinghouse (per boarder) Additional kitchen requirements for nonresident boarders	50 10
Camp: Construction, semi permanent (per worker) Day, no meals served (per camper) Luxury (per camper) Resort, day and night, limited plumbing (per camper) Tourist, central bath and toilet facilities (per person)	 50 15 100 - 150 50 35
Cottage, seasonal occupancy (per resident)	50
Club: Country (per resident member) Country (per nonresident member present)	 100 25
Factory (gallons per person per shift)	15 - 35
Highway rest area (per person)	5
Hotel: Private baths (2 persons per room) No private baths (per person)	 50 50
Institution other than hospital (per person) Hospital (per bed)	75 - 125 250 - 400
Lawn and Garden (per 1000 sq. ft.) Assumes 1-inch per day (typical)	600

Type of Establishment	Water Used (gpd)
Laundry, self-serviced (gallons per washing [per customer]	50
Livestock Drinking (per animal):	
Beef, yearlings	20
Brood Sows, nursing	6
Cattle or Steers	12
Dairy	20
Dry Cows or Heifers	15
Goat or Sheep	2
Hogs/Swine	4
Horse or Mules	12
Livestock Facilities	
Dairy Sanitation (milk room)	500
Floor Flushing (per 100 sq. ft.)	10
Sanitary Hog Wallow	100
Motel:	
Bath, toilet, and kitchen facilities (per bed space)	50
Bed and toilet (per bed space)	40
Park:	
Overnight, flush toilets (per camper)	25
Trailer, individual bath units, no sewer connection (per trailer)	25 50
Trailer, individual baths, connected to sewer (per person)	
Picnic:	
Bathhouses, showers, and flush toilets (per picnicker)	20
Toilet facilities only (gallons per picnicker)	10
Poultry (per 100 birds):	
Chicken	5 - 10
Ducks	22
Turkeys	10 - 25
Restaurant:	
Toilet facilities (per patron)	7 - 10
No toilet facilities (per patron)	2-1/2 - 3
Bar and cocktail lounge (additional quantity per patron)	2
Service station (per vehicle)	10

Type of Establishment	Water Used (gpd)
School: Boarding (per pupil) Day, cafeteria, gymnasiums, and showers (per pupil) Day, cafeteria, no gymnasiums or showers (per pupil) Day, no cafeteria, gymnasiums or showers (per pupil)	 75 - 100 25 20 15
Store (per toilet room)	400
Swimming pool (per swimmer) Maintenance (per 100 sq. ft.)	10
Theater: Drive-in (per car space) Movie (per auditorium seat)	 5 5
Worker: Construction (per person per shift) Day (school or offices per person per shift)	 50 15

Source: Adapted from Design and Construction of Small Water Systems: A Guide for Managers, American Water Works Association, 1984, and Planning for an Individual Water System. American Association for Vocational Instructional Materials, 1982.

Section 2.2 Well Proving Requirements: Low Density Private Wells

This material shall apply to all individual residential wells, including private wells in subdivisions where there are less than fifteen (15) lots, or where the lot size is greater than ten (10) acres. Approval of subdivisions will not require wells to be drilled in advance; however a use and occupancy (U & O) permit will not be issued until the well has been approved by the County Health Department and has been shown to meet the requirements of this section of the ordinance.

Section 2.2.1 Pumping Test Requirements

1. Prior to the test, the well must be fully developed.
2. Physical or chemical alteration of geologic materials or structures (e.g., hydraulic fracturing, use of explosives, or addition of chemicals) to increase yield will not be permitted.
3. The air-lift test may be conducted whenever water from precipitation is not flowing over the ground surface. A three (3) week delay in testing will be enforced whenever two inches (2”) of rain have been recorded within a ten (10) day period in the location of the well to be tested.

4. Upon the cessation of pumping, the water level shall be measured after every fifteen (15) minutes for the first hour, and then every two (2) hours until ninety percent (90%) of the pre-test static water level is achieved (full recovery). If the well does not fully recover to within ninety percent (90%) of the pre-test static water level after twenty-four (24) hours it will be considered a non-sustainable source of water.
5. In addition if an individual well does not meet the minimum >3 gpm yield requirement as specified in part A of this Section, then the water supply system (i.e. borehole + storage/pressure tank) must provide a reservoir of 360 gallons (equivalent to the regional MDD). In addition, the well must be capable of supplying enough water to refill the reservoir within a 24-hour period.

Section 2.2.2 Reporting Requirements

No extraordinary reports will be required for the approval of individual wells other than the completion logs and forms necessary for permitting. Reporting forms shall be obtained from the Berkeley County Engineering Department.

Section 2.3 High Density Individual Wells, Small (< 50 Gpm) Nonresidential Wells, and Small (<50 Gpm) Community Wells

This material shall apply to all individual residential wells in subdivisions where there are fifteen (15) or more (regardless of lot size) and non-residential or community wells rated at less than 50 gpm yield.

Section 2.3.1 Hydrogeological Study

A hydrogeologic report for subdivisions will examine the local hydrogeologic conditions and the relationship between the proposed land use and those conditions. The analysis and report will focus on the groundwater quantity and quality as they relate to the requirements of the proposed subdivision and the potential impacts the subdivision may have on the water resources. A hydrogeologic report shall be required prior to a preliminary subdivision submission regardless of whether it is planned for individual or community wells.

At a minimum, evaluation shall encompass the area within approximately one thousand foot (1,000') radius from each and all proposed well(s). Such evaluation shall include the following:

1. USGS and Berkeley County geologic and topographic information including USGS fracture trace data.
2. Property plats and aerial photographs.

3. Existing Berkeley County Health Department well data or descriptive statistical summary of the same. (e.g. minimum, maximum and mean of well data, etc.)
4. Geologic maps and data reports (well logs, water quality analysis, geologic information).
5. Proposed pumping test plan (Note - this shall only apply if the subdivision's water will be provided by single or multiple community wells).

Using the background information compiled previously, conduct an evaluation of the site hydrogeology and the occurrence, quality, and quantity of groundwater. The quantity must meet the conditions of part A of this Section and quality must conform to requirements of West Virginia Department of Health. These data and conclusions shall be compiled into a hydrogeological report.

Section 2.3.2 Pumping Test Requirements

(Applies to community wells **ONLY**; Individual wells shall be exempt from this requirement)

Wells shall be installed and tested to provide evidence that the hydrogeologic system is capable of furnishing and sustaining the potable water needs of the eventual inhabitants of the proposed development as follows:

(Applies to both residential and non-residential wells)

1. Prior to the test, the well must be fully developed. Preliminary yield estimates should be determined using standard air-lift methods.
2. Physical or chemical alteration of geologic materials or structures (e.g., hydraulic fracturing, use of explosives, or addition of chemicals) to increase yield of test wells will not be permitted prior to the pumping test.
3. The aquifer test may be conducted whenever water from precipitation is not flowing over the ground surface. A three (3) week delay in testing should be enforced whenever two inches (2") of rain have been recorded within a ten (10) day period in the location of the well to be tested. No production from the well will be allowed for twenty-four (24) hours prior to the pumping test.
4. Water pumped from the well shall be discharged at least fifty feet (50') from the well so that it does not enter the ground and "short-circuit" the aquifer. If this cannot be accomplished safely, or the water will be directed onto an adjoining property, then a temporary water storage method (tank) must be provided.
5. The test shall be conducted using a submersible pump, and the discharge will be monitored using a calibrated flowmeter.
6. The pumping rate shall be controlled so as to maintain a constant discharge rate and allow pumping water levels to stabilize at some point in the test.
7. The test shall be at least twenty-four (24) hours in duration at a constant

pumping rate.

8. In the event an accurate totalizing flowmeter cannot be used (e.g. if the flow from the well is less than 3 – 4 gpm) the tester can determine the flow rate by obtaining the time to fill a container of known volume. The number of seconds to fill the container, and the exact time of day each such measurement is taken shall be recorded every hour.
9. Water levels shall be measured every fifteen (15) minutes during the first hour of pumping, and hourly for the next seven (7) hours. All water levels measurements must be recorded with the exact time of day the measurement was taken.
10. Upon the cessation of pumping, the water level shall be measured after every fifteen (15) minutes for the first hour, and then every two (2) hours until ninety percent (90%) of the pre-test static water level is achieved (full recovery). If the well does not fully recover after twenty-four (24) hours it will be considered a non-sustainable source of water.
11. The allowable (or permitted) yield of the well shall be total gallons pumped divided by the duration of the test in minutes, provided that full recovery occurs within the following twenty-four (24) hour recovery period.

Section 2.3.3 Individual Wells

1. Approval of subdivisions with fifteen (15) or more lots will not require wells to be drilled in advance; however a use and occupancy (U & O) permit will not be issued until the well has been approved by the County Health Department and has been shown to meet the requirements of this section of the ordinance.
2. If an individual well does not meet the minimum > three (3) gpm yield requirement as specified in the part A of this Section, then the water supply system (i.e. borehole + storage/pressure tank) must provide a reservoir of three hundred and sixty (360) gallons (equivalent to the regional MDD). In addition, the well must be capable of supplying enough water to refill the reservoir within a twenty-four (24) hour period.

Section 2.3.4 Sustainable Yield Evaluation

(Individual wells shall be exempt from this requirement).
Data analysis shall include an analysis of sustainable yield of the aquifer and well based upon the following:

- Extrapolation of drawdown to one hundred and eighty (180) days.
- Significant adverse impacts (quality or quantity) on neighboring wells and springs.

Section 2.3.5 Reporting Requirements

The principal reporting requirement shall be:

1. The hydrogeologic report, and
2. The pumping test report, which must be made available prior to preliminary plat approval. (Individual wells are exempt from this requirement).

Section 2.4 Well Proving Requirements: Community Wells and High Production Non-Residential Wells (>50 gpm)

This section shall apply to community wells and non-residential wells rated at yields of greater than fifty (50) gpm. This yield shall be either based on single wells, or the cumulative yield of a production well field, where the wells are all within the same aquifer or hydrologic unit.

NOTE: Before starting construction, a location map of the proposed new wells and any related construction shall be submitted to the WVDEP in the appropriate Regional office for a determination as to whether that construction requires any other permits, such as for disturbance of protected streams or springs, protected freshwater wetlands, or for storm water runoff from a construction site. Other factors to consider when siting a project include flood plain location, agricultural districts, conceptual wellhead protection/recharge areas, existing or potential groundwater contamination sources, and existing sub-surface utility corridors (whose bedding might provide a preferential path for groundwater flow or contamination).

Section 2.4.1 Hydrogeological Study

A hydrogeologic report/water supply assessment for subdivisions will examine the local hydrogeologic conditions and the relationship between the proposed land use and those conditions. The testing will focus on the groundwater quantity and quality as they relate to the requirements of the proposed subdivision and the potential impacts the subdivision may have on the water resources. A hydrogeologic report shall be required prior to a preliminary subdivision submission.

At a minimum, evaluation shall encompass the area within an approximate ¼-mile radius from each proposed well. Such evaluation shall include the following:

1. USGS and Berkeley County geologic and topographic information, including fracture trace analysis data available from the USGS.
2. Property plats and aerial photographs.
3. Existing Berkeley County Health Department well data or descriptive statistical summary of the same. (e.g. minimum, maximum and mean of well data, etc.)
4. Geologic maps and data reports (well logs, water quality analysis, geologic

information including karst features, bedrock outcrops, etc.).

5. At sites with bedrock outcrops, fracture orientations (strike and dip measurements) shall be measured and documented in the report. The number and orientations of linear features or photo lineaments shall be analyzed and correlated with documented bedrock fractures.
6. A proposed pumping test plan.

Using the background information compiled previously, conduct an evaluation of the site hydrogeology and the occurrence, quality, and quantity of groundwater. These data and conclusions shall be compiled into a hydrogeological report.

Section 2.4.2 Pumping Test Requirements

Wells shall be installed and tested to provide evidence that the hydrogeologic system is capable of furnishing and sustaining the potable water needs of the eventual inhabitants of the proposed development. Well construction and testing shall be performed in accordance with the West Virginia Department of Health and the Berkeley County Health Department.

Prior to the commencement of any drilling or pumping tests, a pump test plan will be required to obtain preliminary approval for well development. The pump test plan should contain location, construction, and purpose of at least two (2) or more monitoring wells. It shall also include the planned pumping rate, duration, and frequency of monitoring. A minimum test shall include:

1. Test Pumping Rate - The pump test must be performed at or above the pumping rate for which approval will be sought in the water supply application. If multiple wells are to be pumped simultaneously to achieve the necessary yield, the test shall incorporate such a pumping plan. To reproduce the anticipated stress on the aquifer, the pump test shall be done when any nearby wells normally in operation are running. Pumping of other wells in the test area shall be monitored.

A constant pumping rate should be maintained throughout the test. The pumping rate should be measured accurately and recorded at least as often as water level measurements (see No. 5 of this section, Measuring Schedule).

During the first hour of the test, any failure to pump within ten percent (10%) of the test pump rate for any reason will require termination of the test, recovery of water levels to static, and a restart of the test. Later pump failures must have no significant effect on the data or a similar termination and restart is necessary.

2. Length of Test - Regardless of the type of aquifer, pump tests shall be conducted for a minimum of seventy-two (72) hours at a constant pumping rate.

(a) A minimum of six (6) hours of stabilized drawdown must be displayed at

the end of the test. Stabilized drawdown is defined herein as a water level that has not fluctuated by more than plus or minus 0.5 foot for each one hundred feet (100') of water in the well (i.e., static water level to bottom of well) over at least a six (6) hour period of constant pumping flow rate. The plotted measurements shall not show a trend of decreasing water level.

(b) If stabilized drawdown is not achievable, the test period may be extended or semi-log extrapolation of drawdown versus time (or other similar methods) may be employed to demonstrate the ability of the aquifer to supply a pumping rate equal to the desired yield (which must be equal to or less than the pump test yield) on a long term basis. Normally, an extrapolation of six (6) months of pumping with no assumed recharge must be compared against the level of water remaining above the pump intake at the end of the period (see paragraph No. 12 of this section, Analysis of Pump Test Data). This type of evaluation may be used in lieu of satisfying the objectives of section 2(a) of this document at the discretion of the County Engineer.

(c) Excessive rainfall may require extension of the test or a rescheduling of the test.

3. Pre-Test Conditions - No pumping should be conducted at or near the test site for at least 24 hours prior to the test (including the step-drawdown test). Static water levels at the pumping well and observation wells should be measured at least daily for one (1) week prior to the start of the test and again immediately prior to the start of the test. If on site or nearby pumping cannot be curtailed due to system supply needs or other factors, the County Engineer should be consulted prior to the start of the test.

4. Discharge of Water - Water discharged during the pump test should be conducted away from the pumping well to a nearby stream or surface water body if possible, or as far from the well as is practicable.

5. Measuring Schedule - Water levels in observation wells and at the pumping well should be measured to give at least ten (10) observations of drawdown within each log cycle of time, beginning one (1) minute after the start of pumping. A suggested schedule of measurements at all wells is as follows.

Table E-2

Time intervals for water level measurements	
Time After Pumping Started	Time Intervals
O to 15 minutes	1 minute
15 to 50 minutes	5 minutes

50 to 100 minutes	10 minutes
100 to 500 minutes	30 minutes
500 to 1000 minutes	1 hour
1000 to 5000 minutes	4 hours

6. Observation Wells - At least two (2) observation wells or piezometers should be monitored during the pump test. The observation wells should be placed so as to best define the hydrogeologic characteristics of the aquifer with respect to the pumping well. In some cases the Engineering Department may recommend that a representative sample of nearby homeowner wells be monitored during the pump test, regardless of whether the anticipated zone of influence will extend to those wells or not. Existing wells may be used as observation wells.

Water levels in nearby water bodies (streams and springs) should be measured prior to and during the test.

7. Recovery Period - Water level measurements should be collected during the recovery period for all wells using the same procedure and time pattern followed at the beginning of the pump test (see No. 6.) Measurement should commence at least one (1) minute prior to shutdown of the pumping well and continue for at least twelve (12) hours. Water level measurements should be made to the nearest 0.01 foot. To obtain accurate data during the recovery period, a check valve must be installed at the base of the pump column pipe in the pumping well to eliminate backflow of water into the well. Water level measurements should also be collected during the recovery period in all off-site monitoring wells, such as homeowner's private wells.

8. Rainfall Measurement - Rainfall should be measured to the nearest 0.01 inch and recorded daily at or near the site for one (1) week preceding the pump test, during the test, and during the recovery period. A log of weather conditions during this period should also be kept, including barometric pressure recorded on the same schedule as rainfall. Weather station data available from within a reasonable distance of the test site can be utilized.

9. Surface Water Measurements - Fluctuations in surface water stages (or flow) for all surface waters within one thousand feet (1000') of the pumping well should be measured to the nearest 0.01 foot. Measurements should be made using, as appropriate: weirs, staff gages (with stilling wells as necessary), nested piezometers, etc. The horizontal distance between each observation point and the pumping well should be measured to the nearest 0.1 foot. The vertical elevation of a fixed reference point on each observation point should be established to the nearest 0.01 foot and reported in North American Datum 1983 (NAD 1983). Measurements should be read and recorded at least once daily for one (1) week prior to the start of the test and at least twice per log cycle, after the first ten (10) minutes, for the duration of the test.

Measurements should be made more frequently if surface water levels are changing rapidly. The degree and nature of hydraulic connection with the surface water body should be quantified.

10. Water Quality Samples - Comprehensive (per WV DHHR requirements) water samples should be obtained from the pumping well during the last hour of pumping. Samples should be analyzed to establish acceptable quality as per WV DHHR requirements.

11. Wells Under the Influence of Surface Water - Additionally, If the pumping well is, or may be, hydraulically connected to a surface water body, water samples from the well should be analyzed in the field at least once every four (4) hours for the following parameters: pH, temperature, conductivity, and hardness. Further, representative water samples from the surface water body should be taken at both the beginning and the end of the pump test and analyzed for the same parameters. The WV DHHR should be consulted on all issues related to groundwater under the influence of surface water.

12. Analysis of Pump Test Data - In order to accurately analyze pump test data, it is necessary to use the methods and formulae appropriate for the hydrogeologic and test conditions encountered at, and specific to, the pump test site. Knowledge of the hydrogeologic conditions of the area is necessary in order to ensure the use of appropriate techniques of analysis. Accordingly, analysis of pump test data should be carried out by a hydrogeologist, professional engineer or geologist with hydrogeologic training, or another appropriately trained evaluator.

(a) Data Corrections - Water level data, graphs, and interpretations should be corrected, as appropriate or deemed significant, for the effects of: ambient water level trends; partially penetrating production well(s); partially penetrating observation wells; delayed yield from unconsolidated aquifers; aquifer thickness, recharge and/or impermeable boundaries; barometric pressure changes; changes in stage in nearby surface water bodies (including springs); recharge events (rainfall, snow melt) during the week preceding the test, during the test, or during the recovery period; influence from nearby pumping wells; and any other hydrogeologic influences. All such data and calculations should be included in the test information package.

(b) Theoretical time-drawdown graphs should be prepared from the recorded drawdown graphs. The graphs should be derived from the pump test data, setting time equal to one hundred eighty (180) days and groundwater withdrawal equal to the pump test production rate. Based on these graphs and the remaining standing water in the well at the end of the pump test, a maximum safe pumping rate (yield) should be established for each production well or for the well field if simultaneous pumping of multiple production wells is planned (taking into account well interference).

(c) Theoretical distance-drawdown graphs should be prepared. The graphs should be derived from the pump test data, setting time equal to one hundred eighty (180) days and groundwater withdrawal equal to the pump test production rate. It is highly recommended that the following wellhead protection areas be delineated using all available information (e.g., published hydrogeologic information, local knowledge, pump test results, etc.) and best professional judgment: zone-of contribution area or recharge areas (for confined or bedrock aquifers), and aquifer boundary area.

(d) Recovery data should be analyzed in a similar manner to drawdown data.

13. Submission of Data - Data submitted in support of a requested groundwater withdrawal should include:

- the raw pump test data (legible) with: date, clock time, elapsed time (minutes), measuring point (top of casing) elevation, static water level, water level measurements, and calculated drawdown [an "Excel" or "Quattro Pro" spreadsheet file may be submitted with this data in place of a written record];
- engineering diagrams showing construction details (e.g. well casing, screen setting and casing stickup, etc.) and depths of pumping wells and observation wells;
- geologic logs (completed well registration reports);
- transmissivity, storage coefficient, and safe yield, as well as all graphs, formulae and calculations used to estimate these values;
- scaled site plan showing water level elevation controls (e.g., top of casing) and grade elevation for all wells, staff gages and other water measuring points, pump test discharge piping and discharge point, the location of nearby surface water bodies, and, if applicable, the one hundred (100) year flood plain and elevation;
- latitude and longitude (in degrees, minutes, seconds, tenths of second), State Plane Coordinates, or Universal Transverse Mercators (UTMs) for all production wells and any observation wells which are to remain, preferably in NAD83 (specify the method and datum used to locate the wells);
- a topographic map showing wellhead protection areas and the locations of existing or potential groundwater contamination threats; and
- Interpretations including methodology, geologic sections of the area, references, and rationale.

All documentation submitted must be legible. Plans and maps should use shading, cross-hatch patterns, symbology, etc., such that features are readily distinguishable and remain readable when photocopied in black and white.

14. Discharge of Water - Please note it is not legal in the State of West Virginia to discharge water into any water body or wetland if such discharge results in turbidity or erosion leading to turbidity or down stream flooding. Accordingly, if it is anticipated that discharged water will create flooding, erosion and/or turbidity, water must be directed

to a holding area and released in a controlled manner to prevent such problems.

Section 2.4.3 Sustainable Yield Evaluation

Data analysis shall include an analysis of sustainable yield of the aquifer and well based upon the following:

- Recharge to the site under normal and drought conditions.
- Extrapolation of drawdown to one hundred eighty (180) days without significant recharge.
- Significant adverse impacts (quality or quantity) on neighboring wells and springs.

Section 2.4.4 Delineation of Contributing Areas

The delineation of recharge zones and contributing areas to a community water supply well requires the application of appropriate geologic information and methods to assess ground water flow and the influence of boundary conditions. Unless the aquifer is homogeneous and isotropic and no near-field boundary conditions are present, analytical methods (e.g., Wellhead Protection Areas (WHPA), stagnation point calculations) will not provide realistic results. For most semi-confined, fractured bedrock wells, surface water bodies provide positive (recharge) boundaries, and the edges of the water-bearing unit provide negative (barrier) boundaries. These conditions influence the contributing area significantly, and cannot be adequately simulated by common analytical methods.

A Certified Geologist or Hydrogeologist who is familiar with the conditions at the well site shall perform the delineation. The goal of wellhead delineation is to provide the public water supplier with an area that is most likely to provide recharge to the well. This area must be reasonably sized, and appropriate to the anticipated yield of the well.

Section 2.4.5 Reporting Requirements

The principal reporting requirement shall be:

1. The hydrogeologic report, and
2. The pumping test report, which must be made available prior to preliminary plat approval.

Berkeley County
Anthony J. Petrucci, Clerk
Instrument 202500003620
02/05/2025 @ 10:24:06 AM
ORDER
Book 1512 @ Page 1
Pages Recorded 168

Subdivision and Land Use Regulations to become effective January 30, 2025.

Adopted this 30th of January 2025.

Attested:

G. Edgar Gochenour, President

Anthony J. Petrucci, County Clerk

R. Stephen Catlett, Vice President

James P. Whitacre, Commissioner

H. D. Boyd, Commissioner

John Hardy, Commissioner

BYLAWS
JEFFERSON COUNTY WATER ADVISORY COMMITTEE

ARTICLE I
NAME AND PLACE OF BUSINESS

Section 1. Name: Jefferson County Water Advisory Committee, hereinafter referred to as the "WAC."

ARTICLE II
PURPOSE AND COMPLIANCE WITH APPLICABLE LAWS

Section 1. General: The WAC is organized under the Jefferson County resolution approved April 17, 2025.

Section 2. Purpose: The purpose of, and goals for the WAC are to provide recommendations and to be responsive to the Jefferson County Commission regarding Jefferson County's water availability, quality, and sustainability; the protection of water resources through education concerning good stewardship and best management practices, the promotion of recreational access, and the participation in planning and regional coordination in furtherance these goals.

ARTICLE III
MANAGEMENT AND MEMBERSHIP OF THE WAC

Section 1. Membership. The WAC consists of twelve (12) voting members:

1. One (1) staff member of the Jefferson County Health Department;
2. One (1) staff member of the Jefferson County Department of Engineering, Planning and Zoning;
3. One (1) staff member of the Charles Town Utility Board;
4. One (1) staff member of the Shepherdstown Water Department;
5. One (1) staff member of Harpers Ferry Water Works;
6. One (1) staff member of Harpers Ferry- Bolivar Public Service District;
7. One (1) staff member of the West Virginia State Department of Environmental Protection;
8. Four (4) members of the residents of Jefferson County (ideal qualifications for appointment to include professional experience in the areas of natural resources, hydrogeology and/or grant writing); and
9. One (1) county commissioner who will have full voting privileges.

Section 2. Appointment and Terms of Members. The Jefferson County Commission shall appoint members of the WAC for a period of three (3) years with terms expiring on January 15th. In 2025, the first appointees will be appointed with staggered terms.

A member may be reappointed for such additional terms as the County Commission may deem proper. Successors to vacant positions will serve out the positions' unexpired term before qualifying for a full, three-year term. Members in office at the expiration of their term shall continue to serve until a successor has been appointed and qualified.

The County Commission representative's term will expire on January 1 annually.
All members must be approved by the County Commission and sworn in by the County Clerk before they can make motions or vote in any WAC meeting or attend executive sessions.

Section 4. Resignation or Removal of Members. If a member of the WAC resigns, the President or Vice President of WAC shall immediately notify the County Commission and request the appointment of a qualified person to fill the vacancy left by the resigning member. The County Commission may remove any member of the WAC by an order duly entered of record and may appoint a successor member for any member so removed.

Section 5. Vacancies. If requested to do so by the County Commission, the members shall recommend to the County Commission the names of qualified persons for appointment to fill either pending or existing vacancies in the membership.

ARTICLE IV
MEETINGS OF THE WAC MEMBERS

Section 1. Time and Place. The WAC members shall meet on the third ~~Tuesday~~ Wednesday of each month at 3:00 pm at the office of the Jefferson County Commission meeting room and virtually or at a place and time otherwise designated for the meeting. If the meeting day falls on a legal holiday, the meeting shall be held the following day or another day designated.

Section 2. Quorum. A majority of appointed board seats plus one WAC members will constitute a quorum and no action of the WAC shall be official unless authorized by a quorum at a regular or special meeting.

Section 3. Voting. Each member of the WAC present, in-person or virtually, shall have one vote on each matter under consideration by the WAC. The Commission representative will only have the ability to vote in the event of a tie.

Section 4. Special Meetings. Special meetings of the WAC may be called by the President of the WAC in a manner consistent with West Virginia Code §6-9A et seq..

Section 5~~6~~. Meeting Notice. Notice shall be provided at least three (3) business days before a regularly scheduled meeting date, and at least seven (7) calendar days before a special meeting.

The meeting notice will also be provided to the Jefferson County Commission at the same time members are notified and should be published by Commission staff in a practice consistent with Jefferson County Commission public meetings.

Section 6~~7~~. Agenda. The President shall prepare and send the meeting agenda. A member who wishes to include an item on the agenda shall notify the President at least seven (7) calendar days before a regularly scheduled meeting.

Section 7~~8~~. Meeting Format. The format for all regular meetings of the WAC members shall be as follows:

I. Call to Order
II. Determination of Members Present and Existence of a Quorum
III. Public Comment Period
IV. Review/ Approve Minutes
V. Old Business
VI. New Business
VII. Member Comment
VIII. Adjournment

Nothing in the above format precludes adding items to or deleting specific items from the agenda, including but not limited to executive sessions as authorized by the West Virginia Open Meetings Act.

All meetings shall be conducted according to Robert's Rules of Order and in accordance with the West Virginia Open Governmental Proceedings Act.

ARTICLE V
CONFIDENTIALITY OF EXECUTIVE SESSION

Section 1. Executive Session. An executive session may be called by a majority vote of the members present for purposes of discussing such matters as are authorized in executive session by public agencies pursuant to West Virginia Code § 6-9A-4, *Exceptions.*

ARTICLE VI
OFFICERS

Section 1. Officers. The officers of the WAC shall be the President, Vice President, and Secretary. Each officer must be a member of the WAC.

Section 2. Election of Officers. Annually, all officers of the WAC shall be elected by the members at the WAC's January regularly scheduled meeting. Officers shall serve until the next annual election and until their successors are duly elected and qualified. Officers may be reelected for successive terms.

Section 3. Officer Vacancies. Any vacancy occurring among the officers shall be filled by a vote of the membership at the first available regular or special meeting of the WAC.

ARTICLE VII
DUTIES OF OFFICERS

Section 1. President. The President shall preside as chair at all meetings of the membership of the WAC. The President shall attend to the executive business of the WAC and exercise such powers as may be conferred by the members and by these bylaws.

Section 2. Vice President. If the President is absent or for any reason or unable to discharge any of the duties of the office, then the same shall be discharged by the Vice President or in the absence of the Vice President, by any remaining officer.

Section 3. Secretary. The Secretary of the WAC shall be its recording officer and shall, when practicable, be present at all meetings of the members, and shall keep or cause to be kept a regular record of the proceedings of such meetings. The Secretary shall sign the minutes of the meetings. The Secretary shall have charge of the minutes, be the custodian of deeds and other important writings and papers of the Authority, and shall also perform such other duties as the office may have under law or as may be conferred from time to time by the membership. Minutes of the meetings of the Authority may be taken by a person other than a member of the Authority at the discretion of the Secretary.

Funds shall be expended following Jefferson County Commission Finance Policies and guidance of the West Virginia State Auditor.

ARTICLE VIII
AMENDMENTS

Section 1. Amendements. These bylaws may be amended at any regular or special meeting of the WAC by a two-thirds vote of the entire membership; provided, however, that written notice, shall be sent in accordance with Article IV Section 8 of these bylaws. The written notice shall provide the proposed amendment and be given to each member at least 10 days prior to the regular or special meeting at which the proposed amendment will be considered.

Section 2. Approval by the County Commission. Bylaws changes shall be submitted to members of the Jefferson County Commission for their approval after the adoption by the WAC. Bylaw amendments shall become effective by final approval of the Jefferson County Commission.

Approved: ~~April 17~~[DATE]_____, 2025

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Pasha Madji
President, Jefferson County Commission