



JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT

Pasha Majdi

COMMISSIONER

Jack Hefestay

COMMISSIONER

Cara Keys

COMMISSIONER

Mike Mood

COMMISSIONER

Steve Stolipher

MEETING AGENDA

JEFFERSON COUNTY COMMISSION

Thursday, January 8, 2026

Commission meeting: 9:30 a.m.

County Commission Meeting Room

393 N. Lawrence Street, Charles Town, WV—please use East Entrance

Zoom Broadcast (live):

<https://us06web.zoom.us/j/88386890629?pwd=mJJfA7WBC2HbS0jUNonajswVnebL5A.1>

Meeting ID: 883 8689 0629

Passcode: 820221

The Commission will accept public comments for fifteen minutes at the beginning of each meeting. Should public comment exceed the fifteen-minute threshold, the Commission will hear the remaining public comments after the final agenda item.

Public comments are accepted in person or via email- info@jeffcowv.gov

I. Call to Order

II. Prayer – Moment of silence

III. Pledge of Allegiance

IV. Pledge of Allegiance to the West Virginia Flag

I pledge allegiance to the flag of West Virginia, which serves as a constant reminder that 'Mountaineers Are Always Free,' which stands as a symbol of her majestic mountains, fertile forests, rich veins of coal, and the pride of her people.

V. Consent Agenda

1. **Approval of Minutes**

- a. December 18, 2025 Regular Meeting Minutes DRAFT (pgs. 5-44)

2. **Approval of Accounts Payable:**

- a. December 18, 2025 \$ 585,360.92
b. December 23, 2025 \$ 119,337.47

3. **Approval of Manual Checks:**

- a. December 18, 2025 \$ 756,454.11
 - b. December 23, 2025 \$ 119,253.50
4. Approval of Payroll:
- a. December 19, 2025 \$ 475,154.43
5. Approval of Requisitions: (pg. 45)
- a. January 8, 2026 \$ 344,095.07
6. Approval of Hires: (pgs. 46-48)
- a. Approval of Hires—911 Dispatchers—Jefferson County Department of Emergency Communications
 - b. Approval of Employee Change in Status- 70 hours to 80 hours—Jefferson County Department of Engineering, Planning, and Zoning

VI. Announcements

Please note:

- Draft minutes are included in the meeting packet. Draft meeting minutes are often also available separately online. See both here:
<https://www.jeffersoncountywv.org/find-it-fast/agendas-minutes-and-webcasts>
- Jefferson County Commission spending syncs with West Virginia Checkbook (<https://www.wvcheckbook.gov/>) daily. A complete list of publicly available information, and tutorials on using the site, are available online.

Report if there are changes in the agenda if applicable.

VII. Public Comment

To participate in public comment in person, please sign the public comment sign-in sheet located on the table in the entrance of the room. Please note the agenda item for which you are speaking and your home address.

Please feel free to submit comments via email to info@jeffersoncountywv.org. Your name and any written comments submitted for the record will be included in the minutes.

VIII. Regular Agenda- It is expected that all items will include discussion and possible action

New Business

- 1. 9:40 am Angie Banks, Jefferson County Assessor (pgs. 49-50)
 - 1.1 Approval of Board of Review dates, time, and location
- 2. 9:45 am Years of Service Awards

3. 10:00 am Jessica James, chief human resources officer (pgs. 51-60)
 - 3.1 Approval of Telework Policy and Employee Telework Agreement
 - 3.2 Approval of Updated Inclement Weather Policy
 - 3.3 Approval of Deputy Position Upgrade- Office of Homeland Security and Emergency Management
 - 3.4 Appointment of Interim Director and Interim Deputy Director of Jefferson County Emergency Services Agency
4. 10:30 am Tara Vann, director of Emergency Communications Center (pg. 61)
 - 4.1 Accreditation of Jefferson County Emergency Communications Center
5. 10:50 am Roger Goodwin, director of Engineering, Planning, and Zoning (pgs. 62-67)
 - 5.1 Reduce Commercial Bonds for Business Attraction (Keys)
 - 5.2 Request approval to amend Board of Education Impact Fees- FY 2026 Capital Improvement Plan
6. 11:00 am Public Hearing: 55+ Age Restricted Communities Text Amendment to the Impact Fees Procedures Ordinance (pgs. 68-98)
7. 11:10 am Roger Goodwin, director of Engineering, Planning, and Zoning
 - 7.1 Action on 55+ Age Restricted Communities Text Amendment to the Impact Fees Procedures Ordinance
8. 11:30 am David Bound, chief financial officer (pgs. 100-115)
 - 8.1 Commission Ambulance Fee exonerations
 - 8.2 Budget adjustments
 - 8.3 Allocations of the State All-County Fire Protection Fund
 - 8.4 Selection of firm to conduct the annual Commission audit
 - 8.5 FY27 Budget Charge
 - 8.6 Records Management and Preservation Board grant application and supporting documentation
 - 8.7 Artist Selection Committee for WV250 Mural
9. 11:50 am Nathan Cochran, Jefferson County Prosecuting Attorney's Office
 - 9.1 Report on Charles Town Utility Board Capacity Improvement Fee litigation for consideration of potential Commission options
10. 11:55 am Edwina Benites-LM, county administrator (pgs. 116-125)
 - 10.1 National Burn Awareness Week proclamation
 - 10.2 Agritourism Taskforce Bylaws

**** Recess ****

- 11 2:00 pm Legislative priorities

12. 3:00 pm Selection of committees and boards for Calendar Year 2026

IX. Additional public comment.

CORRESPONDENCE (pgs. 126-171)

LEPC Meeting Minutes
Email from Sheriff's department
Charlotte Fremaux, email
Loudoun County Board of Supervisors letter
Terry Thorson, email
Mary Ann Walsh, email

Minutes

Jefferson County Commission

Thursday, December 18, 2025

A town hall and meeting of the Jefferson County Commission was held on Thursday, December 18, 2025, during the fourth quarterly session at 393 N. Lawrence Street, Charles Town, WV at 5:30 pm. The meeting was held via Zoom and in-person. Present were President Pasha Majdi, Vice President Mike Mood, Commissioner Steve Stolipher, Commissioner Cara Keys, and Commissioner Jack Hefestay. Also present were Edwina Benites-LM, County Administrator; and Nathan Cochran, Assistant Prosecuting Attorney. The archived town hall and meeting of the Thursday, December 18, 2025, meeting is available on the Jefferson County Commission website.

Moment of Silence

Pledge of Allegiance

Pledge of allegiance to the West Virginia flag

V. Consent agenda

1. APPROVAL OF MINUTES

The following items were approved without objection.

- December 4, 2025 Regular Meeting Minutes DRAFT

2. APPROVAL OF ACCOUNTS PAYABLE

The following items were approved without objection:

- Accounts payable for December 4, 2025 \$ 292,130.96

CHECK NUMBER	VENDOR NAME	UNCLEARED
93592	AT&T BILL PAYMENT	1.33
93593	BUREAU OF CHILD SUPPORT	765.81
93594	COMPTROLLER OF MARYLAND	1,914.81

93595		EFTPS IRS TAXES	188,100.26
93596		EMPOWER RETIREMENT	9,508.64
93597		JEFFERSON SECURITY BANK	3,448.00
93598		NATIONWIDE RETIREMENT SOLUTIONS	865.00
93599		PA SCDU	320.00
93600		STATE TAX DEPARTMENT	250.00
93601		UNIFIRST	211.21
93602		WV DEPUTY SHERIFF RETIREMENT SYSTEM	34,979.04
93603		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	51,366.26
93604		WV PUBLIC EMPLOYEE RETIREMENT SYSTEM	165.60
93605		WVCORP WV COUNTIES SELF INSURANCE RISK POOL	235.00
TOTAL			292,130.96

• Accounts payable for December 11, 2025 \$ 710,377.42

CHECK NUMBER	VENDOR NAME	UNCLEARED
93606	BEGIN COUNSELING PLLC	3,975.03
93607	BEST BEST & KRIEGER LLP	6,278.00
93608	BOUND TREE MEDICAL LLC	3,062.67
93609	BRIAN RISTON	200.00
93610	CAPITAL ELECTRIC	672.42
93611	CITIZENS VOLUNTEER FIRE DEPARTMENT	3,400.00
93612	CMA CHRYSLER DODGE JEEP	231.86
93613	COMCAST	269.89
93614	ENTERPRISE FM TRUST	42,765.54
93615	FIDELITY POWER SYSTEMS	9,620.00
93616	FRONTIER	13,456.74
93617	GUTTMAN OIL CO	9,508.46
93618	JEFF CO PARKS & RECREATION COMMISSION	75,856.30
93619	MAXLOCK, LLC	250.00
93620	MCA, INC	3,885.96
93621	MCKESSON MEDICAL-SURGICAL GOVERMENT SOLUTIONS LLC	196.48
93622	MORRIS & DICKSON CO	119.12
93623	MOTOROLA SOLUTIONS INC	555.00
93624	MOTOROLA SOLUTIONS INC	8,197.20
93625	POTOMAC EDISON	1,275.35
93626	RICE TIRES CO	3,143.20
93627	ROBERTS OXYGEN COMPANY, INC	1,808.78
93628	RYAN MOSE	200.00
93629	SEGRA	1,787.67
93630	SOFTWARE SYSTEMS INC	79.70
93631	SPIRIT OF JEFFERSON	460.54
93633	TEK ADVISORS LLC	22,615.56
93634	TOTAL ID SOLUTIONS INC.	720.00
93635	UNIFIRST	210.82
93636	US BANK	71,771.58

93637		USPS-POC	25,000.00
93638		WRAP TECHNOLOGIES	6,808.00
93639		WV REGIONAL JAIL & CORRECTION FACILITY AUTH	93,754.42
93640		WV SHERIFFS ASSOCIATION	2,200.00
93641		WV STATE TAX DEPARTMENT	16,370.27
93642		WVCORP WV COUNTIES SELF INSURANCE RISK POOL	111,102.00
93643		WV STATE FIRE MARSHAL'S OFFICE	50.00
93644		WV STATE FIRE MARSHAL'S OFFICE	75.00
93645	GS/004	GENERAL COUNTY FUND- J FEE	17,113.04
93646	AM/053	PROGRESSIVE PRINTING	13,770.47
93647	AM/053	SHERIFF OF JEFFERSON COUNTY	137,560.35
TOTAL			710,377.42

3. APPROVAL OF MANUAL CHECKS

The following items were approved without objection:

- Manual checks for December 4, 2025 \$ 5,970.00

		December 4, 2025	
		OTHER FUNDS	
Check #	Fund	Vendor	Amount
1279	AV/056	J.D. POWER & ASSOC	\$ 5,970.00
TOTAL			\$ 5,970.00

- Manual checks for December 11, 2025 \$ 1,147,280.16

		December 11, 2025	
		OTHER FUNDS	
Check #	Fund	Vendor	Amount
989	HD/008	ALLIED UNIVERSAL ELECTRONIC MONITORING US INC	\$ 3,574.40
990	HD/008	D-TRAX LLC	\$ 1,056.00
991	HD/008	SATELLITE TRACKING OF PEOPLE LLC	\$ 1,004.50
992	HD/008	US BANK	\$ 92.20

1280	AV/056	MR PRINT		\$ 1,800.00
1281	AV/056	SEGRA		\$ 375.00
1282	AV/056	US BANK		\$ 987.80
393	FP/057	JEFFERSON CO FARMLAND PROTECTION BOARD		\$ 199,054.38
10	IA/249	UNITED BANK		\$ 384,014.00
432	WV/369	SHERIFF OF JEFFERSON COUNTY		\$ 1,000.00
1552	IP/249	SHERIFF OF JEFFERSON COUNTY- SCHOOL IMPACT		\$ 405,968.38
1553	IP/249	SHERIFF OF JEFFERSON COUNTY- LAW ENFORCEMENT IMPACT		\$ 2,357.40
1554	IP/249	SHERIFF OF JEFFERSON COUNTY- PARK & REC IMPACT		\$ 74,075.05
1555	IP/249	SHERIFF OF JEFFERSON COUNTY- EMS IMPACT		\$ 30,879.33
1556	IP/249	SHERIFF OF JEFFERSON COUNTY- ADMIN IMPACT		\$ 40,210.72
1030	CW/059	WV ST AUDITOR		\$ 840.00
TOTAL				\$ 1,147,289.16

4. APPROVAL OF PAYROLL

The following item was approved without objection:

- Approval of payroll for December 5, 2025 \$ 514,532.98

5. APPROVAL OF REQUISITIONS

- Requisitions for December 18, 2025 \$ 124,012.00
 - \$89,012.00 plus the addition of \$35,000.00

REQUISITIONS TO BE APPROVED

December 18, 2025

DEPARTMENT	REQUISITION NO.	PURCHASE ORDER NO.	AMOUNT	VENDOR	DESCRIPTION
IT	26100		\$ 5,036.75	TEK ADVISORS	TUNNEL DISCOVERY DOWNTOWN TO 393
IT	26101		\$ 9,597.93	TEK ADVISORS	ECC TOWER RADIO TO IP CONVERSION
IT	26104		\$ 21,747.32	SWEETWATER SOUND HOLDINGS, LLC	A/V FOR THIRD FLOOR AND CLASSROOM AT 393
JCESA	26105		\$ 14,283.00	EMS TECHNOLOGY SOLUTIONS, LLC	ANNUAL INVENTORY & ASSET MANGEMENT LICENSE
COMMISSION	26103		\$ 25,927.00	DAVID ALLEN COMPANY INC	REPLACE TERRAZZO FLOOR IN GOVERNMENTAL BUILDING
SHERIFF	26106		\$ 12,420.00	RESCUE ONE TRAINING FOR LINE INC.	RENEWAL OF AED CONTRACT
GRAND TOTAL			\$ 89,012.00		

6. APPROVAL OF HIRE

The following item was approved without objection.

- Approval to hire James Shawn Wolford for the full-time, 80-hour, Grade 7 position of Deputy Director of the Jefferson County Department of Emergency Communications, at a salary of \$88,498.65, effective Sunday, January 18, 2026.
- Approval to hire Erick Corcoran for the full-time, 80 hour, Grade 5 position of IT Team Lead for the Jefferson County Department of IT and GIS, at a salary of \$58,814, effective Sunday, December 21, 2025.
- Acknowledgement of resignation-Krista Hoffman-Jefferson County Development Authority. Staff would like to recognize her contributions during her tenure with the Development Authority and provide her a certificate.
- Acknowledgement of retirement of Steve Allen from the Department of Homeland Security. Staff would like to recognize his contributions and provide a certificate.

PUBLIC COMMENT:

Public comment was received by:

Christine Marshall	Lorena Nathan
Liz Kerwin	Kit McGinnis
Emunah Herzog	Sara Thompson
Elouane Rogers	Lawton Rogers

PRESENTATIONS

1. Angie Banks, Jefferson County Assessor

Exonerations

Commissioner Mood motioned to approve the exonerations as presented. The motion was seconded by Commissioner Keys and approved unanimously.

2. WVU Extension Presentation on county-wide programs

The agenda item was informational only. No official action was taken.

3. Adam Ward, Jefferson County Prosecuting Attorney

Approval of Hire-Assistant Prosecuting Attorney-Jefferson County Prosecuting Attorney's Office

Commissioner Keys motioned to approve the hiring of Kelly Coly as a full-time exempt Assistant Prosecuting Attorney at a salary of \$95,000 to begin working on (or after) January 5, 2026. The motion was seconded by Commissioner Stolipher and approved unanimously.

VOCA Grant Contract Approval and Signature

Commissioner Stolipher motioned to approve and sign the 2025-2026 VOCA Grant contract as presented. The motion was seconded by Commissioner Keys and approved unanimously.

4. Tom Hansen, Jefferson County Sheriff and Treasurer

Approval of Hire-School Safety Officer-Jefferson County Sheriff's Office

Commissioner Stolipher motioned to approve the hire of Dave Kelvington beginning January 5, 2026 in accordance with the contract and pay scale established with the Board of Education at an annual salary of \$66,763. The motion was seconded by Commissioner Mood and approved unanimously.

5. Krista Hoffman, Jefferson County Development Authority

Local Economic Development Grant Resolution Approval

Commissioner Majdi motioned to approve the resolution certifying the Jefferson County Development Authority as the lead economic development organization in Jefferson County. The motion was seconded by Commissioner Mood and approved unanimously.

Letter to the Governor regarding economic development

Commissioner Hefestay motioned to approve and send the legislative request to Governor Morissey regarding the establishment of an agri-tourism task force. The motion was seconded by Commissioner Stolipher and approved unanimously.

6. Boards and Commissions

Consider the appointments, membership, and makeup of the following boards:

- Board of Zoning Appeals
 1. Elliot Kletter

Commissioner Hefestay motioned to appoint Elliot Kletter to the Board of Zoning Appeals for a term expiring 1/1/2027. The motion was seconded by Commissioner Stolipher and approved unanimously.

- Hagerstown-Eastern Panhandle Metropolitan Planning Organization
 1. Elizabeth Ricketts did not receive a nomination.
 2. Chris Craig was nominated by Commissioner Majdi.
 3. Jaden Bound was nominated by Commissioner Mood.

Commissioner Mood motioned to appoint Jaden Bound to the Hagerstown-Eastern Panhandle Metropolitan Planning Organization for a 2-year term. The motion was seconded by Commissioner Stolipher and approved unanimously.

- Agritourism Taskforce-bylaws

Commissioner Majdi motioned to approve the Agritourism Taskforce-bylaws with amendments as presented. The motion was seconded by Commissioner Hefestay and approved unanimously.

- Tasks and direction of the Jefferson County Water Advisory Committee (Mood)

Commissioner Mood motioned to send a letter regarding technical questions to the Water Advisory Committee. The motion was seconded by Commissioner Hefestay and approved unanimously.

7. Public Hearing: Ambulance Fee Collections and Efficiency of Operations

Commissioner Stolipher motioned to enter into executive session to receive legal advice from counsel on Ambulance Fee collections. The motion was seconded by Commissioner Mood and approved unanimously.

Commissioner Mood motioned to return to regular session. The motion was seconded by Commissioner Hefestay and approved unanimously.

PUBLIC COMMENT:

Public comment was received by:

David Tabb

Amanda Stroud

Claiborne Lashly

Ross Morgan

Commissioner Stolipher motioned to close the public hearing. The motion was seconded by Commissioner Hefestay and approved unanimously.

Commissioner Stolipher motioned to task County Administrator Benites to explore options that go along with state code 7-1-3D, and explore options and suggestions on how we can make this happen. The motion was seconded by Commissioner Mood. The motion was amended to include section 11A-1-8. The motion was approved unanimously.

Commissioner Mood motioned to explore collection efforts for the outstanding \$1.75 million in ambulance fees. The motion was seconded by Commissioner Hefestay and approved unanimously.

8. David Bound, chief financial officer

Commission Ambulance Fee Exonerations

Commissioner Mood approved the Commission Ambulance fee adjustments and exonerations as presented. The motion was seconded by Commissioner Stolipher and approved unanimously.

Budget Adjustments

Commissioner Stolipher motioned to approve the budget adjustments as presented. The motion was seconded by Commissioner Hefestay and approved unanimously.

9. Nathan Cochran, Prosecuting Attorney's Office

Review and discussion of Intergovernmental Agreement between the Jefferson County Commission, the Jefferson County Sheriff's Department and the Corporation of Bolivar for Public Safety Services and Intergovernmental Agreement between the Jefferson County Commission, the Jefferson County Sheriff's Department, and the Corporation of Bolivar for Tax Collection Services

Commissioner Mood motioned to approve the contract and authorize Commissioner Majdi to sign it and send it to Boober to be signed, then the sheriff signs and it moves from there. The motion was seconded by Commissioner Stolipher and approved unanimously.

Review and develop legal strategy with counsel in the ongoing Opioid PBM litigation case.

Commissioner Mood motioned to enter into executive session to receive legal advice. The motion was seconded by Commissioner Keys and approved unanimously.

Commissioner Hefestay motioned to reconvene in regular session. The motion was seconded by Commissioner Stolipher and approved unanimously.

No official action was taken regarding this agenda item.

10. Edwina Benites-LM, county administrator

Election of Officers for Calendar Year 2026

- Nominated for President

1. Commissioner Majdi was nominated by Commissioner Stolipher

Commissioner Stolipher motioned to close nominations. The motion was seconded by Commissioner Mood and approved unanimously.

Commissioner Stolipher motioned to elect Commissioner Majdi as president of the Jefferson County Commission for the 2026 term. The motion was seconded by Commissioner Keys and approved unanimously.

- Nominated for vice-president

1. Commissioner Keys was nominated by Commissioner Mood

Commissioner Stolipher motioned to close nominations. The motion was seconded by Commissioner Mood and approved unanimously.

Commissioner Mood motioned to elect Commissioner Keys as Vice-President of the Jefferson County Commission for the 2026 term. The motion was seconded by Commissioner Majdi and approved unanimously.

JCDA executive director position

Commissioner Keys motioned to appoint Edwina Benites to the JCDA executive director's position on an interim basis. The motion was seconded by Commissioner Mood and approved (4-1 Majdi).

Commissioner Majdi motioned to post the job description for director of Economic Development. The motion was seconded by Commissioner Mood and approved (4-1 Keys).

ADDITIONAL PUBLIC COMMENT:

Christy Wimer

Natalie Friend

Amanda Stroud

Adjourn

Having no further business, Commissioner Majdi motioned to adjourn the meeting. The motion was seconded and unanimously approved. The meeting was adjourned.

DRAFT

Jacqueline Shadle, County Clerk

Jefferson County Commission

SIGN-IN SHEET TO SPEAK DURING PUBLIC COMMENT

Thursday, December 18, 2025

NAME (please print)	AGENDA ITEM # FOR COMMENT	STREET ADDRESS	CHOOSE ONE: 1-Bolivar 2-Charles Town 3-Harpers Ferry 4-Ranson 5-Shepherdstown
DAVID TABB	7, 8, 2 met 11/6/25,	107 TABB LN HF 25425 11/20/25, 12/4/25, 12/18/25	3
Jacquelyn Millian	pc		3
Amanda Stroud	pc	101 Samuel Street	4
1 Chris Mausbach	7c	209 Walden Dr	5
2 Lorena Nathan		85 Campbell Dr.	2
3 Liz Kerwin	public comment	234 Barksdale CT	2
4 Kit McGinnis	public comment	99 Quarterhorse Pl. CT	2
5 Emonah Herzog	public comment	744 Træline Dr CT	2
6 Sara Thomsen	public comment	107- 4th St CT	2
Elouane Rogers	Public comment	99 Quarterhorse Pl	2
LANTON ROGERS	P.C.	99 QUARTERHORSE PL	2
Christina Winn	MC	Jeff Co Park	
<i>checked X</i> Colie Stone		Colie Stone	
Natalie Fried	Public com	Middleway Pike	2

THE COMMISSION ALLOWS THREE (3) MINUTES FOR EACH PERSON WISHING TO MAKE PUBLIC COMMENT

Jefferson County Commission

PUBLIC HEARING

AMBULANCE FEE COLLECTIONS AND EFFICIENCY OF OPERATIONS

SIGN-IN SHEET TO SPEAK DURING PUBLIC HEARING

Thursday, December 18, 2025

NAME	NAME OF GROUP REPRESENTED
David TABB	Me Tax Payer 65 years
Armando Stroue	self
Ejected x Colin Shin	
Clairborne LASHLEY	self
Stacy Helms	self
Mark Korte	
Ross Morgan	self

THE COMMISSION IS ALLOWING THREE (3) MINUTES FOR EACH PERSON WISHING TO MAKE PUBLIC COMMENT

Jefferson County Commission December 18, 2025 Meeting Public Comment

— offered by Jacquelyn Milliron

1. Rebuttal to Commissioners' Points of Information to my November 6, 2025 Public Comment

(1) Jacquelyn Milliron stated that ambulance service across the county has been downgraded. That is inaccurate. (Majdi)

- Rebuttal: The ambulance fleet has been reduced and response times have increased according to expert EMS. Bakerton response times increased specifically from 4-6 minutes to 12–14 minutes (Bakerton Future of Fire Townhall meeting @ ~33 minutes).

A resident in Bolivar can expect much larger wait times when the HF ambulance is out on a call. Having one at Bakerton may be someday a matter of life or death for nearby towns. Chief DeMeritt in 2022, “explained that the American Heart Association says for every minute a person is under cardiac arrest, their chance of survival decreases by 10 percent.” [Resources at risk: concerns for Jefferson Co. EMS | DC News Now](#)

So, yes, the entire county is negatively affected when the number of ambulances is reduced and response time is increased. This is patently a downgrade. The definition of downgrade is: to reduce to a lower grade, rank, or level of importance. If you do not agree, then prove me wrong by completing my FOIA on response times or publicly publish the response times as evidence.

(6) Jacquelyn Milliron stated that the Commission plans to close down Bakerton Fire Hall. This is false. The Commission does not have the authority to close down Bakerton Fire hall. It is a privately owned company. (Stolipher)

- Rebuttal: My comment was as follows: “*However, at the Shepherdstown meeting you stated that there were ideas to move the Bakerton Fire station to Route 230.*” At approximately 1 hour 25 minutes time stamp of the Shepherdstown Future of Fire Townhall meeting, Chief Sine stated: “*I feel Bakerton Fire Station at some point needs to be moved out onto Route 230. I have looked at the response times to make it work.*” The JCC appointed Chief Sine to the JCESA and the JCC hosted this townhall meeting.

2. Rebuttal to Commissioners' Points of Information to my November 20, 2025 Public Comment

Jacquelyn Milliron stated that the county commission is raising water rates. The county commission has no control over water rates. The Charles Town Utility board sets the water rates, and we have among the highest in the country. (Majdi)

- Rebuttal: In my statement, I used the word leveraging, not rate-making. Leveraging means use (something) to maximum advantage (Oxford). Furthermore, the statement by the commissioner that the Charles Town Utility Board sets rates is incorrect. Rate setting for CTUB customers is the responsibility of the City of Charles Town Council.

It was also claimed that the commission is withholding information. The commission asserts that we are the most transparent county commission in history as partially evidenced by our town halls. (Majdi)

- Rebuttal: This commission claims to be the “most transparent county commission in history” but simultaneously withholds information by not fulfilling or completing my FOIAs. The definition of withholding is: “refusal to give something that is due or desired.” (Oxford).

R1

REQUEST FOR AGENDA ITEM: Policy Review on Local Coordination with Federal ICE Operations

Date: December 18, 2025

Submitted by: Liz Kerwin, Retired Ranger & Jefferson County Resident

The Request

I am formally requesting that the County Commission place an item on the next meeting agenda to review and clarify the **Jefferson County Sheriff's Department's policy regarding coordination with federal ICE operations.**

The Context: The December 5th Incident in Charles Town

On Friday, December 5th, federal agents conducted an enforcement operation in Charles Town, our county seat. During the Friday lunch rush, agents deployed **chemical deterrents** inside local restaurants.

- These tactics were used in confined spaces filled with innocent staff, customers, and families.
- This created a hazardous material situation, causing panic and endangering bystanders.
- From a law enforcement and public safety perspective, the use of indiscriminate chemical deterrents in a crowded public venue is a massive liability and a significant safety risk.

The Concern: Economic & Public Safety Impact on Jefferson County

While the Sheriff's Department may not have been directly involved in the specific December 5th raid, we know that county resources and personnel often coordinate with federal actions. Jefferson County businesses cannot afford the chaos witnessed in Charles Town.

- **Business Disruption:** Operations that turn lunch rushes into scenes of smoke and gas devastate business owners and drive customers away.
- **Reputation:** Such events brand our commercial districts as unsafe for families and tourists.
- **Liability:** Facilitating or allowing these tactics creates unnecessary legal and safety risks for the county.

The Goal: Proactive Policy & Transparency

We need to ensure that any future coordination between Jefferson County law enforcement and federal agencies prioritizes the safety of our citizens and the stability of our local commerce.

I am asking the Commission to:

1. **Publicly share the current terms** of the Sheriff's Department's cooperation with ICE so residents can understand existing obligations.

EDITOR'S PICK

FEDERAL GOVERNMENT

Federal law enforcement operation at two local restaurants prompts vigil from local Indivisible chapter, larger community action

By Elizabeth Walsh

Dec 16, 2025



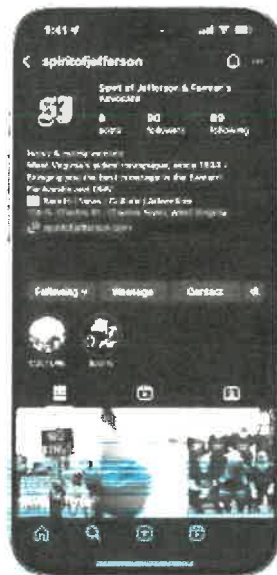
Andrew Spellman

CHARLES TOWN, WVa. — Members of Indivisible Jefferson County WV (IJCWV) held a candlelight vigil on Dec. 10 outside the Jefferson County Courthouse in support of immigrant rights, stemming from a federal law enforcement operation at two local restaurants earlier this month.

The vigil served to raise awareness and funds for some of those affected by the Dec. 5 operation, in which members of the U.S. Marshals Service (USMS) Mountain State Fugitive Task Force and U.S. Immigration and Customs Enforcement (ICE) entered or operated outside the restaurants, La Mezzaluna and Mi Degollado, at the Somerset Village Shopping Plaza in Charles Town.

“It was a traumatic thing for the patrons at the restaurant, for the owners of the restaurant and for the staff of the restaurant,” said Stephen Stahley, chairman of IJCWV. “We just feel that as a community we need to come together to respond to that action.”

NEWSPAPER BY DAY.



FEED DISRUPTER BY NIGHT.

Santos watching researchers. Just with better lighting and worse comment sections.



During the operation, federal agents entered Mi Degollado in search of Santos Calderon, an El Salvador national wanted on an outstanding warrant in Galveston County, Texas, for sexual assault of a minor child from 1998.

Calderon was not at Mi Degollado but was found at La Mezzaluna, where he was apprehended. Calderon is still being held at Eastern Regional Jail awaiting extradition as of Dec. 16. The vigil was not held for Calderon, but rather others taken into ICE custody.

“Authorities also arrested six other illegal aliens who attempted to evade law enforcement as officers attempted to arrest Calderon,” said Zachary Boyd, a supervisory deputy U.S. Marshal, in a news release issued by USMS Northern District of West Virginia. “They were turned over to U.S. Immigration and Customs Enforcement.”

Those six individuals were employees of Mi Degollado, according to Marjorie Skinner, a representative of La Mezzaluna. Further, Calderon, who Skinner said was working under a false name, was employed at La Mezzaluna. According to a Facebook post by Mi Degollado following the operation, Calderon has no affiliation with the business.

Additionally, Boyd noted that the operation was not an “ICE raid” in comments to WV MetroNews, stating that Mi Degollado was not a target of the investigation but that immigration officials took action once individuals “attempted to evade law enforcement after the fugitive was located.”

But Skinner said that those who fled from law enforcement, some into the attic above Mi Degollado, did so because they were “frightened.”

“Some of their staff became frightened by the badges and law enforcement being there, because we’ve all seen what’s been happening the last few months, and panicked and started to flee,” said Skinner.

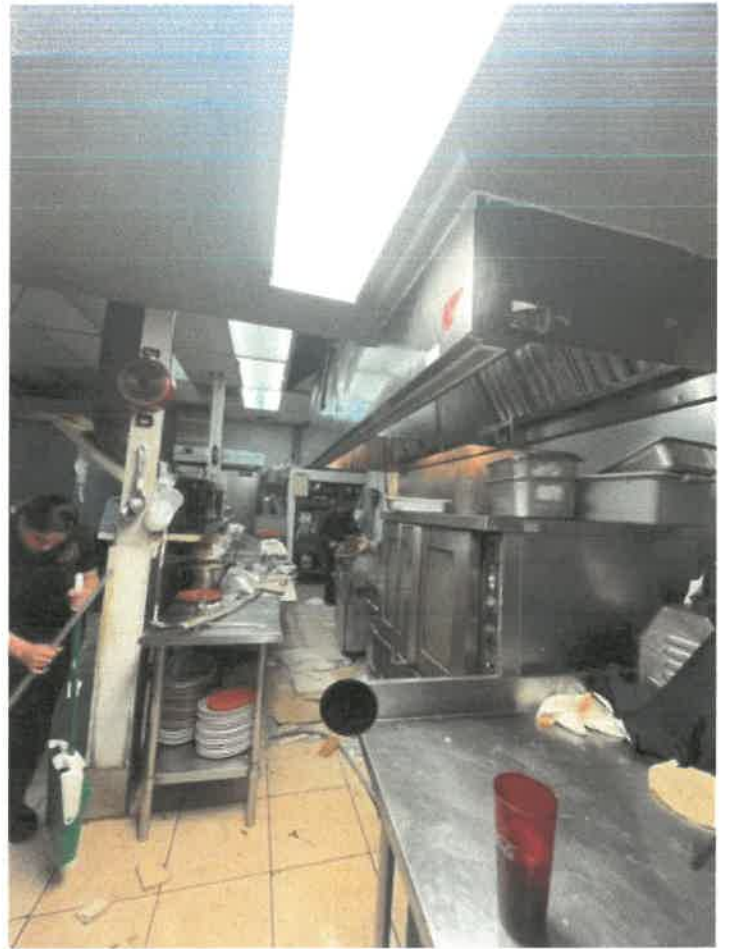
Skinner added that patrons of both restaurants were affected and evacuated after a pepper spray device was deployed in Mi Degollado during the operation, with two individuals seeking medical treatment. She said the shopping plaza’s connected attic, where those staff members fled, allowed the chemical agent to spread between businesses.

“But it was the brutality and the kind of amped up behavior, and the way ICE behaved in Mi Degollado that really caused outrage in the community and resulted in the vigil,” said Skinner.

Photos provided to The Spirit show the restaurant’s kitchen in a state of disarray with equipment and what appears to be ceiling tiles strewn about.

Salvador Tzina-Mendoza, a Guatemalan native and server at Mi Degollado, was one of those arrested and severely beaten during the incident. Multiple reports allege he was whipped with a handgun and tased more than a dozen times, and, at one point, a source said, alerted that his

chest was in pain. Tzina-Mendoza's booking photo from ERJ shows his head wrapped in a bandage and a large cut on his face. Photos also show a large blood stain on the concrete outside the restaurant, allegedly from Tzina-Mendoza being beaten.





“He was pistol-whipped and tased many times, I heard as many as 14 times,” Skinner said, noting Tzina-Medoza’s injuries.

Tzina-Mendoza was arrested, booked at the Eastern Regional Jail and later transferred to the Moshannon Valley Immigration Detention Center in Pennsylvania, where he remains incarcerated. It’s reported that he’s in the process of receiving legal counsel through Immigrants First based in Manassas, Va., while a GoFundMe has been created by friends and community members to cover his legal fees.





According to a source, the other individuals arrested were: Luis Pacheco-Lopez, of Guatemala; Miguel Lux-Us, of Guatemala; Jesus Cantarero-Diaz, of Honduras; Antonio Guerrero-Castro, of Mexico; and Sergio Leal-Lopez, of Mexico. The Spirit independently verified the men's statuses in ICE custody, and of the six, Leal-Lopez and Pacheco-Lopez were the only two that did not return a valid query. No information on their release or possible deportation has been obtained by The Spirit.

Guadalupe Rayas, a staff member at Mi Degollado, said the men are long-standing members of the restaurant community.

"They [the six men] are not family members, but they're part of the community and the restaurant, and we think they belong to the family as well," Rayas said. "So, they've been with us for a long time and it's just, it's a lot."

Stahley said he and other organizers felt that something needed to happen in a timely way to allow the community to come together for support.

"We stand with them, and we encourage everyone in the community to patronize those restaurants and to be aware of what's happening in the community," said Stahley.

This article has been updated to clarify the purpose of the vigil held on Dec. 10.

RECEIVED

DEC 09 2025

Time: 1:40pm
By: Daisie Nelson
JC Emergency Services

David C. Tabb and
Shenandoah Sales & Service, Inc.
107 Tabb Lane
Harpers Ferry, WV 25425
304-676-5976

Jefferson County Emergency Services Building
419 Sixteen Ave
Ranson, WV 25438

Jefferson County Commission
Ambulance Fee
P.O. Box 206
110 N. George St
Charles Town, WV 25414
info@jeffersoncountywv.org

RECEIVED

DEC 09 2025

County Commission
of Jefferson County, WV



December 9, 2025

RE: Customer# 55120

To Whom it May Concern,

Once again, I am writing to you about Customer Number# 55120.

I received your delinquent invoice/statement, dated November 1, 2025, on or about December 6, 2025, for the above account number, for Fiscal Years 2020 – 2025.

Once again, it appears that the Jefferson County Commission has no business experience. The invoice shows irregular billing practices, with no consistency, within the late fee charges. Is this the product of creative accounting or just an understaffing/employment issue?

It is illegal to attempt to collect a fee that was not lawfully sanctioned. Therefore, I have continuously challenged the Jefferson County Commission on the existence of an ambulance fee that I believe is improper. To date, I have been denied the opportunity to challenge the authority within the procedures of your ordinances.

Under Section 4 of the *Jefferson County Ambulance Fee Ordinance*, if the customer disagrees, the JCC is required to initiate a hearing. I request the JCC to review my yearly response (2017 - 2025) to the JCC Ambulance Fee Authority with my request to challenge your regulations. Since 2017, including 2025, the JCC, along with, the Ambulance Authority has repletely failed to respond.

The Jefferson County Commission had the full opportunity to address the ambulance fees once and for all, by the way, of an order "*Granting Request for Jury Trial and Setting Scheduling Conference*" of July 19, 2018, at 2:30 by Circuit Court Judge Hammer.

It appears, by the way of your counsel on July 9, 2018, declined the opportunity to have a jury trial, where I could show the world how you, the Jefferson County Commission harassed the taxpayer and fail to obey their own rules.

To date, you still have not properly addressed and/or followed the rules set forth in the *Ambulance Fee Ordinance*. Your failure to respond has resulted in the abandonment of the account.

The Jefferson County Commission relinquished the right to pursue any further charges on an already illegal fee that one cannot deduct from annual taxes. The JCC previously chose not to pursue these issues and now the opportunity has passed; due to your own noncompliance of the *Jefferson County Ambulance Fee Ordinance*. You are out of time and this matter is now at an end.

Sincerely,



David C. Tabb,
Personally, and as
President
Shenandoah Sales & Service, Inc.

Public Comment for Jefferson County Commission for December 18, 2025

Now come **David Tabb**, a lifelong resident/taxpayer make comments on the following Agenda(s) Item(s) on 11/6/25, 11/20/25, 12/4/25 and 12/18/25: and VIII Regular Agenda: 7. And 8.2, LEPC meeting – JCC subject.

Town Hall Meeting -Ambulance Fee...

This County Commission has failed to submit any documentation to even hold a Town Hall meeting on this subject matter. Points of concern: This County Commission has made a statement that *“David Tabb stated that he is a taxpayer. He has not paid his ambulance fee in 6 years.”*. Mr. Tabb is a taxpayer and the ambulance fee is not a tax nor was the ambulance fee ever properly initiated. Mr. Tabb has challenged the ambulance fee since 2015. The JCC has ignored their own Section 4 to hold a hearing when challenged by the public. Mr. Tabb’s response to the latest attempt to collect an illegal fee is being submitting along with this public comment.

Approval of Minutes –

The JCC minutes (website) are incomplete for 11/6/25 and not listed in the 12/18/25 agenda. The JCC minutes for the 11/20/25 meeting are not available at all. The 12/4/25 meeting is now showing as 12/11/25, and does not show the 11/6/25 amended minutes.

The JCC continues to post public comments with restricted to 15 minutes just because the JCC posted this notice doesn’t align with WV Code of the requirement that the public has the Constitutional Right to address the agenda before the JCC addresses the subject matter unless, the public is allowed to address each agenda item individually.

V. Consent Agenda

1. Approval of Minutes: a. December 11, 2025 Regular Meeting.

There was no posting of a December 11, 2025 Meeting nor does today’s agenda packet include a December 11, 2025 minutes draft.

VII. Public Comment

Gives some general instructions but does not indicate the three minutes per speaker or the total 15-minute restrictions.

VIII. Regular Agenda

7. Public Hearing Ambulance Fee

There are no agenda request or documents available in support of the JCC to address the Ambulance Fee Collection or Efficiency of Operations within this agenda.

8.2 David Bound – Budget adjustments - Governor Morrisey’s Fire Protection Funding - \$97,507.51

This disbursement should only be to the county’s fire departments that are in compliance of the state fire marshal’s requirements. Since the JCC/JCESA, so-called fire department, doesn’t have a certified facility and or equipment, should not be allowed to receive any portion of the County Fire Protection Funding by our state legislator (disbursement); keeping within the guidelines of compliance set forth by Governor Morrisey.

The LEPC meeting of 12/17/25, there was a presentation by the WV Emergency Management Division Tier II/LEPC Programs. The JCC had a representative at this meeting, and I would highly suggest that that representative make a report to the County Commission as a whole. This meeting cannot be held in private and the minutes of this meeting should be made available to the public. This information pertains to the responsible and liability of the JCC preparedness and planning during emergency events. The requirements and responsibilities for the JCC is set and controlled by the Federal Government.

Mr. Tabb encourages everyone to read the italicized statement below:

*“The public reserves the right to call out the public officials to follow the required laws to ensure the **constitutional rights of the public**. The Government is to be “open for business” and not deprived the public of notice and comments that would **violate ethic provisions**.”*

It is hard to be safe, with the current County Commission.

Have a nice day!

AFFIDAVIT:

David C. Tabb came and appeared before me, the undersigned notary, Amanda S. Bennett, resident of Berkeley Co., in the State of West Virginia made his statement to the Jefferson County Commission of December 18, 2025, and made affidavit upon affirmation of belief that the facts set forth are true and correct to the best of his knowledge.

DATED this 18th day of December, 2025



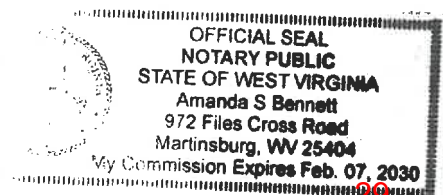
David C. Tabb

Sworn and subscribed before me this 18th day of December, 2025



Notary

My commission expires: 2/7/2030



WVU Extension at Work in Jefferson County

Jefferson County Commission

December 18, 2025

About Us



*Emily Morrow –
Agriculture and Natural
Resources Agent and
County Program
Coordinator*



*April Blaker – Administrative
Assistant*



*Devon Thompson – 4-H
Youth Development
Agent*



*Morgan Blue –
Administrative Assistant*

About Us

West Virginia University Extension is committed to improving the lives and livelihoods of all West Virginians. Our experts bring programs and resources to our communities to enhance prosperity, improve health outcomes and deliver educational opportunities throughout the state.

didn't know Extension did that



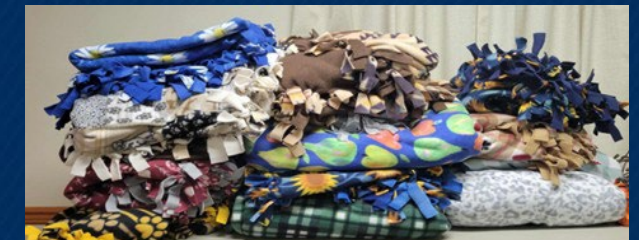
Youth Education



4-H Program



- ▮ **506** 4-H members were enrolled for the 2024-2025 4-H year, and **21** clubs remain active.
- ▮ Currently have **413** members enrolled for 2025-2026 4-H year, with new enrollments daily.
- ▮ **653** project books were taken by members in 2024-2025.
- ▮ 4-H members participate in experiential learning outside the classroom, gain leadership skills, and engage in civic and community service projects.



4-H Camping Program

- ▮ **202** Jefferson County campers attended one of the local camps ranging in ages from 8-21.
- ▮ **151** campers attended Younger Camp, organized and facilitated by the Jefferson County Office.
- ▮ **63** youth ages 5-8 attended Cloverbud Day, organized and facilitated by the Jefferson County Office.
- ▮ New for 2026, we will offer **2** Younger Camp **EXTENSION** dates to give members ages 8-11 a more meaningful experience.



School Enrichment

Lessons cover health, science, math, mechanical engineering topics

- Personal Hygiene (PK – 2nd)
- Blast Off (K – 2nd)
- Sphero EDU (3rd –5th)
- Mechanical Engineering (3rd – 5th)

"They [students] talked about it [Blast Off lesson] for DAYS."
~Ms. Chinnock, 2nd grade at CW Shipley





Agriculture Education

Agriculture and Natural Resources

- *New and expanded farm businesses*
- *Increased farm income*
- *Public awareness of our agriculture industry*
- *Established estate plans*
- *Animal husbandry and processing skills*
- *New and expanded home gardens*
- *Increased access to local food*



Your guidance on how to sell direct to consumer has been the best thing for our farm."

Ag By the Numbers

- *2,445 acres will transition to the next generation through estate planning programs*
- *350+ adults reached in 2025 with classroom education*
- *200 acres tracked for pest damage patterns*
- *11 businesses boosted through an agritourism program*
- *\$100,000 local grant dollars secured over the last 3 years*
- *\$350,000 statewide grant dollars secured over the last 18 months*



*"I'll wait for you to tell me
it's safe to plant"*



Volunteer Groups

The Value of a Volunteer

- *89 Master Gardeners provided 3,804.5 hours of volunteer service through educational programs and outreach events*
- *67 Community Education Outreach Service (CEOS) members clocked 14,700 community service hours*
- *154 Jefferson County 4-H volunteers, each donating an average of 108 hours a year to our program*

\$1,222,398 *value of Jefferson County volunteers in 2025*

Jefferson is on the Map

State leaders have praised the transformative vision of moving the Extension Office to the Kearneysville Experiment Station

Jefferson County Extension programs have been featured on state, regional, and national levels



Youth Testimonials

Questions?

Emily Morrow –
Emily.Wells@mail.wvu.edu

Devon Thompson –
Devon.Thompson@mail.wvu.edu

Office: (304) 728-7413
In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, WVU is prohibited from discriminating on the basis of race, color, national origin, sex, age, disability, and reprisal of retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs).

REQUISITIONS TO BE APPROVED

JANUARY 8, 2026

DEPARTMENT	REQUISITION NO.	PURCHASE ORDER NO.	AMOUNT	VENDOR	DESCRIPTION
IT	26109		\$ 323,516.00	PREMIER CONSTRUCTION GROUP LLC	SHEPHERDSTOWN TOWER PROJECT CONSTRUCTION COST
911 COMMUNICATIONS	26108		\$ 5,585.57	MOTOROLA SOLUTIONS INC	CONSOLETTA INSTALLATION 06/2023 TO 06/2028
COUNTY COMMISSION	26110		\$ 14,993.50	WILLIAM F. ROHRBAUGH	LEGAL SERVICES 7/1/24-6/30/25
GRAND TOTAL			\$ 344,095.07		

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Jessica James, Chief Human Resource Officer**

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment: 2 minutes

Date Requested – 1st Choice: **January 8, 2026**

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

Subject (*Wording to be placed on agenda*): **Consent Agenda - Hiring Approvals**

- 1. Approval of Hires – 911 Dispatchers – Jefferson County Department of Emergency Communications**
- 2. Approval of Employee Change in Status – 70 hours to 80 hours – Jefferson County Department of Engineering, Planning, and Zoning**

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

1. Staff has identified candidates for the position of Public Safety Dispatcher (trainee) for the Department of Emergency Communications, and is requesting approval to hire for **five** full-time, 80-hour, Grade 5 positions.
2. Staff is requesting an employee be increased from 70 to 80 hours per week and also requests approval of the resulting increase in salary to account for the additional hours.

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*):

Requests for Jefferson County Emergency Communications Department

- I move to approve the hires of the following for the full-time, 80-hour, Grade 5 position of Public Safety Dispatcher (trainee): Carrie Baxley, Taylor Cassady, Zach Crawford, Emma McIntire, and Alexis Peacher, each at a salary of \$51,144, effective Sunday, January 18, 2026.*

Request for Jefferson County Engineering, Planning, and Zoning Department

- I move to approve the employee change in status from 70-hours a week to 80-hours a week for Michelle Mason, Impact Fee Specialist for the Jefferson County Department of Engineering, Planning, and Zoning, with a resulting increase in salary from \$53,580.80 to \$61,235.20, effective Sunday, January 11, 2026.*

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: Jessica James

Email address: Jessica.D.James@jeffcowv.gov Phone Number: 304-728-3282

<u>FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION</u>
--

not applicable



JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT
Pasha Majdi

COMMISSIONER
Jack Hefestay

COMMISSIONER
Cara Keys

COMMISSIONER
Steve Stolipher

COMMISSIONER
Mike Mood

To: Commissioner Pasha Majdi
Commissioner Jack Hefestay
Commissioner Cara Keys
Commissioner Steve Stolipher
Commissioner Mike Mood

From: David Bound

Date: January 8, 2026

Re: Fiscal Note: HR Matters requests to hire

The Public Safety Dispatcher for the Emergency Communications Center is requesting to hire five full time Grade 5 Public Safety Dispatchers starting January 18th, 2026. The request is within the FY26 department budget.

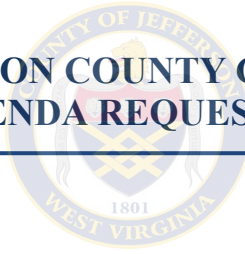
Carrie Baxley, Taylor Cassady, Zach Crawford, Emma McIntire and Alexis Peacher

Starting salary	\$ 51,144.00
Annualized Existing and addition	\$687,614.00
FY 26 Budget Available 001712.410300	<u>\$823,338.00</u>
Estimated Savings	\$135,724.00

The Jefferson County Engineering, Planning and Zoning department is requesting to increase Michelle Mason's working status from 35 to a 40 hour work week. Her pay rate will stay the same and the increase in pay is within the department's FY26 budget.

70 hour pay period (\$29.44 1820 hours)	\$53,580.80
80 hour pay period (\$29.44 2040 hours)	\$61,235.20
Increase requested	<u>\$ 7,654.40</u>
Available annualized wages	\$21,324.00

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**



Name:

Department or Organization:

Commission Meeting Date:

Special Meeting Date (if necessary):

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

Please provide a description of your request or presentation, including any background information:

Type of Request: (Funding/Hiring):

Funding/Salary/Hourly Amount:

Name of Hire (if Applicable):

Grade/Step/Hours (PT/FT):

Start Date (beginning of pay period):

Post Probationary Increase (If applicable):

Any Additional Conditions of Employment or Funding Comments:

Recommended Motion (*type out wording of the motion 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 Internet/Wi Fi: Conference/Video No

Contact Information:

Phone Number:

Email Address:

NOTICE
Board of Review and Equalization

The County Commission of Jefferson County will convene as a Board of Review and Equalization in the County Commission Courtroom at the Courthouse of said County, 100 E. Washington Street, Charles Town, WV on Thursday, January 29, 2026, at 1:30 p.m., for the purpose of reviewing and equalizing assessments returned by the Assessor of Jefferson County for the tax year 2026.

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

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

The Jefferson County Commission will continue to sit as a Board of Review and Equalization in February, 2026 and hold hearings at the Courthouse of said County, 100 E. Washington Street, Charles Town, WV on the following dates and times:

Thursday	January	29, 2026	1:30 p.m.
Tuesday	February	3, 2026	1:30 p.m.
Thursday	February	5, 2026	1:30 p.m.
Tuesday	February	10, 2026	1:30 p.m.
Thursday	February	12, 2026	1:30 p.m.
Tuesday	February	17, 2026	1:30 p.m.

Persons wishing to appear before the Commission should apply with the Assessor's office no later than Wednesday, February 11, 2026 in order to complete the proper forms and to schedule a hearing date prior to the planned final hearing date of Tuesday, February 17, 2026, or you may file a petition for appeal with the WV Office of Tax Appeals at their address - 1012 Kanawha Blvd. E, Suite 300, Charleston, WV 25301

Given under my hand this 8th day of January, 2026.

/s/
JACQUELINE C. SHADLE, COUNTY CLERK

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Jessica James, Chief Human Resource Officer**

Department or Organization: **Jefferson County Commission**

Estimation of amount of time needed for appointment: 10-15 minutes

Date Requested – 1st Choice: **January 8, 2026**

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

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

- 1. Approval of Telework Policy and Employee Telework Agreement**
- 2. Approval of Updated Inclement Weather Policy**
- 3. Approval of Deputy Position Upgrade – Office of Homeland Security and Emergency Management**
- 4. Appointment of Interim Director and Interim Deputy Director – Jefferson County Emergency Services Agency**

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

1. Staff is requesting the approval of the proposed Jefferson County telework policy and accompanying employee telework agreement. The draft policy aims to establish a structured, supervisor-approved telework framework to ensure continuity of county operations, employee accountability, and public service delivery while maintaining managerial discretion and operational control.
2. Current Jefferson County Commission Inclement Weather Policy has been updated and streamlined regarding the decision making process for County delays and closures, includes expectations regarding employees cleared for telework, and provides additional information regarding dissemination of notice to employees and the general public.
3. Staff is requesting the upgrade of the Deputy Director job description for the office of Homeland Security and Emergency Management. The position is currently rated a Grade 5 under the Jacobs Study; however, due to the recent retirement of Jefferson County HSEM director, staff is seeking approval to regrade the position as a Grade 6 to reflect additional duties.
4. Staff is requesting the appointment of Craig Horn as the acting interim director and chief for the Jefferson County Emergency Services Agency, effective _____, with an accompanying salary increase to the Grade 9 base salary of \$95,197 in accordance with *Jefferson County Administrative Policy 212 – Compensation During Temporary Assignment*, effective Sunday, January 11, 2026. We also request the appointment of _____ as interim deputy director for the Jefferson County Emergency Services Agency, effective _____, with an accompanying salary increase to _____, beginning _____. Mr. Horn and _____ will serve in the interim positions until they have been filled.


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*):



Policy Requests

-  I move to approve the Jefferson County Telework Policy and accompanying Employee Telework Agreement, as presented.
-  I move to approve the updated 2026 Jefferson County Inclement Weather Policy, as presented.

Job Class and Reporting Structure Request

-  I move to approve the upgrade in job class for the position of Deputy Director for the Office of Homeland Security and Emergency Management, from Grade 5 to Grade 6, as presented.

ESA Requests

-  I move to approve the appointment of Craig Horn as acting director of the Jefferson County Emergency Services Agency, effective _____, and per Administrative Policy 212: Compensation During Temporary Assignment, provide a temporary increase in salary to \$95,197, effective Sunday, January 11, 2026 until the position of Director has been filled.
-  I move to approve the appointment of _____ as acting deputy director of the Jefferson County Emergency Services Agency, effective _____, and provide a temporary increase in salary to _____, effective _____ until the position of Deputy Director has been filled.

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: Jessica James
Email address: Jessica.D.James@jeffcowv.gov Phone Number: 304-728-3282

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION
not applicable

Jefferson County Commission Telework Agreement



Employee Information

Name: _____ Date: _____

Job title: _____

Department/Elected Office: _____

FLSA status: Exempt Non-Exempt

Approved Alternate Worksite/Primary Telework location:

Employee schedule: _____

The employee agrees to the following conditions:

- The employee shall remain accessible and productive during scheduled work hours.
- Nonexempt employees shall obtain supervisor approval prior to working unscheduled overtime hours.
- The employee shall not hold in-person business meetings with internal or external clients, customers, or colleagues at their alternate work site; participation in business meetings through online platforms such as Zoom and Teams is permitted.
- The employee shall report to their office as necessary upon directive from his or her supervisor, even if telework was previously approved, except in situations where employee safety may be compromised due to weather or emergency-related travel conditions.
- Employees approved and equipped for telework shall work remotely during County office closures due to inclement weather. In situations where County offices are closed due to inclement weather, employees cleared for telework must use their accrued annual leave for any hours not worked.
- The employee shall communicate regularly with his or her supervisor and co-workers, which includes a daily or weekly written report of activities, as determined between the employee and department head or supervisor.

- The employee shall comply with all Jefferson County rules, policies, practices and instructions that would apply if the employee were working at the employer’s work location.
- The employee shall maintain performance standards that meet or exceed expectations as outlined in *Jefferson County Administrative Policy 217 – Performance Appraisal*.
- The employee shall make arrangements for regular dependent care and understands that telecommuting is not a substitute for dependent care. In pandemic circumstances, exceptions may be made for employees with caregiving responsibilities.
- The employee shall maintain a secure and professional work environment at all times.
- The employee shall report work-related injuries to his or her manager as soon as practicable.

Equipment and Peripherals

- Employees may use personal peripherals (such as monitors, keyboards, headsets, and mice) when teleworking, provided such use does not compromise security or system functionality.
- County-issued peripherals may be provided when equipment is available and when such equipment is determined by the supervisor or department head, in consultation with the Chief Technology Officer, to be necessary for the performance of the employee’s job duties.
- Departments approving telework are responsible for providing required County equipment if not already issued, consistent with the Telework Policy and subject to availability.

Equipment Type	Description/Model	Serial/Tag Number	Date Issued	Employee Initials
Laptop				
Other (specify)				
Other (specify)				
Other (specify)				

Use, Care, and Return of County Equipment and Resources

- The employee agrees that Jefferson County equipment will not be used by anyone other than the employee and only for business-related work. The employee will not make any changes to security or administrative settings on Jefferson County’s equipment. The employee understands that all tools and resources provided by the company shall remain the property of Jefferson County at all times.
- The employee agrees to protect company tools and resources from theft or damage and to report theft or damage to his or her department head and/or supervisor immediately.
- The employee agrees to comply with Jefferson County’s policies and expectations regarding information security. The employee will be expected to ensure the protection of proprietary or confidential company and customer information accessible from their home offices.

- The employee agrees to return company equipment and documents as requested by his/her department head or supervisor.

Revocation of Telework

- Revocation of telework is a management decision related to work arrangements and does not, by itself, determine whether disciplinary action is appropriate.
- Telework approval may be revoked at any time and for any reason, including failure to meet the same expectations of performance, conduct, and accountability required of employees working on-site.
- When performance or conduct issues warrant corrective or disciplinary action, such action will be addressed separately and in accordance with applicable County policies, regardless of whether telework is continued or revoked.
- The employee understands that all terms and conditions of employment with the County remain unchanged, except those specifically addressed in this agreement.

Training and Acknowledgement

My signature acknowledges my understanding of the above terms and conditions of the telework arrangement. I understand I must abide by the terms of the agreement and am aware that failure to abide by the agreement may be subject to disciplinary actions, up to and including termination.

Employee Signature

_____ Date: _____

Department Head/Supervisor Signature

_____ Date: _____

Human Resources Representative Signature

_____ Date: _____

Telework Training Completion Date: _____

Telework Policy Acknowledgement Date: _____

Telework Effective Date: _____

**Directors/Supervisors – once signed and dated, please scan and return the agreement to Lynn Dillow, Clerk of Administration and Human Resources, at Shakira.L.Dillow@jeffcowv.gov for retention in the employee's personnel file.*

Jefferson County Inclement Weather Policy



1. Purpose

This policy explains how Jefferson County Government monitors weather conditions, decides whether to delay or close offices, and notifies employees and the public. The goal is to support employee safety while maintaining essential services.

2. Weather Condition Monitoring

Weather conditions are jointly monitored by the directors of the following departments:

- Homeland Security & Emergency Management (HSEM)
- Fleet & Facilities Management (FFM)
- County Administration

HSEM and FFM review weather forecasts, discuss timing and severity of storms, evaluate road and temperature conditions, and monitor overnight Computer-Aided Dispatch (CAD) activity. If needed, the Jefferson County Sheriff's Office may be contacted for local road condition updates from deputies in the field.

3. Decision Making Process

A. Recommendation Stage

1. HSEM, FFM, and the County Administrator discuss expected weather impacts.
2. The County Administrator briefs the County Commission President and the Chief Circuit Court Judge.

B. Final Decision for County Government Offices

- The County Commission President makes the final decision to delay opening or close County Government offices (excluding the Courts).
- The Chief Circuit Court Judge makes the final decision for the Courts.

4. Timing of Decision

The County aims to make closure or delay decisions by 10:00 PM the night prior to the anticipated inclement weather; however, morning-of decisions *may* occur if conditions change unexpectedly.

5. Notification of Employees and the Public

Once the County Commission President makes the decision, County Administration shares notices regarding delays and closures through:

- Email alerts
- County Office Hotline (304-728-1983)
- County social media accounts
- County website
- All staff email

6. Everbridge Alerts

[Everbridge](#) is the County's primary alerting system. Everbridge notifications are disseminated by the County Public Affairs Coordinator. Employees are encouraged to register so they receive timely closure/delay notifications. Instructions for registering for Everbridge can be [found here](#).

7. Employee Expectations

A. Staying Informed

Employees are responsible for monitoring:

- Everbridge alerts
- County Office Hotline (304-728-1983)
- County social media pages

B. Liberal Leave and Telework Options

When County offices remain open during inclement weather, employees may request liberal leave when:

- They feel unsafe traveling due to road conditions;
- They live a significant distance from their assigned work location; or
- Their dependents experience school delays or closures.

Employees who request liberal leave understand that *doing so will require the use of their accrued annual leave (vacation leave)* to cover the hours they are absent due to inclement weather.

Employees authorized and equipped for telework may request permission to work remotely when weather affects their ability to report to the office. Please refer to the Telework Policy and Telework Agreement for additional details.

Supervisors should approve liberal leave or telework when reasonable and operationally feasible.

8. Telework Expectations During Office Closures

Employees authorized and equipped for telework shall work remotely during County office closures due to inclement weather. If an employee elects to use liberal leave rather than working remotely, any hours not worked shall be deducted from the employee's accrued annual leave balance. Please refer to the Telework Policy and Telework Agreement for additional details.



JEFFERSON COUNTY COMMISSION

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

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

Web: www.jeffersoncountywv.org

PRESIDENT

Pasha Majdi

COMMISSIONER

Jack Hefestay

COMMISSIONER

Cara Keys

COMMISSIONER

Steve Stolipher

COMMISSIONER

Mike Mood

To: Commissioner Pasha Majdi
Commissioner Jack Hefestay
Commissioner Cara Keys
Commissioner Steve Stolipher
Commissioner Mike Mood

From: David Bound

Date: January 8, 2026

Re: Fiscal Note: HR Inclement Weather

The county expends nearly \$76,429 in wages when it closes for an administrative snow day. First responders including homeland security, dispatchers, sheriff's deputies, and emergency service agency personnel work and receive wages while most administrative office staff receive the approved budgeted leave.



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PRESIDENT

Pasha Majdi

COMMISSIONER

Jack Hefestay

COMMISSIONER

Cara Keys

COMMISSIONER

Steve Stolipher

COMMISSIONER

Mike Mood

To: Commissioner Pasha Majdi
Commissioner Jack Hefestay
Commissioner Cara Keys
Commissioner Steve Stolipher
Commissioner Mike Mood

From: David Bound

Date: January 8, 2026

Re: Fiscal Note: HR Matters Homeland and ESA Grade Adjustment Requests

The office of Homeland Security and Emergency Management requests an adjustment of the Deputy Director from Grade 5 to 6 based on increased duties.

The requested adjustment is within the department's FY26 budget

The position moving up will become vacant for an extended period.

The Jefferson County Emergency Services Agency request to approve Craig Horn as the interim director and chief with a grade 9 salary of \$95,197 is within the department's FY26 budget in accordance with Jefferson County Administrative Policy 212 – Compensation During Temporary Assignment, effective Sunday, January 11, 2026. .

The Jefferson County Emergency Services Agency request to approve an interim deputy director until the position is filled is within the department's FY26 budget in accordance with Jefferson County Administrative Policy 212 – Compensation During Temporary Assignment, effective _____, 2026.

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Tara Vann

Department or Organization: Emergency Communications Center

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

Date Requested – 1st Choice: **Thursday, January 8, 2026**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Accreditation of Jefferson County Emergency Communications Center**

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

- ✚ Presentation to the Commission on the 9-1-1 Center's recent distinction by the WV 911 Council as a State Accredited 9-1-1 Center.

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: Tara Vann

Email address: tvann@jeffersoncounnywv.org

Phone Number: 304-728-3317

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Cara Keys

Department or Organization: Jefferson County Commission

Estimation of amount of time needed for appointment: 20 minutes

Date Requested – 1st Choice: **1/8/2025**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Reduce Commercial Bonds for Business Attraction**

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

Reduce bonding burdens on small/medium commercial construction to spur local business growth/jobs, aligning with regional norms while fully securing public improvements.

- Potential discussion to direct staff to draft amendments reducing performance bond requirements for commercial developments to make Jefferson County more competitive/attractive for businesses consistent with other market requirements like Berkeley County.
- Exclude: All residential (any size).
- Continue site and SWM bonds ensure public-facing infrastructure (soil/erosion control, stormwater management, etc.) is completed to code so taxpayers are not left fixing half-finished or non-compliant systems.
- Potential discussion to direct the Office of Engineering and Planning staff to conduct a focused review of current commercial land development bonding policies and practices that the County uses to calculate and administer performance bonds, and to report back on why Jefferson County bond amounts for comparable projects appear significantly higher than those required in neighboring jurisdictions, including Berkeley County. Report should include how these policies/internal practices can be improved to reduce bond inflation.

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*):

- Potential motion to direct the Office of Engineering and Planning staff to conduct a focused review of current commercial land development bonding policies and practices that the County uses to calculate and administer performance bonds, and to report back on why Jefferson County bond amounts for comparable projects appear significantly higher than those required in neighboring jurisdictions, including Berkeley County. Report should include how these policies/internal practices can be improved to reduce bond inflation.
- Immediate attention to Aquatic Center (23-9-SP) to recommend waiver or reduction in bond requirement due to public benefit. Parcel ID: 19-02-0001-0101-000 containing 5.31 Acres.

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: Cara Keys

Email address: cara.a.keys@jeffco.wv.gov

Phone Number: _240-367-5152

<u>FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION</u>
--

not applicable

Email: engineering@jeffersoncountywv.org

BOND ESTIMATE REVIEW - REPORT

Date Received: 6 / 20 / 2024 J.C.P.C. File No. 23 - 9 - 5P

Consultant/Engineer/Firm Name: Alpha Associates, Inc.

Mailing Address: 535 West King Street

City: Martinsburg State: WV Zip: 25401

Contact Person: Dick Klein Phone: 304-261-3304

Project/Subdivision Name: Aquatic Center

Section/Phase: Burr Business Park Lot 1

Review Comments:

- Approved as Submitted.
- Approved as Corrected/Revised by County Engineer
- Add items/revise as shown per our comments on your attached bond estimate & resubmit bond estimate to our office for review and approval.
- Bonding Policy & Unit Cost Figures attached for your use.

Comments: _____

Approved for:
Bond Estimate
By W.S.P. 6-24-24
County Engineer **Date**

Approved for Bond Amount \$ 1,685,435.00

Reviewed By: Will Smith *WS* Title: L.D.I

Signature: W.S.P. Date: 6-24-24

Project Bonding Estimate (Site Work/ Grading)

Project Name/Phase:	Aquatic Center Site Plan
BCPC File Number/s:	
Date:	7/10/2025
Engineer:	Richard Klein, PE; Alpha Associates
Notes	Grading/Land Disturbance & SWM

7/10/2025

Total Area (Min. 0.33 ac.) 5.37

Enter First Acre or Min.	1.00	AC*	@	\$30,000.00	\$ 30,000.00
Thereafter Acreage Rate	4.37	AC*	@	\$20,000.00	\$ 87,400.00
E&S	5.37	AC*	@	\$500.00	\$ 2,685.00
Finish Work	Fixed Fee				\$ 10,000.00
Total					\$ 130,085.00

AC* = Graded work area (LOD)

Stormwater Management & BMP

BMP (Structural)	0	Each			
SWM ac-ft. Storage	0.33	AC-FT		(Min. AC-FT = 0.33)	
SWM Inlet/Weir	0				
Storage	0.33	AC-FT	@	\$22,000.00	\$ 7,260.00
Control Structure	0	Each	@	\$8,000.00	\$ -
Structural BMP	0	Each	@	\$1,300.00	\$ -
Total					\$ 7,260.00

Additions to Bond - Explain		\$ -
As-built/Supplemental Plat		\$ 10,000.00

Deductions	\$ 7,260.00
-------------------	--------------------

Deductible Items Approved by Request

SWM	\$ 7,260.00
	\$ -
	\$ -
Subtotal	\$ 7,260.00

Sub Total	\$ 140,085.00
Administration (15%)	\$ 21,012.75
Inflation (5%)	\$ 7,004.25
Total	\$ 168,102.00
Min. Hold (15%)	\$ 25,215.30

Notes:

1. Reductions will be based on Supplemental Plan and p/o request for reduction (\$20k Min Hold.)
2. E&S will be the last item to be released from grading bonding
3. SWM, BMPs & Common areas will not be released until recording of easement and all components completed
4. Bonding maybe increased if conditions warrant additional funds to complete the work.
5. **General bonded work to be completed in 24 months. Finish work within the next 6 months.**
6. The \$10,000 Finish Work is a generic value for general items (e.g. HC Parking)
7. Check with Engineering for Deduction Credit Items

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Roger Goodwin, Chief County Engineer**

Department or Organization: **Department of Engineering, Planning & Zoning**

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

Date Requested – 1st Choice: **8 January 2026**

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

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **Request Approval to amend Board of Education Impact Fees – FY 2026 Capital Improvement Plan.**

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

**Board of Education
FY 2026 CIP
Amendment No. 1**

This CIP amendment regards the increase and modification for the current FY 2026 CIP for the Washington High School Auxiliary Gym.

The project was previously approved by the County Commission for FY 2026 for \$1,910,688.00. With the increase in construction costs, the Jefferson County Board of Education are requesting an additional \$160,000.00 to complete the project already undergoing construction.

The revised FY 2026 CIP Form 1 and Table 1 are attached.

Impact fee funding is available in this capital category for the additional \$160,000.00 request.

The Office of Impact Fees recommends approval of the requested amendment.

Is this a funding request? **No, Impact fees are used as funding.**

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*):

Move to approve the Board of Education – FY 2026 Capital Improvement Plan – Amendment No. 1, as presented.

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

If not attached, explain:

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

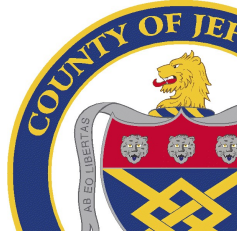
Contact information:

Email address: engineering@jeffersoncountywv.org

Phone Number: 304-728-3257

<u>FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION</u>
not applicable

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: **Roger Goodwin, Director & Chief County Engineer**
Michelle Mason, Impact Fees Program Specialist

Department or Organization: **Department of Engineering, Planning & Zoning**

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

Date Requested – 1st Choice: **January 8, 2026**

Date Requested – 2nd Choice:

Subject (*Wording to be placed on agenda*): **55+ Age Restricted Communities – Public Hearing and Possible Action on a Text Amendment to the Impact Fees Procedures Ordinance.**

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

At the December 4th, 2025 county commission meeting, the county commission received a report on a proposed text amendment to the Impact Fees Procedures Ordinance to make school impact fees not applicable to 55+ age restricted communities. The report stated that school impact fees should not be applicable to age restricted communities meeting the federal Housing for Older Persons Act (HOPA). The county commission requested that the proposed text amendment be presented at the January 8, 2026 meeting for their consideration of approval.

The Impact Fees Procedures Ordinance with the proposed text amendment (shown in red on page 12 & page 30) is attached. Staff asks that it not become effective before February 1, 2026, to allow time to make the necessary changes to the impact fee schedules and the web page information.

Is this a funding request? **No** If so, how much?

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

Move to amend the Impact Fees Procedures Ordinance as presented in order to make school impact fees not applicable to 55+ age restricted communities meeting the federal Housing for Older Persons Act (HOPA); and that it become effective on February 1, 2026.

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

If not attached, explain: **See Attached Ordinance**

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

Contact information:

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

NOTICE OF PUBLIC HEARING

Thursday, January 8, 2026 at 11:00 AM

The Jefferson County Commission has scheduled a Public Hearing for:

55+ Age Restricted Communities-Consideration of a Text Amendment to the Impact Fees Procedures Ordinance

Oral or written comments can be provided at the hearing, at **11:00 AM Thursday, January 8, 2025** in the County Commission meeting room located on the main level of the Jefferson County Government Complex, 393 N. Lawrence St., Charles Town. You may also submit written comments to info@jeffcowv.gov or to PO Box 250, Charles Town, WV 25414. Emailed public comment must be received by 12:00 p.m. on Monday, January 5, 2026 for inclusion in the meeting packet.

A copy of the proposed 55+ Age Restricted Communities Text can be found here:

<https://www.jeffersoncountywv.org/home/showpublisheddocument/28957/639008033354451525>

By Order of the Jefferson County Commission
Pasha Majdi, President

West Virginia

Impact Fee Procedures Ordinance

PROPOSED ORDINANCE AMENDMENT DRAFT

ADOPTED

November 6, 2003

Amended July 8, 2004

Amended January 20, 2005

Amended February 22, 2007

Amended November 15th, 2012 (added Affordable Housing Discount)

Amended April 7, 2016 (Affordable Housing Discount)

Amended March 21, 2019 (Affordable Housing Discount)

Amended June 17, 2021 (Section 2(B) 2 & 3)

Amended January 8, 2026 (55+ Age Restricted Communities)

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WHEREAS, pursuant to the Local Powers Act, West Virginia Code § 7-20-1 *et seq.*, Jefferson County, West Virginia (the "County") is authorized to establish and impose impact fees on new development to offset costs to the County associated with providing necessary public facilities and services, the demand for which is created by new development; and

WHEREAS the Jefferson County Commission (the "County Commission") has studied the necessity for and implications of the adoption of impact fees for various public facilities and retained Tischler & Associates, Inc. to prepare an impact fees report to consider impact fees, and Tischler & Associates, Inc. has prepared an Impact Fees Report, dated June 11, 2003; and

WHEREAS

(1) The residents, taxpayers and users of County facilities and services have contributed significant funds in the form of taxes and user charges toward the cost of existing County facilities and services, which represent a substantial and incalculable investment;

(2) The County is experiencing an increased demand for development which is causing a strain on tax revenues and user charges at existing levels and impairing the ability of taxpayers, residents and users to bear the cost of increased demand for County facilities and services; and

(3) Sound fiscal policy in the efficient administration of County government requires that the imposition of taxes and user charges be commensurate to the actual yearly cost of County facilities and services; and

WHEREAS the County Commission adopted a comprehensive plan in 1994 which is currently being updated; and

WHEREAS the County has adopted a comprehensive zoning ordinance and a subdivision control ordinance, and has adopted the state building code as part of the County building permit review system; and

WHEREAS the population growth rate of the County has exceeded one percent (1%) annually, averaged over the years between 1990 and 2000; and

WHEREAS the Impact Fees Report has determined that the population of the County is expected to grow from approximately 44,367 in 2002 to approximately 54,091 in 2012, with a growth in the number of housing units from 18,558 units to 23,198 units over the same period; and

WHEREAS the County Commission has developed a Capital Improvements Program in order to more definitively project the specific public service demands that will be imposed upon the County by the projected growth, and maintains a list of sites within the County with development potential; and

WHEREAS, based on the population, housing units, commercial square footage, and land use projections as well as the public service needs associated with the projected level of growth, the County Commission has determined that impact fees are an appropriate and necessary technique, to be used in conjunction with other available public service financing techniques, to ensure that adequate public facilities are provided to new growth while the County maintains the level of service (LOS) standards for existing County residents; and

WHEREAS the County Commission has determined that impact fees will be necessary for construction of public schools and related facilities and may, in the future, determine that impact fees will be necessary for other public facilities; and

WHEREAS the County Commission has found and determined that impact fees for public facilities, all enacted pursuant to the authority granted by the Local Powers Act, will have certain common characteristics and that the County will, therefore, benefit from the adoption and use of a uniform procedure for the imposition, calculation, collection, expenditure and administration of all of the adopted impact fees; and

WHEREAS the use of uniform procedures, to the extent possible, will be more efficient and expedient for both the County and applicants for development permits than separate procedures for each impact fee; and

WHEREAS the use of uniform procedures will simplify the implementation and administration of impact fees; and

WHEREAS the use of uniform procedures will best ensure that impact fees are earmarked and expended for the public facilities for which they were imposed and collected; and

WHEREAS all monies collected from impact fees shall be deposited in interest-bearing accounts which clearly identify the category, account, fund and public service for which such fee was imposed; and

WHEREAS each such category, fund or account shall be accounted for separately; provided, however, that the determination as to whether the accounting requirement shall be by category, account or fund and whether by aggregate or individual development shall be within the discretion of the County; and

WHEREAS any interest or other income earned on monies deposited in said interest-bearing accounts shall be credited to the applicable account; and

WHEREAS the County Commission has found and determined that impact fees are an appropriate technique for funding public facilities; and

WHEREAS the County Commission has determined that the impact fee amounts to be imposed bear a reasonable relationship and are “roughly proportional” to the impact on public services created by new development; and

WHEREAS the County Commission has found that the public services for which impact fees are collected are necessary to protect the health, safety, and general welfare of the citizens of Jefferson County; and

WHEREAS the County Commission recognizes its obligation and authority to provide the public services for which impact fees are collected;

WHEREAS the County has or will, for each impact fee, determine that the payment of the impact fee and its expenditure for needed public facilities will result in a direct beneficial use to the development on which it is imposed; and

WHEREAS the County has or will develop and adopt a schedule of impact fees for each public service; and

WHEREAS the County has provided a credit (offset) mechanism in cases where the proposed development has been subject to the required dedication of public sites and/or public improvements, or payment in lieu thereof, for which impact fees are also being imposed; and

WHEREAS the County has determined that the impact fee amounts bear a reasonable relationship to the burden imposed upon the County to provide the additional public facilities to serve the new development at the appropriate level of service (LOS) standard; and

WHEREAS the County has developed fee calculation methodologies which will be imposed in an equitable and non-discriminatory manner.

NOW, THEREFORE, BE IT ORDAINED by the County Commission of Jefferson County, West Virginia as follows:

Section 1. IN GENERAL

(A) Purpose and Intent

The purposes and intent of these Impact Fee procedures are:

- (1) To establish uniform procedures for the imposition, calculation, collection, expenditure and administration of impact fees imposed on new development;
- (2) To ensure that new development contributes its fair share towards the costs of public facilities reasonably necessitated by such new development;
- (3) To ensure that new development reasonably benefits from the provision of the public facilities provided with the proceeds of impact fees;
- (4) To ensure that all applicable legal standards and criteria are properly incorporated in these procedures.

(B) Rules of Construction

- (1) The word “shall” is always mandatory and not discretionary and the word “may” is permissive.
- (2) Words used in the present tense shall include the future; and words used in the singular shall include the plural and the plural the singular, unless the context clearly indicates the contrary; use of the masculine gender shall include the feminine gender.
- (3) The phrase “used for” includes “arranged for,” “designed for,” “maintained for,” or “occupied for.”
- (4) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and,” “or” or “either...or,” the conjunction shall be interpreted as follows:
 - (a) “And” indicates that all the connected terms, conditions, provisions or events shall apply.
 - (b) “Or” indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 - (c) “Either...or” indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- (5) The words “includes” and “including” shall not limit a term to the specific example but are intended to extend its meaning to all other instances or circumstances of like kind or character.

(6) Words not defined in this Ordinance shall have the meaning ascribed to them in the Jefferson County Zoning Ordinance, as amended. Definitions of land use not defined in this ordinance or in the Jefferson County Zoning Ordinance shall have the meaning as defined in the Impact Fee Calculation Methodology Report.
[Amended by Act of the County Commission, effective January 20, 2005]

(C) Definitions

(1) **Accessory Agricultural Dwelling Unit:** a dwelling unit that is incidental and subordinate to the principal dwelling unit, which is located on the same lot as the principal building and meets all of the following criteria, unless otherwise approved by the Board of Zoning Appeals: (a) is limited in size to a maximum of 1,700 heated square feet, gross floor area; (b) is located on a property for which the primary use is an agricultural use as defined by the Zoning Ordinance; (c) is located on a property of at least 10 acres in area; and (d) is limited to use by a person (and family) who performs agricultural work on the property or acts as a caretaker for the property. An Accessory Agricultural Dwelling Unit shall have a valid and active Zoning Certificate pursuant to the Jefferson County Zoning and Development Review Ordinance.
[Amended by Act of the County Commission, effective June 20, 2016]

(2) **Applicant:** any person who files an application with the County for a building permit, or for property that is located within a municipality which issues building permits, or any person who files an application with the County for the payment of impact fees.
[Amended by Act of the County Commission, effective November 6, 2003]

(3) **Appropriation or to appropriate:** an action by the County to identify specific public facilities for which impact fee funds may be utilized. Appropriation shall be limited to: Capital Improvements Program; execution of a contract or other legal encumbrance for construction of a public service using impact fee funds in whole or in part; and/or actual expenditure of impact fee funds through payments made from a impact fee account.

(4) **Average Market Value:** The value of a home as determined by the average cost data listed in the Residential Housing Index created pursuant to the provisions of W.Va. Code § 11-1-2b.

(5) **Building Permit:** the official document or certificate issued by the County or any Municipality under the authority of ordinance or law authorizing the commencement of construction of any building or other structure or part thereof, or authorizing a change in use.

(6) **Business Park:** a group of flex-type buildings served by a common roadway system. The tenant space includes a variety of uses with an average mix of 20-30% office/commercial and 70-80% industrial/warehousing.

- (7) **Capital Improvement:** as defined in West Virginia Code §7-20-3 (a).
- (8) **Commercial (use):** an establishment that engages in the buying and/or selling of commodities and/or services. A shopping center is a subset of this category and is typified as an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. A shopping center provides on-site parking facilities sufficient to serve its own parking demands.
[Amended by Act of the County Commission, effective January 20, 2005]
- (9) **County:** Jefferson County, West Virginia. and/or its County Government.
[Amended by Act of the County Commission, effective November 6, 2003]
- (10) **County Attorney:** the Prosecuting Attorney of the County.
- (11) **County Commission:** the County Commission of Jefferson County, West Virginia.
- (12) **County Government:** the County Commission and all staff of the County.
- (13) **Development:** the subdivision of land; or the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure.
- (14) **Development Agreement:** a written agreement between the County and a developer regarding the development of a specific parcel of property.
[Amended by Act of the County Commission, effective November 6, 2003]
- (15) **District or Impact Fee District:** a defined geographic area or subarea of the County within which particular public facilities are provided and in which impact fees will be collected, appropriated, and expended for public facilities serving new development within such area or subarea.
- (16) **Dwelling Unit:** one room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and containing independent cooking, plumbing and sleeping facilities. Dwelling Unit does not include recreational vehicles propelled by an engine on the same chassis.
[Amended by Act of the County Commission, effective November 6, 2003]
- (17) **Extreme Hardship** - For the purposes of this ordinance, any one of the following conditions shall qualify as extreme hardship cases and such qualifying cases may be considered by the County Commission as eligible for an extreme hardship exemption:

- (1) Cases where the total household income is less than or equal to the Poverty Guidelines applicable to Jefferson County, West Virginia and which are defined by the United States Department of Health and Human Services, and which Poverty Guidelines are adopted by the United States Department Housing and Urban Development. In determining total household income, the Impact Fee Coordinator shall use methods as outlined by the United States Department of Housing and Urban Development; or
- (2) Cases where the householder, as defined by the United States Bureau of the Census, has been classified as being totally and/or permanently disabled and is receiving disability payments from the Social Security Administration; or
- (3) Cases where at least fifty per cent (50%) of the cost of the applicant's new or replacement home is being funded by a Community Housing Development Organization as recognized by the State of West Virginia Housing Development Fund, or other comparable grant or public funding mechanism. [Amended (by deleting the original Clause 15 and renumbering as Clauses 16-33), by Act of the County Commission, effective February 23, 2007.]
- (18) **Impact Fee Calculation Methodology Report:** a report titled Impact Fees prepared by Tischler & Associates, Inc., dated June 11, 2003, and subsequently ammended, which sets forth the methodology and basis for the calculation of the impact of new development and the proper and proportional amount of the impact fee to be assessed against new development.
[Amended (by deleting the original Clause 15 and renumbering as Clauses 15-32), by Act of the County Commission, effective November 6, 2003.]
[Amended by Act of the County Commission, effective January 20, 2005]
- (19) **Impact Fee:** the charge or fee levied or imposed on new development on a *pro rata* basis in connection with and as a condition of the issuance of a building permit to fund a portion of the costs of capital improvements for a public facility or service in accordance with the provisions of this Ordinance and the applicable specific Impact Fee Ordinance. [see note clause 15]
- (20) **Impact Fee Agreement:** an agreement entered into by and between an applicant and the County Commission at the time the impact fee is paid.[see note clause 15]
- (21) **Impact Fee Coordinator:** the person appointed by the County Commission to administer the collection, imposition, management and all other aspects of Impact Fees.[see note clause 15]
- (22) **Manufacturing:** any use involving the use of mechanical power and machinery to produce products from raw materials, to prepare or alter materials for use in a finished product, or to assemble parts into products. Light industrial facilities are considered a subset of this category and usually employ fewer than 500 persons and have an emphasis on activities orhther than manufacturing. Typical light industrial activities include, but are not limited to printing plants, material-testing laboratories, and

assembling of data processing equipment. As defined in the Institute of Transportation Engineers *Trip Generation* manual, light industrial facilities generate more vehicular traffic than general manufacturing facilities.

[see note clause 15]

[Amended by Act of the County Commission, effective January 20, 2005]

(23) **Multifamily:** a single building or structure containing three or more dwelling units. but excluding any structure defined as a townhouse.[see note clause 15]

(24) **Municipality:** any and all of the following: Corporation of Charles Town, Corporation of Ranson, Corporation of Bolivar, Corporation of Harpers Ferry, and Corporation of Shepherdstown, or any municipal corporation hereafter established in the County.[see note clause 15]

(25) **New Development:** any new construction, reconstruction, redevelopment, rehabilitation, structural alteration, structural enlargement, structural extension, or new use which requires a building permit; any change in use of an existing non-residential building, structure or lot requiring any form of County approval, and which increases the demand for one (1) or more public facilities or services as herein defined. [see note clause 15]

(26) **Non-Residential:** any use or development that is not a residential use, and includes commercial, industrial and institutional uses.[see note clause 15]

(27) **Office (use):** a building used primarily for offices that may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper, or candy stand.[see note clause 15]

(28) **Offset:** a credit of certain required impact fees in exchange for the provision by the applicant of, among other things, monetary contributions, dedication of land, or actual construction of all or part of a public service consistent with the County's Capital Improvement Program.[see note clause 15]

[Amended twice by Act of the County Commission, effective November 6, 2003.]

(29) **Planning Director:** the Executive Director of Planning, Zoning and Engineering, or his designee.[see note clause 15]

(30) **Public Facility or Service:** public improvements and facilities provided by the County and necessary to accommodate new development and necessary to protect the health, safety and general welfare of the citizens of the County; which public services include, but are not limited to, public schools.[see note clause 15]

(31) **Public Service Expenditures:** amounts appropriated in connection with the planning, design, engineering and construction of public facilities; including planning, legal, appraisal and other costs related to the acquisition of land, financing and development costs; the costs of compliance with purchasing procedures and applicable

administrative and legal requirements; and all other costs necessarily incident to provision of public facilities.[see note clause 15]

(32) **Residential:** any use or development that includes or results in the creation of a Dwelling Unit.[see note clause 15]

(33) **Residential Housing Index:** The single dwelling residential housing index created by the Tax Commissioner in accordance with the provisions of W.Va. Code § 11-1-2b.

(34) **Single-Family Detached Dwelling:** a detached building designed or used exclusively for only one dwelling unit.[see note clause 15]

(35) **Townhouse:** a dwelling unit which is located in a structure which is attached by one or more vertical party walls to one or two other structures, each designed for and occupied exclusively by only one dwelling unit.[see note clause 15]

(36) **Warehousing:** a use engaged in bulk storage of wholesale or distribution materials, inventory, equipment, supplies, or other materials not stored for immediate, on-site retail sale.[see note clause 15]

(D) General Provisions; Applicability

(1) **Term.** This Ordinance and the procedures established herein shall remain in effect unless and until repealed, amended or modified by the County Commission in accordance with applicable state law and the County's code, ordinances and resolutions.

(2) **Affected Area.**

(a) **County Wide Application.** This Ordinance shall apply to all new development within the County, including new development which takes place within the boundaries of any Municipality. Impact fees for particular public facilities may apply to less than the entire County, as set forth in the ordinance adopting each specific Impact Fee.

(b) **Impact Fee District.** Impact fees for certain public facilities shall be collected and spent within a defined geographical area which may be all or less than all of the County, as set forth in the ordinance adopting a specific impact fee.

(c) **Identification.** The affected area, including Impact fee Districts, if applicable, shall be described and/or mapped in the particular impact fee ordinance.

(d) **Change in Boundaries of Impact Fee Districts.** The County Commission may amend the boundaries of the Impact fee Districts at such times as may be deemed necessary to carry out the purposes and intent of this Ordinance and applicable legal requirements for use of the impact fees.

[Amended by Act of the County Commission, effective November 6, 2003]

(3) **Type of Development Affected.** This Ordinance shall apply to all development after the effective date of this Ordinance.

(4) **Type of Development Not Affected.** This Ordinance shall not apply to:

(a) **Previously-Issued Building Permits.** No impact fee shall be imposed on new development for which a building permit has been issued prior to the effective date of this Ordinance.

[Amended by Act of the County Commission, effective November 6, 2003]

(b) **No Net Increase in Habitable Dwellings.** No impact fee shall be imposed on any new residential development that does not result in the creation of one or more additional habitable dwelling units. No impact fee shall be imposed on the replacement of a mobile home or a single-family dwelling unit by another mobile home or single-family dwelling unit. The applicant must demonstrate that the dwelling to be replaced was in habitable condition within 36 months of the date of application for a building permit for the replacement dwelling. [Amended by Act of the County Commission, effective February 23, 2007.]

(c) **No Net Increase in Non-Residential Square Footage.** No impact fee shall be imposed on any new non-residential development that does not result in the creation of new square footage, unless the new non-residential development is to a different category of development, as defined herein, which results in an increase in the demand for public facilities for which impact fees are being imposed.

(d) **Other Uses:**

(i) No impact fee shall be imposed on a use, development, project, structure, building, fence, sign or other activity, whether or not a building permit is required, which does not result in an increase in the demand for public facilities.

(ii) The schools impact fee shall not be imposed on Fifty-five plus (55+) age restricted communities meeting the requirements of the Federal Housing for Older Persons Act (HOPA), all other impact fees shall apply.

The impact fee applicant shall demonstrate that the 55+ age restricted community qualifies for the exemption from school impact fees; this shall be done by providing the Jefferson County Impact Fees Specialist with the County Clerk's certified copy of recordation of the Declaration, Covenants, Conditions and Restrictions containing the 55+ community age restrictions meeting the Federal Housing for Older Persons Act. The restrictions shall also be placed upon the recorded final plat and/or the recorded restrictions shall be referenced on the final plat(s) prior to recordation of the final plat at the County Clerk's office.

[Amended by Act of the County Commission, effective February 1, 2026]

(e) **Public Facilities Provided By Government.** No impact fees shall be imposed on building permits issued for the construction of public facilities by the State of West Virginia, the County Government or any municipality.

(f) **Development Agreements:** No impact fees shall be imposed on development projects that are the subject of a development agreement containing provisions in conflict with this Ordinance, but only to the extent of the conflict or inconsistency.

[Amended by Act of the County Commission, effective November 6, 2003]

(g) **Extreme Hardship Exemption** – The County Commission may agree to consider exemptions from residential impact fee payments for extreme hardship as defined in Section (1)(C)(15) of this ordinance. An applicant for an extreme hardship waiver shall:

(1) Complete the Hardship Exemption Form available in the Department of Impact Fees;

(2) Provide all documentation requested in the Hardship Exemption Form; and

(3) Be entitled to a Hardship Exemption hearing before the County Commission during which hearing the County Commission shall hear the merits of an exemption application and shall act to:

(a) Grant the exemption;

(b) Deny the exemption based on the evidence provided; or

(c) Direct that the hearing be postponed for the purpose of acquiring additional information and/or documentation.

The County Commission may grant any number of exemptions for extreme hardship *provided* that the total amount of impact fees deferred by such grants in any given fiscal year does not exceed the interest accrued by the appropriate impact fee accounts during that same fiscal year. [Amended by Act of the County Commission, effective February 23, 2007]

(5) **Effect of Payment of Impact Fees on Other Applicable County Land Use, Zoning, Platting, Subdivision or Development Regulations.**

[Amended by Act of the County Commission, effective November 6, 2003]

(a) The payment of impact fees shall not entitle the applicant to a building permit unless all of the applicable land use, zoning, planning, platting, subdivision or other related requirements, standards and conditions of the County Government have been met. Such other requirements, standards and conditions are independent of the requirement for payment of a impact fee.

(b) Neither this Ordinance nor the specific impact fee ordinances for particular public facilities shall affect, in any manner, the permissible use of property, density/intensity of development, design and improvement standards or other applicable standards or requirements of the County zoning, subdivision or building ordinances or other development regulations, which shall be operative and remain in full force and effect without limitation.

(6) **Amendments.** This Ordinance, and any ordinance adopting impact fees for any particular public facility pursuant to this Ordinance, may be amended from time to time by the County Commission; provided, however, that no such amendment shall be adopted without a written report detailing the reasons and need for the impact fee revision nor without proper notice and public hearing. [Amended by Act of the County Commission, effective November 6, 2003]

Section 2. PROCEDURES FOR IMPOSITION, CALCULATION AND COLLECTION OF IMPACT FEES

(A) In General

An applicant shall be notified by the County Government of the applicable impact fee requirements at the time of application for a building permit via the issuance of an Impact Fee Calculation Form to the applicant. Impact fees shall be calculated by the County at the time of application for a building permit and shall be paid by the applicant prior to the issuance of a building permit.

(B) Calculation

(1) Upon receipt of an application for a building permit, the Impact Fee Coordinator shall determine (a) whether it is a residential or non-residential use, (b) the specific category of residential or non-residential development, if applicable, (c) if residential, the number of new dwelling units, (d) if non-residential, the number of new or additional square feet of gross floor area of the proposed use, and, (e) the Impact Fee District in which the new development is located, if applicable.

(2) Upon receipt of an application for a building permit, the Impact Fee Coordinator shall determine whether the development involves a change in use. In such cases, the impact fee due shall be based only on the incremental increase in the fee for the additional public facilities needed for the change in use. Provided, however, that any change of use of a non-residential structure to residential or multi residential structure shall not be assessed an Impact Fee for such change in use when the following conditions apply:

- (a) The structure existed at the effective date of this ordinance (November 6, 2003),
- (b) The structure has continuously been assessed as a commercial use, and
- (c) The change in use does not include a substantial addition to the overall square footage.

(3) An applicant shall not be entitled to a refund where the change of use is to a category of development which imposes a lower demand on public facilities.

(4) After making the determinations described in Section 2(B)(1) or (2), the Impact Fee Coordinator shall calculate the impact fee by multiplying the amount of the applicable impact fee times the units of development, incorporating any applicable offset as defined in this procedures ordinance.

[Amended by Act of the County Commission, effective November 6, 2003]

(5) If the type of land use proposed for new development is not expressly listed in the particular impact fee ordinance and schedule, the County Government shall:

- (a) identify the most similar land use type listed and calculate the impact fee based on the impact fee for the land use identified; or
- (b) identify the broader land use category within which the specified land use would apply and calculate the impact fee based on the impact fee for that land use category; or
- (c) at the option of the applicant or Impact Fee Coordinator, determine the basis used to calculate the fee pursuant to an independent impact analysis for impact fee calculation. When initiated by the applicant, this option shall be requested on a form provided by the Impact Fee Coordinator for such purpose. Whether initiated by the applicant or the Impact Fee Coordinator, the following shall apply:

1. The applicant shall be responsible, at its sole expense, for preparing the independent impact analysis, which shall be reviewed for approval by the Impact Fee Coordinator, and, if appropriate, other County staff or officials, prior to payment of the fee.
2. The independent impact analysis shall measure the impact that the proposed development will have on the particular public service at issue, and shall be based on the same methodologies used in the Impact Fee Calculation Methodology Report, and shall be supported by professionally acceptable data and assumptions.
3. After review of the independent impact analysis submitted by the applicant, the Impact Fee Coordinator shall accept or reject the analysis and provide written notice to the applicant of its decision on a

form provided for such purpose within forty-five (45) days. If the independent impact analysis is rejected, the written notice shall provide an explanation of the insufficiencies of the analysis.

4. The final decision of the Impact Fee Coordinator may be appealed pursuant to Section 4.

5. An applicant may request a non-binding estimate of impact fees due for a particular new development at any time by filing a request on a form provided for such purpose by the Impact Fee Coordinator; provided, however, that such estimate may be subject to change when a formal application for a building permit for new development is made. Such non-binding estimate is solely for the benefit of the prospective applicant and shall in no way bind the County nor preclude it from making amendments or revisions to any provisions of this Ordinance, the specific impact fee implementing ordinances, or the impact fee schedules.

6. The calculation of impact fees due from a multiple-use new development shall be based upon the aggregated demand for each public service generated by each land use type in the new development.

7. The calculation of impact fees due from a phased new development shall be based upon the demand generated by each specific land use within the phase of development for which a separate building permit is requested.

8. Impact fees shall be calculated based on the impact fee amount in effect at the time of application for a building permit.

(C) Offsets/Credits

(1) Offsets or credits against the amount of an impact fee due from a new development shall be provided for, among other things, contributions made concurrently or to be made in the future in cash; or made, prior to the effective date of this ordinance, pursuant to a written agreement entered into with the County Government; or by dedication of land; or by actual construction of all or part of a public service by the affected property owner for public services meeting or exceeding the demand generated by the new development, and the contribution is determined by the Impact Fee Coordinator to be a reasonable substitute for the cost of public facilities which are included in the methodology set forth in the Impact Fee Calculation Methodology Report. Any agreement to make future payments in cash shall be accompanied by a cash bond, letter of credit, or other surety in a form satisfactory to the County Attorney in an amount equal to the offset or credit as laid forth in the written agreement entered into with the County Government. Offsets shall be adjusted for time-price differentials in accordance with the requirements of W.Va. Code § 7-20-5.

[Amended by Act of the County Commission, effective July 8, 2004.]

(2) The amount of the excess contribution shall be determined by the Impact Fee Coordinator upon receipt of an application form requesting an offset; provided, however, that (a) the County Government will make no reimbursement for excess contributions unless and until the particular public service fund has sufficient revenue to make the reimbursement without jeopardizing the continuity of the County's Capital Improvements Program and further provided that (b) the excess contribution may not be transferred or credited to any other types of impact fees calculated to be due from that development for other type of public facilities. The determination of the eligibility for and the amount of the credit shall be made by the County on a form provided for such purposes by the Impact Fee Coordinator. If the applicant contends that any aspect of the Impact Fee Coordinator's decision constitutes an abuse of discretion, the applicant shall be entitled to appeal pursuant to Section 4 of this Ordinance.
[Amended by Act of the County Commission, effective November 6, 2003]

(3) After the effective date of this Ordinance, no offset shall be allowed unless the County Commission has approved and accepted the contribution, dedication or expenditure before it is made.

(4) Where an applicant has dedicated land to the County or constructed a public facility in accordance with the provisions of this Section, the amount of offset or credit shall be determined in accordance with the following:

(a) In order for a credit or offset to be applied for the construction of a public facility or the dedication of land, the applicant must demonstrate that the dedicated land or constructed public facility will reduce the need for the specific public facility, and that the public facility is consistent with the County's adopted capital improvement plan and the comprehensive plan.

(b) Applications for an offset must be made on a form provided by the Impact Fee Coordinator for such purposes. Upon receipt of a completed application, the Impact Fee Coordinator and other appropriate staff and/or consultants shall review the application, as well as such other information and evidence as may be deemed relevant, and the Impact Fee Coordinator shall forward a report as to whether an offset is proper based on the provisions of this Ordinance to the County Commission.

(c) Based on the report of the Impact Fee Coordinator, the provisions of this Ordinance, the capital improvement plan, comprehensive plan, and the impact fee calculation methodology report, the Impact Fee Coordinator shall make a recommendation to the County Commission whether to accept, reject, or modify the proposed offset/credit.
[Amended by Act of the County Commission, effective July 8, 2004.]

(d) The amount of the offset is to be calculated as follows:
1. For construction of public facilities, the offset shall be equal to the cost of construction as determined by the County using

Standard Unit Costs or other such standards-based methodology, or the amount of Impact Fees due, whichever is less.

[Amended by Act of the County Commission, effective July 8, 2004.]

2. Where the applicant has dedicated land to the County, the offset is to be based on either the assessed value of the proffered land, based on the most recent County property appraisal, or the fair market value of the land as determined by a certified property appraiser hired and paid for by the applicant. If the latter option is chosen, the Impact Fee Coordinator may reject the applicant's appraisal, in which case the County shall hire and pay for a second appraiser to appraise the property. If either party rejects the second appraisal, a third appraisal shall be performed by an appraiser chosen by the first and second appraisers, the costs of which are to be shared equally by the County and the applicant. The third appraisal is binding on both parties. All appraisals must be consistent with generally-accepted appraisal techniques and the date of valuation must be the date of transfer to the County.

[Amended by Act of the County Commission, effective November 6, 2003]

3. Only the original applicant or the applicant's legal successor in title to the real estate shall be entitled to the offset.

[Amended by Act of the County Commission, effective November 6, 2003]

(5) Offsets for dedication of land or provision of public facilities shall be applicable only as to impact fees imposed for the same types of public facilities that are proposed to be dedicated or provided. Even if the value of the dedication of land or provision of a public service exceeds the impact fee due for the type of public service, the excess value may not be transferred to impact fees calculated to be due from the applicant for other types of public facilities for which impact fees may be imposed. Offsets may, however, be transferred to the same applicant or to other applicants for new development that are proposed within the final approved platted area of the same development and for the same type of public service.

(D) Collection

(1) The date on which impact fees may first be collected shall not be sooner than the sixty-first (61st) day after the adoption of any impact fee ordinance.

[Amended by Act of the County Commission, effective November 6, 2003]

(2) The County shall collect all applicable impact fees prior to issuance of a building permit, or, for new development on property which is located in a Municipality which issues its own building permits, prior to the issuance of a building permit by such Municipality, and shall issue a receipt to the applicant for such payment unless:

[Amended by Act of the County Commission, effective November 6, 2003]

(a) the applicant is entitled to a full offset;

(b) the applicant is not otherwise subject to the payment of a impact fee; or

(c) the applicant has filed an appeal, and a bond or other surety in the amount of the impact fee, as calculated by the Impact Fee Coordinator and approved by the County Attorney, has been posted with the County.

(3) The County Government shall collect an impact fee prior to issuance of a building permit even if the applicant has paid impact fees at an earlier time in the development approval process, if the amount of the impact fees has increased since such prior payment. The applicant shall only be liable for the difference between the impact fees paid earlier and those in effect at the time of issuance of the subsequent building permit. Upon receipt of payment for an impact fee, the Impact Fee Coordinator, or a designee chosen by the Impact Fee Coordinator shall issue a receipt for impact fee payment.

[Amended by Act of the County Commission, effective November 6, 2003]

[Amended by Act of the County Commission, effective July 8, 2004.]

(4) No building permit shall be issued unless the applicant has complied with the provisions of this Ordinance.

(E) Impact Fee Agreements

(1) The County Attorney shall prepare a form of Impact Fee Agreement which shall contain such provisions of this Ordinance related to the collection and use of impact fees as the County Attorney determines is necessary to comply with the provisions of §7-20-8(c), West Virginia Code.

(2) At the time of payment of Impact Fees, the Impact Fee Coordinator shall prepare an Impact Fee Agreement for the specific development for which impact fees are being paid, and the applicant shall execute such Agreement.

(3) Within thirty (30) days after an Impact Fee Agreement is executed by an applicant, such Agreement shall be executed by the Impact Fee Coordinator, who shall send a copy of the fully executed Impact Fee Agreement to the applicant and retain the original executed Impact Fee Agreement.

(F) Affordable Housing Discount

(1) In accordance with the provisions of W.Va. Code § 7-20-7a, the County Commission shall provide a discounted fee schedule so as not to limit safe, decent and affordable housing.

(2) A new dwelling unit's market value shall be determined by the Assessor, using the same methods and calculations to determine market values for purposes of taxation and shall include both the dwelling and land value. The Assessor's estimate of value shall be based upon information supplied by the homeowner about the new

dwelling unit during the affordable housing discount application process. The Assessor's estimate of market value is not subject to appeal and shall not be used at a later date to contest valuation for purposes of taxation.

In the case where a property is assessed as "agricultural" use, and already has a primary dwelling unit on the property, and a second dwelling unit is proposed for the sole purpose of providing an "assessory agricultural dwelling unit" (or more simply known as a farmhand dwelling); then, for the purposes of determining qualification for the Affordable Housing Discount, the assessory agricultural dwelling unit's market value shall be determined as follows:

The market value of the structure/dwelling without any land value.
The primary dwelling and all other structures on the property and all land shall not be considered.

[Amended by Act of the County Commission, effective June 20, 2016]

(3) The affordable housing discount shall be available by application only. A qualifying applicant shall be required to pay a percentage of the normal impact fee, as outlined in the following sections (4)(c) & (4)(d).

[Amended by Act of the County Commission, effective June 1, 2019]

(4) An applicant for an affordable housing discount shall:

(a) Complete the Affordable Housing Discount Application Form available from the Office of Impact Fees, and pay any applicable application processing fee, as set by the Jefferson County Commission.

(b) Provide all documentation requested on the Affordable Housing Discount Application Form.

(c) Be entitled to an affordable housing discount for a single-family detached, single-family attached, duplex unit, townhouse unit, or manufactured/mobile home, if the new dwelling unit's value is estimated to be equal to or less than 60% of the average market value for a single residential dwelling, as determined by the residential housing index issued by the State Tax Commissioner under West Virginia Code §11-1-2b.

The discounted fee schedule will be based on a lineal scale of the normal impact fee. Dwelling units valued at greater than 60% of the average market value shall pay the full amount of the normal impact fee.

(d) If the new dwelling unit is part of an apartment building or condominium consisting of three or more units, then the applicant for an affordable housing discount shall be entitled to an affordable housing discount if the new dwelling unit's appraised value is equal to or less than 40% of the average market value for a single residential dwelling, as determined by the residential housing index issued by the State Tax Commissioner under West Virginia Code §11-1-2b. The discounted fee shall be 40% of the full fee amount for apartment building and condominium dwelling units. Apartment building and condominium dwelling units valued at greater than 40% of the average market value, as determined by the residential housing index, shall pay the full amount of the normal impact fee.

The applicant shall bear the cost of an independent appraisal (selected by the Jefferson County Commission), of the apartment building or condominium complex, if deemed necessary by the Office of Impact fees. The appraised value shall be used to determine the dwelling unit's eligibility for the affordable housing discount.

[Amended by Act of the County Commission, effective June 1, 2019]

(5) If the value of the dwelling unit, as determined by the Assessor for taxation purposes, far exceeds the estimated market value, as determined by the Assessor for impact fee purposes, and the difference in value is a result of inaccurate information provided by the applicant at the time of applying for the affordable housing discount; then the applicant shall be required to pay the difference between the normal impact fee and the affordable housing impact fee that was actually paid by the applicant. The additional impact fees due shall be paid within 30 days of written notification.

(6) If an applicant applies for an exemption pursuant to Section 1(D)(4)(b) of this Ordinance and replaces a residential dwelling that received an affordable housing discount with a dwelling unit that does not qualify for the discount within five years of receiving an affordable housing discount, the applicant shall be required to pay the difference between the discounted fee originally paid and the full amount of the impact fee in effect at the time the affordable housing discount was paid.

Section 3. ESTABLISHMENT OF IMPACT FEE ACCOUNTS; APPROPRIATION OF IMPACT FEE FUNDS; AND REFUNDS

(A) Impact Fee Accounts

The County shall establish an impact fee account for each category of public facility for which impact fees are imposed. Such account shall clearly identify the category, account, or fund for which the impact fee has been imposed. Subaccounts may be established for individual Impact Fee Districts. All impact fees collected by the County Government shall be deposited into the appropriate impact fee account or subaccount, which shall be interest bearing. All interest earned on monies deposited to such account shall be credited to and shall be considered funds of the account. The funds of each such account shall be capable of being accounted for separately from all other County Government funds. The County Government shall establish and implement necessary accounting controls to ensure that the impact fee funds are properly deposited, accounted for and appropriated in accordance with this Ordinance Chapter and any other applicable legal requirements.

(B) Appropriation of Impact Fee Funds

(1) **In General.** Impact fee funds may be appropriated for capital improvements and for the payment of principal, interest and other financing costs on contracts, bonds, notes or other obligations issued by or on behalf of the County Government to finance such public facilities and public service expenditures. All appropriations from impact fee accounts shall be detailed on a form provided for such purposes and filed in the Jefferson County Sheriff's Tax Collection Office.

(2) **Restrictions on Appropriations.** Impact fees shall not be appropriated for maintenance or repair of public facilities or for operational or personnel expenses associated with the provision of public facilities or for funding any expenditure that would be classified in accounting as a maintenance or repair expense. Impact fees shall be appropriated only:

- (a) for the particular public service for which they were imposed, calculated and collected;
- (b) within the Impact Fee District where collected; and
- (c) within six (6) years after the date of collection, unless such time period is extended as provided herein.

(3) **Appropriation of Impact Fee Funds Outside of District Where Collected.** Where the County is divided into impact fee districts for a particular category of impact fees, impact fee funds may be appropriated for a public service located outside of the District where collected only if the demand for the public service is

generated in whole or in part by the new development or if the public service will actually serve the new development.

(4) **Expenditure of Impact Fee Funds Beyond Six (6) Years of Collection.** Notwithstanding paragraph 2 of this subsection (B), impact fee funds may be expended more than six (6) years from the date of collection if there are extraordinary and compelling reasons for the extension beyond six (6) years. An extraordinary and compelling reason may be found by the County Commission where the appropriation is for a public facility that requires more than six (6) years to plan, design and construct, and the demand for the public facility is generated in whole or in part by the new development, or if the public facility will actually serve the new development. The County Government shall document compliance with the provisions of this paragraph.

(C) Procedure for Appropriation of Impact Fee Funds

(1) Each year the County shall identify public facility projects anticipated to be funded in whole or in part with impact fees. The public facilities shall be so identified based upon the impact fee annual review set forth in Section 6 of this Ordinance, and such other information as may be relevant, and shall be part of the County's capital improvements planning process and may be part of the County's annual budget. Impact fees shall only be collected for projects identified in the County's Capital Improvements Plan.

[Amended by Act of the County Commission, effective July 8, 2004.]

(2) Such identification of public facilities shall be consistent with the provisions of this Ordinance, the particular impact fee ordinances, other applicable legal requirements, and any guidelines adopted by the County Commissioners.

(3) The County Commissioners may include public facilities funded with impact fees in the County's annual budget and Capital Improvements Program. If included, the description of the public facility shall specify the nature of the facility, the location of the public facility, the capacity to be added by the public facility, the service area of the public facility, the need/demand for the public facility and the anticipated timing of completion of the public facility.

(4) The County Commissioners shall verify that adequate impact fee funds are or will be available from the appropriate impact fee account for the particular public facility.

[Amended by Act of the County Commission, effective November 6, 2003]

(D) Refunds

(1) Eligibility for Refund.

(a) **Expiration or Revocation of Building Permit.** An applicant who has paid an impact fee for a new development for which the necessary building permit has expired or for which the building permit has been revoked prior to construction shall be eligible to apply for a refund of impact fees paid. The refund application shall be made on a form provided by the County Government for such purposes.

(b) **Failure of County to Appropriate Impact Fee Funds Within Time Limit.** The current property owner may apply for a refund of impact fees paid by an applicant if the County Government has failed to appropriate the impact fees collected from the applicant within the time limit established in subsection 3(B)1. The refund application shall be made on a form provided by the County for such purposes. If the County Commission has failed to expend any impact fee within the time limits set forth in subsection 3(B)1, the County Commission shall notify the payor of such impact fee, by first class mail in accordance with the provisions of West Virginia Code §7-20-9, at the last known address of such payor, of the right to apply for a refund in accordance with the provisions of this Section 3(D).

(c) **Abandonment of Development After Initiation of Construction.** An applicant who has paid a impact fee for a new development for which a building permit has been issued and pursuant to which construction has been initiated, but which construction is abandoned prior to completion and issuance of a certificate of occupancy, shall not be eligible for a refund unless the uncompleted building is completely demolished.

(2) **To Whom Refunds Paid.** Except as provided in paragraph 1(a) and 1(c) of this subsection, refunds shall be made only to the current owner of property for which impact fees were paid, credited or offset.

[Amended by Act of the County Commission, effective November 6, 2003]

(3) **Processing of Applications for a Refund.** Applications for a refund shall be made on a form provided by the Impact Fee Coordinator for such purposes and shall include all information required in paragraphs 5 or 6 of this subsection, as appropriate. Upon receipt of a complete application for a refund, the Impact Fee Coordinator shall review the application and documentary evidence submitted by the applicant as well as such other information and evidence as may be deemed relevant, and make a determination as to whether a refund is due. Refunds by direct payment shall be made following an affirmative determination by the Impact Fee Coordinator.

(4) **Refunds Because of Abandonment.** Applications for refunds due to abandonment of a new development prior to completion shall be made on forms provided by the Impact Fee Coordinator and shall be made within sixty (60) days following expiration or revocation of the building permit. The applicant shall submit the following: (a) evidence that the applicant is the property owner or the duly designated agent of the property owner, (b) the amount of the impact fees paid by public facility category and receipts evidencing such payments, and (c) documentation evidencing the expiration or

revocation of the building permit or approval of demolition of the structure pursuant to a valid County Government-issued demolition permit. Failure to apply for a refund within sixty (60) days following expiration or revocation of the building permit or demolition of the structure shall constitute a waiver of entitlement to a refund. No interest shall be paid by the County Government in calculating the amount of the refunds.

(5) **Refunds Due to Failure to Appropriate Funds.** Applications for refunds due to the failure of the County Government to appropriate impact fees collected from the applicant within the time limits established in subsection 3(B)1 shall be made on forms provided by the Impact Fee Coordinator and shall be filed within one (1) year following the expiration of such time limit. The applicant shall submit: (a) evidence that the applicant is the property owner or the duly designated agent of the property owner, (b) the amount of the impact fees paid by public service category and receipts evidencing such payments, and (c) description and documentation of the County's Government failure to appropriate impact fee funds for relevant public facilities.

(6) **Methods of Refunds.** Pursuant to Section 3 (D)(2), the County Government may, at its option, make refunds of impact fees by (a) direct payment, (b) offsetting such refunds against other impact fees due for the same category of public facilities for new development on the same property, or (c) other means subject to agreement with the property owner.

[Amended by Act of the County Commission, effective November 6, 2003]

Section 4. APPEALS

(A) Initiation

(1) An appeal from any decision of a County official pursuant to this Ordinance shall be made to the County Commission by filing a written appeal on the appropriate County Government form with the County Clerk within thirty (30) days following the decision which is being appealed. The County Commission may appoint a hearing officer to hear the appeal, in which case the hearing officer shall have the authority to conduct hearings as required by this Ordinance. The hearing officer shall take sworn testimony, receive evidence and exhibits, rule on evidentiary objections, cause the testimony to be taken by stenographic reporter or electronic recording device and make proposed findings of fact which the County Commission may adopt or the County Commission may substitute its own findings of fact in support of its decision.

(2) If the notice of appeal is accompanied by a cash bond, letter of credit or other surety in a form satisfactory to the County Attorney in an amount equal to the impact fee calculated by the Impact Fee Coordinator to be due, a building permit may be issued to the new development.

(3) The filing of an appeal shall not stay the imposition or the collection of the impact fee as calculated by the County Government unless a cash bond or other sufficient surety has been provided.

(B) Burden of Proof

The decision of a County official or County Commission pursuant to this ordinance shall enjoy the presumption of correctness. The burden of proof shall be on the appellant to demonstrate that the decision of the County official or County Commission is clearly erroneous or contrary to law.

(C) Contents

All appeals shall detail the specific grounds therefor and all other relevant information and shall be filed on a form provided by the County Government for such purposes.

(D) Decision

(1) The County Commission shall:

(a) determine whether there is an error in an order, requirement or decision made by a County official in the enforcement of this Ordinance, and/or

(b) determine whether the fee would amount to a taking of private property or otherwise violate the State and federal constitutional rights of the applicant.

(2) Based on the information provided at the hearing, the County Commission shall reverse or affirm, in whole or in part, or modify, the order, requirement or decision of the County official appealed from, and make such order, requirement, decision or determination as the County Commission considers necessary.

[Amended by Act of the County Commission, effective November 6, 2003]

(3) The County Commission shall render a decision on the appeal within ninety (90) days after the filing of the appeal.

[Amended by Act of the County Commission, effective November 6, 2003]

(E) APPEAL OF COUNTY COMMISSION DECISION

The applicant may appeal any decision of the County Commission pursuant to this Ordinance, by Writ of Certiorari filed within thirty (30) days of the decision of the County Commission.

Section 5. EXEMPTIONS/WAIVERS

(A) Filing of Application

Petitions for exemptions from the application of the provisions of this Ordinance or for waivers from specific impact fees shall be filed with the Impact Fee Coordinator.

(B) Effect of Grant of Exemption/Waiver

(1) **Grant of Waiver.** If the County Commission grants a waiver in whole or in part of impact fees otherwise due, the amount of the impact fees waived shall be provided by the County from non-impact fee funds, and such funds shall be deposited in the appropriate impact fee account within a reasonable period of time consistent with the applicable County Capital Improvements Program.

(2) **Effect of Exemption.** If an exemption from the application of the provisions of this Ordinance is authorized by the terms of a specific impact fee ordinance, the County Government shall not be required to provide any funds to cover the cost of the impact fee which would have been due without such exemption.

(C) Development Agreements

Nothing herein shall be deemed to limit the County's Government authority or ability to enter into development agreements with applicants for new development who may provide for dedication of land, payments in lieu of impact fees, or actual infrastructure improvements. Such development agreements may allow offsets against impact fees for contributions made concurrently or to be made in the future in cash, or by assessments or dedication of land or by actual construction of all or part of a public facility by the affected property owner.

[Amended by Act of the County Commission, effective November 6, 2003]

Section 6. ANNUAL REVIEW AND ADJUSTMENTS

(A) Annual Review

(1) At least once every year not later than January 31st of each year, beginning in the year 2005, and prior to County Commission's adoption of the Annual Budget and Capital Improvements Program, the Impact Fee Coordinator or a designee chosen by the Impact Fee Coordinator shall coordinate the preparation and submission of an Annual Report to the County Executive and County Commission on the subject of impact fees.

[Amended by Act of the County Commission, effective July 8, 2004.]

(2) The Annual Report may include any or all of the following:

- (a) recommendations for amendments, if appropriate, to these procedures or to specific ordinances adopting impact fees for particular public facilities;
- (b) proposed changes to the County Capital Improvements Program, including the identification of additional public facilities anticipated to be funded wholly or partially with impact fees;
- (c) proposed changes to the boundaries or creation of Impact Fee Districts, if applicable;
- (d) proposed changes to impact fee schedules as set forth in the ordinances imposing and setting impact fees for particular public facilities;
- (e) proposed changes to level of service standards for particular public facilities;
- (f) proposed changes to any impact fee calculation methodology;
- (g) proposed changes to the population, housing, land use, persons per household or non-residential development projections included in the Impact fee Calculation Methodology Report and upon which the impact fee amounts have been determined; or
- (h) other data, analysis or recommendations as the Impact Fee Coordinator or appropriate designee may deem appropriate, or as may be requested by the County Commission.

(3) **Submission of Impact Fee Annual Report and County Commission Action.** The Impact Fee Coordinator or the Impact Fee Coordinator's designee shall submit the Annual Report to the County Commission, who shall receive the Annual Report and which may take such actions as they deem appropriate, including, but not limited to, requesting additional data or analyses and holding public workshops and/or public hearings.

(B) Annual Adjustments

(1) On April 1, 2005, and on April 1 of each year thereafter in which this Ordinance is in effect, the amount of any impact fee may be automatically adjusted to account for inflationary increases in the cost of providing public facilities utilizing the most recent Quantity and Price Indexes for Gross Government Fixed Investment by Type, published by the United States Bureau of Economic Analysis, using the most appropriate type of New Building construction for each specific Impact Fee.

(2) The Impact Fee Coordinator shall make the automatic annual adjustment unless the County Commission, in its Annual Review, determines an alternate adjustment is appropriate.

(3) Nothing herein shall prevent the County Commission from electing to retain existing impact fees, from electing to waive the inflation adjustment for any given fiscal year, or from making any other adjustment in the amount of the impact fee which conforms with the law.

Section 7. ENFORCEMENT

(A) It is unlawful for any person or entity to enlarge, alter or change any use of property or to erect, construct, enlarge, alter, repair, move, improve, make, put together or convert any building in the County, or attempt to do so, or cause the same to be done, without first paying all impact fees imposed by this Ordinance.

(B) In the event a fee is not paid as required hereunder, the County Attorney may institute an action to recover the fee and enjoin the use of the property until the fee is paid. The person who fails so to pay shall be responsible for the costs of such suit, including reasonable attorney's fees.

(C) In the event that a Municipality issues a permit for a development for which the payment of an impact fee is required, without evidence of the payment of such impact fee to the County Government, the County Government may institute an action to recover the fee.

Section 8. SEPARABILITY AND CONSTRUCTION

(A) Liberal Construction

The provisions of this Ordinance shall be liberally construed to effectively carry on its purposes in the interest of further promoting and protecting the public health, safety and welfare.

(B) Separability

(1) If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase or portion of this Ordinance shall be deemed to be a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining provisions of this Ordinance nor impair or nullify the remainder of this Ordinance, which shall continue in full force and effect.

(2) If the application of any provision of this Ordinance to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Commissioners is that such decision shall be limited only to the specific new development expressly involved in the controversy, action or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify this Ordinance as a whole or the application of any provision of this Ordinance to any other new development.

The undersigned hereby certifies that this amended Ordinance was approved and adopted by the Jefferson County Commission on the 8th Day of January, 2026, effective February 1, 2026.

JEFFERSON COUNTY COMMISSION

ATTEST:

Jacqueline C. Shadle
County Clerk

By: _____
Pasha Majhdi, President

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: David Bound

Department or Organization: Administration

Estimation of amount of time needed for appointment: 15 min

Date Requested – 1st Choice: **Jan. 8, 2026**

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

Date Requested – 2nd Choice:

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

- 1. Commission Ambulance Fee Exonerations**
- 2. Budget Adjustments**
- 3. Allocations of the State All-County Fire Protection Fund**
- 4. Selection of firm to conduct the annual Commission audit**
- 5. FY27 Budget Charge**

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

- 1 Present commission ambulance fee exonerations late fees, sales, items billed to current owner.
- 2 Budget adjustments as presented.
3. West Virginia allocated \$96,507.51 to Jefferson County for exclusive benefit for fire protection or emergency services in the County. The Commission must determine how the funds will be allocated.
4. The Jefferson County Commission Annual Audit RFP review committee will meet on 1/6/26. The Commission must finalize the selection of a firm to conduct the annual audit.
5. Review and approve the fiscal year 2027 budget charge document containing budget planning dates

Is this a funding request? Y/N N

If so, how much? \$2,024

Provide exact financial impact/request:

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

Requested motion to approve the Commission Ambulance fee adjustments and exonerations as presented.

Requested motion to approve the budget adjustments as presented.

Requested motion to approve the budgeted allocation of the All-County Fire Protection Funds equally among the seven/ eight fire departments for reimbursement of expenditures.

Requested motion to approve the Audit Committee recommendation of _____ as the County's external auditor for the annual audit of JCC financial records: FY25.

Requested motion to approve the FY27 Budget charge to be distributed to the Jefferson County department heads for FY27 budget planning.

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: David Bound

Email address: David.J.Bound@JeffCoWV.gov

Phone Number: 304.728.3284 Ext 1003

2025/ 2026 Ambulance Fee Adjustments / Corrections / Exonerations 1/8/2026

	Date	Cust #	Invoice #	Amount	Reason
712	12/15/2025	65698	2621723	\$ 5.00	BILLED FOR THE WRONG PARCEL IN ERROR HER MOTHER OWNS THE PROPERTY REQUESTING LATE FEE WAIVER NEVER RECEIVED
713	12/15/2025	36141	2613261	\$ 39.00	DID NOT RECEIVE FY26 INVOICE
714	12/16/2025	65012	2621080	\$ 55.00	DOUBLE BILLED SOLD 02/16/24 CUSTOMER BILLED ON 7/1/24 FOR FY25 (NEW OWNER BILLED DAVIS CUST #64325 FOR FY25)
715	12/16/2025	65012	2422130	\$ 55.00	DOUBLE BILLED SOLD 02/16/24 CUSTOMER BILLED ON 7/1/25 FOR FY26 (NEW OWNER BILLED DAVIS CUST #64325 FOR FY26)
716	12/11/2025	32904	2420711	\$ 25.00	DOUBLE BILLED SOLD 06/30/24 CUSTOMER BILLED ON 7/1/24 FOR FY25 (NEW OWNER BILLED HINES CUST #66283 FOR FY25)
717	12/11/2025	32904	2619785	\$ 25.00	DOUBLE BILLED SOLD 06/30/24 CUSTOMER BILLED ON 7/1/25 FOR FY26 (NEW OWNER BILLED HINES CUST #66283 FOR FY26)
718	12/17/2025	31629	2407173	\$ 55.00	DOUBLE BILLED SOLD 4/2/24 CUSTOMER BILLED ON 7/1/24 FOR FY25 (NEW OWNER BILLED CUST #65718 FOR FY25)
719	12/17/2025	31629	2606862	\$ 55.00	DOUBLE BILLED SOLD 4/2/24 CUSTOMER BILLED ON 7/1/25 FOR FY26 (NEW OWNER BILLED CUST #65718 FOR FY26)
720	12/11/2025	64990	2322297	\$ 54.00	DUPLICATE BILL - MANUAL BILL -CUST BILLED ON INV #73007
721	12/16/2025	55131	2400510	\$ 90.00	EMINENT DOMAIN EFFECTIVE IN 2021 TO WIDEN RTE 340 BUSINESS NO LONGER EXISTING
722	12/16/2025	55131	2600981	\$ 99.00	EMINENT DOMAIN EFFECTIVE IN 2021 TO WIDEN RTE 340 BUSINESS NO LONGER EXISTING
723	12/15/2025	34947	2408064	\$ 44.00	HOME BURNED DOWN 1/14/24 INCORRECTLY BILLED ASSESSORS RECORDS DO NOT ASSESS FOR A STRUCTURE
724	12/17/2025	65479	2623049	\$ 50.00	INCORRECTLY BILLED ASSESSORS RECORDS DO NOT ASSESS FOR A STRUCTURE
725	12/17/2025	65479	2424034	\$ 55.00	INCORRECTLY BILLED ASSESSORS RECORDS DO NOT ASSESS FOR A STRUCTURE
726	12/16/2025	48450	2409164	\$ 5.00	PAYMENT MISAPPLIED CAUSING LATE FEE PAYMENT WAS RECEIVED ON TIME
727	12/16/2025	64644	2620733	\$ 24.00	PER ASSESSORS RECORDS HOMESTEAD EXEMPTION PROVIDED CLIENT DID NOT RECEIVE CREDIT
728	12/16/2025	64644	2421758	\$ 24.00	PER ASSESSORS RECORDS HOMESTEAD EXEMPTION PROVIDED CLIENT DID NOT RECEIVE CREDIT
729	12/23/2025	63109	2619191	\$ 11.00	PER ASSESSORS RECORDS PROPERTY OWNER-OCCUPIED BILLED AS NON-OWNER OCCUPIED
730	12/23/2025	63109	2420111	\$ 11.00	PER ASSESSORS RECORDS PROPERTY OWNER-OCCUPIED BILLED AS NON-OWNER OCCUPIED
731	12/16/2025	55258	2621094	\$ 55.00	PP SOLD IN 2023 CUSTOMER BILLED ON 7/1/24 FOR FY25
732	12/16/2025	55258	2422145	\$ 55.00	PP SOLD IN 2023 CUSTOMER BILLED ON 7/1/25 FOR FY26
733	12/16/2025	54307	2411114	\$ 55.00	PROPERTY SOLD 5/9/25 PRIOR TO FY25 INVOICES BEING ISSUED REQUESTING WAIVER
734	12/16/2025	33706	2613510	\$ 25.00	PROPERTY SOLD 6/17/25 (NEW OWNER CLONTEZ CUST #68257 TO BE BILLED FOR FY26)
735	12/16/2025	31296	2611493	\$ 25.00	PROPERTY SOLD 7/7/25 PRIOR TO FY26 INVOICES BEING ISSUED REQUESTING WAIVER
736	12/22/2025	32760	2303411	\$ 10.00	PROPERTY SOLD PRIOR TO DELINQUENT NOTICES ISSUED REQUESTING LATE FEE WAIVER
737	12/22/2025	61929	2318659	\$ 10.00	PROPERTY SOLD PRIOR TO DELINQUENT NOTICES ISSUED REQUESTING LATE FEE WAIVER
738	12/16/2025	60359	2400336	\$ 90.00	SOLD 10/2/23 CUSTOMER BILLED ON 7/1/24 FOR FY25 (NEW OWNER TO BE BILLED CUST #67795 FOR FY25)
739	12/22/2025	55567	2400303	\$ 27.00	WAIVE LATE FEE - WRONG MAILING ADDRESS NEVER RECEIVED INVOICES
740	12/22/2025	55567	2600790	\$ 27.00	WAIVE LATE FEE - WRONG MAILING ADDRESS NEVER RECEIVED INVOICES
741	12/12/2025	63636	2420667	\$ 5.00	WAIVE LATE FEE - CLOSING ATTORNEY COLLECTED ORIGINAL BILL AMOUNT @ CLOSING
742	12/12/2025	63636	2619719	\$ 5.00	WAIVE LATE FEE - CLOSING ATTORNEY COLLECTED ORIGINAL BILL AMOUNT @ CLOSING
743	12/22/2025	48025	2415602	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
744	12/11/2025	46873	2614887	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
745	12/11/2025	38505	2415738	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
746	12/11/2025	35829	2614129	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
747	12/11/2025	41076	2606388	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
748	12/11/2025	66884	2622768	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
749	12/11/2025	51937	2404006	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
750	12/11/2025	54831	2603583	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
751	12/11/2025	41578	2613130	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
752	12/11/2025	43743	2610625	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
753	12/11/2025	45484	2612098	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
754	12/11/2025	44601	2614087	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
755	12/11/2025	37502	2610134	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
756	12/11/2025	55762	2604118	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
757	12/11/2025	60003	2612545	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
758	12/11/2025	61381	2617529	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
759	12/11/2025	66571	2622465	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
760	12/15/2025	36165	2607728	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
761	12/15/2025	53366	2610889	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
762	12/17/2025	65479	2422976	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
763	12/17/2025	61944	2618069	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
764	12/22/2025	45315	2606211	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
765	12/22/2025	66069	2622008	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
766	12/22/2025	37617	2605781	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
767	12/22/2025	32104	2615053	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
768	12/22/2025	42418	2609855	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
769	12/22/2025	48731	2602657	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
770	12/22/2025	47843	2607727	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
771	12/22/2025	62343	2618428	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
772	12/22/2025	35283	2606576	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
773	12/22/2025	61545	2617673	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
774	12/22/2025	61456	2418401	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
775	12/22/2025	48025	2614909	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
776	12/22/2025	48075	2605285	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
777	12/22/2025	51906	2603676	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
778	12/22/2025	61915	2618034	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
779	12/22/2025	51593	2618737	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
780	12/23/2025	43998	2609552	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
781	12/23/2025	42358	2407985	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
782	12/23/2025	52605	2409401	\$ 5.00	WAIVE LATE FEE - DID NOT RECEIVE FY25 INVOICE
783	12/22/2025	55400	2600712	\$ 9.00	WAIVE LATE FEE - DID NOT RECEIVE FY26 INVOICE
784	12/22/2025	54986	2600144	\$ 10.00	WAIVE LATE FEE - DID NOT RECEIVE FY26 INVOICE
785	12/22/2025	60877	2317613	\$ 15.00	WAIVE LATE FEE - DID NOT RECEIVE INVOICE
786	12/22/2025	64896	2321380	\$ 15.00	WAIVE LATE FEE - DID NOT RECEIVE INVOICE
787	12/12/2025	35345	2606996	\$ 5.00	WAIVE LATE FEE - DIDN'T RECEIVE INVOICE
788	12/12/2025	43396	2609066	\$ 5.00	WAIVE LATE FEE - DIDN'T RECEIVE INVOICE
789	12/12/2025	60045	2614045	\$ 5.00	WAIVE LATE FEE - DIDN'T RECEIVE INVOICE
790	12/12/2025	46994	2416411	\$ 5.00	WAIVE LATE FEE - DIDN'T RECEIVE INVOICE
791	12/12/2025	62244	2618346	\$ 5.00	WAIVE LATE FEE - DIDN'T RECEIVE INVOICE
792	12/12/2025	47690	2412830	\$ 5.00	WAIVE LATE FEE - DIDN'T RECEIVE INVOICE
793	12/12/2025	45093	2412343	\$ 5.00	WAIVE LATE FEE - DIDN'T RECEIVE INVOICE
794	12/12/2025	45093	2412343	\$ 5.00	WAIVE LATE FEE - DIDN'T RECEIVE INVOICE
795	12/12/2025	50596	2417497	\$ 5.00	WAIVE LATE FEE - FORGOT TO MAIL
796	12/12/2025	61146	2317834	\$ 5.00	WAIVE LATE FEE - NEVER RECEIVED INVOICE
797	12/12/2025	49784	2620546	\$ 5.00	WAIVE LATE FEE - NEVER RECEIVED INVOICE
798	12/12/2025	46873	2614887	\$ 5.00	WAIVE LATE FEE - ORIGINAL PAYMENT LOST IN MAIL
799	12/12/2025	40616	2615463	\$ 5.00	WAIVE LATE FEE - ORIGINAL PAYMENT LOST IN MAIL
800	12/12/2025	32542	2610552	\$ 5.00	WAIVE LATE FEE - ORIGINAL PAYMENT LOST IN MAIL
801	12/12/2025	37137	2616431	\$ 5.00	WAIVE LATE FEE - PROTESTING BECAUSE OF TWO BILLS
802	12/12/2025	37137	2614742	\$ 5.00	WAIVE LATE FEE - PROTESTING BECAUSE OF TWO BILLS
803	12/12/2025	47528	2408607	\$ 5.00	WAIVE LATE FEE - PROTESTING BECAUSE OF TWO BILLS
804	12/12/2025	47528	2608239	\$ 5.00	WAIVE LATE FEE - PROTESTING BECAUSE OF TWO BILLS
805	12/12/2025	34511	2603804	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
806	12/12/2025	65481	2623051	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
807	12/12/2025	65481	2623052	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
808	12/12/2025	35173	2613629	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
809	12/12/2025	48292	2615129	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
810	12/12/2025	49432	2603745	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
811	12/12/2025	44348	2616621	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
812	12/12/2025	44348	2611262	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
813	12/12/2025	43859	2610683	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
814	12/12/2025	30494	2608097	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
815	12/12/2025	32007	2602439	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
816	12/12/2025	32079	2614617	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
817	12/12/2025	31780	2612351	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
818	12/12/2025	62325	2419282	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
819	12/12/2025	41190	2609481	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
820	12/12/2025	40322	2613554	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
821	12/12/2025	40322	2613522	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
822	12/12/2025	33334	2610330	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE

2025/ 2026 Ambulance Fee Adjustments / Corrections / Exonerations 1/8/2026

	Date	Cust #	Invoice #	Amount	Reason
823	12/12/2025	66934	2622819	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
824	12/12/2025	40944	2603124	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
825	12/12/2025	63107	2619188	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
826	12/12/2025	65970	2621943	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
827	12/12/2025	41170	2609799	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
867	12/12/2025	67969	2624004	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
868	12/12/2025	64302	2620394	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
869	12/12/2025	60064	2615503	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
870	12/12/2025	30488	2609520	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
871	12/12/2025	64543	2601126	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
872	12/12/2025	47445	2605929	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
873	12/12/2025	40892	2615207	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
874	12/12/2025	48198	2611084	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
875	12/12/2025	36966	2604872	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
876	12/12/2025	36418	2610555	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
877	12/12/2025	40023	2615345	\$ 5.00	WAIVE LATE FEE - THOUGHT 2ND INVOICE WAS A DUPLICATE
878	12/11/2025	35343	2405593	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
879	12/11/2025	62880	2419871	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
880	12/11/2025	62880	2618962	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
881	12/11/2025	35979	2611166	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
882	12/22/2025	35441	2622135	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
883	12/22/2025	35441	2423182	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
884	12/22/2025	65563	2422696	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
885	12/22/2025	65563	2621610	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
886	12/22/2025	35219	2617015	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
887	12/22/2025	35219	2619272	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
888	12/22/2025	35219	2417799	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
889	12/22/2025	35219	2420193	\$ 5.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
890	12/22/2025	55567	2200486	\$ 9.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
891	12/22/2025	55567	2321790	\$ 9.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
892	12/22/2025	35219	2317485	\$ 15.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
893	12/22/2025	35219	2320040	\$ 15.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
894	12/22/2025	35219	2219443	\$ 15.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
895	12/22/2025	35219	2222200	\$ 15.00	WAIVE LATE FEE - WRONG ADDRESS NEVER RECEIVED INVOICES
896	12/12/2025	54934	2401016	\$ 10.00	WAIVE LATE FEE - WRONG BILLING ADDRESS NEVER RECEIVED INVOICE
897	12/12/2025	54934	2600101	\$ 10.00	WAIVE LATE FEE - WRONG BILLING ADDRESS NEVER RECEIVED INVOICE
898	12/12/2025	64550	2321005	\$ 5.00	WAIVE LATE FEE - WRONG MAILING ADDRESS
899	12/12/2025	64550	2321661	\$ 5.00	WAIVE LATE FEE - WRONG MAILING ADDRESS
900	12/12/2025	64550	2620640	\$ 5.00	WAIVE LATE FEE - WRONG MAILING ADDRESS
901	12/22/2025	46682	2411613	\$ 5.00	WAIVE LATE FEE- 4DID NOT RECEIVE INVOICE
902	12/22/2025	46682	2611111	\$ 5.00	WAIVE LATE FEE- 4DID NOT RECEIVE INVOICE
903	12/16/2025	55131	2322008	\$ 117.00	WAIVE LATE FEE- DID NOT RECEIVE INVOICE
904	12/12/2025	55822	2606502	\$ 5.00	WAIVE LATE FEE- DIDN'T RECEIVE INVOICE
905	12/12/2025	35693	2612984	\$ 5.00	WAIVE LATE FEE- DIDN'T RECEIVE INVOICE
906	12/12/2025	35095	2411471	\$ 5.00	WAIVE LATE FEE- DIDN'T RECEIVE INVOICE
907	12/12/2025	35095	2405428	\$ 5.00	WAIVE LATE FEE- DIDN'T RECEIVE INVOICE
908	12/12/2025	35095	2610976	\$ 5.00	WAIVE LATE FEE- DIDN'T RECEIVE INVOICE
909	12/12/2025	35095	2605204	\$ 5.00	WAIVE LATE FEE- DIDN'T RECEIVE INVOICE
910	12/12/2025	51422	2613180	\$ 5.00	WAIVE LATE FEE- DIDN'T RECEIVE INVOICE
911	12/12/2025	51422	2413777	\$ 5.00	WAIVE LATE FEE- DIDN'T RECEIVE INVOICE
912	12/12/2025	51462	2612229	\$ 5.00	WAIVE LATE FEE- DIDN'T RECEIVE INVOICE
				\$ 2,024.00	



JEFFERSON COUNTY COMMISSION

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PRESIDENT

Pasha Majdi

COMMISSIONER

Jack Hefestay

COMMISSIONER

Cara Keys

COMMISSIONER

Steve Stolipher

COMMISSIONER

Mike Mood

To: Commissioner Pasha Majdi
Commissioner Jack Hefestay
Commissioner Cara Keys
Commissioner Steve Stolipher
Commissioner Mike Mood

From: David Bound

Date: January 8, 2026

Re: Fiscal Note: JC Commission Ambulance Bill Adjustments and Exonerations

JC Commission staff has provided a list of adjustments and exonerations totaling \$2,024

The items listed as unlivable, or owner occupied have been confirmed with the Assessor's office records, duplicated billings have been confirmed and corrected by staff, and line items noted as sold will be billed to the owner as of July 1 of the current and prior years.



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Mike Mood

To: Commissioner Pasha Majdi
Commissioner Jack Hefestay
Commissioner Cara Keys
Commissioner Steve Stolipher
Commissioner Mike Mood

From: David Bound

Date: January 8, 2026

Re: Fiscal Note: Internal Budget Revisions

A request to approve the internal budget adjustments as presented:
Jefferson County Commission

All items are one for one transfers between department accounts and budget neutral.

Jefferson County, West Virginia
 Department of Financial Management
 Budget Revision for Fiscal Year Ending June 30, 2026
 Internal Budget Revision
 IBR # FY26-003

Narrative:

DEPT. 401 ADJUST FY26 BUDGET WITH TRANSFERS

Budget Line No.	Account Name	Approved Budget	Requested Additions	Requested Reduction	Revised Budget
001401.422200	DUES AND SUBSCRIPTIONS	6,500.00	5,000		11,500
001401.422300	PROFESSIONAL SERVICES	70,000.00	62,725		132,725
001401.435300	COMPUTER SOFTWARE	-	3,200		3,200
001401.435600	LICENSE AND ANNUAL FEES	-	360		360
001401.410400	FICA TAX	110,988.00		71,285	39,703
					-
					-
					-
					-
					-

Requested by: David Bound / Chief Financial Officer

Approved by:(department head/elected): Eddie Benites

Date: 12/30/2025

Reviewed by: *David Bound* Date: 12/30/25

David Bound / Chief Financial Officer

Date Submitted to County Commission: 1/8/2026

Date Approved: 1/8/2026

Authorizing Signature: _____



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Mike Mood

To: Commissioner Pasha Majdi
Commissioner Jack Hefestay
Commissioner Cara Keys
Commissioner Steve Stolipher
Commissioner Mike Mood

From: David Bound

Date: January 8, 2026

Re: Fiscal Note: Governor Morrisey Fire Protection Fund Distribution

Governor Morrisey is requesting funds be distributed for the exclusive benefit of fire protection in Jefferson County. Please discuss and advise percentages or amounts to distribute to county fire departments.

Fire Protection fund distribution amount FY26	\$96,507.51
Fire Distribution (7) \$13,786.79 or (8) \$12,063.44	



RECEIVED

DEC 02 2025

County Commission
of Jefferson County, WV

Patrick Morrissey
Office of the Governor

November 20, 2025

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

Re: All County Fire Protection Funding

Commissioners:

I am pleased to announce your county should be receiving \$96,507.51 as part of the All County Fire Protection Fund distribution.

In August 2023, the WV Legislature passed a bill providing \$3,000,000 to the All County Fire Protection Fund. Those funds are to be distributed in relative proportion to each county's percentage of the aggregate population of all such counties combined. This percentage is then used to allocate the county's portion of the \$3,000,000 fund.

The legislation requires my office to distribute these funds directly to County Commissions. County Commissions are further required to distribute these funds for the exclusive benefit of fire protection or emergency services in the county.

As Governor, I am proud to support this vital program and remain deeply committed to ensuring our brave firefighters and first responders have the resources they need to protect our communities.

Sincerely,

PATRICK MORRISSEY

Patrick Morrissey
Governor

Jefferson County Commission FY27 Budget Process Calendar

- **December 15, 2025:** Chief Financial Officer (CFO) to compile estimate of revenues
- **December 15, 2025:** More accurate property valuations are available. CFO to adjust projected revenues
- **January 8, 2026:** Budget Charge from Commissioners
 - **Agenda request:** December 31
- **Mid December 2025:** Preliminary health insurance renewal rates available
- **Last week of December 2025:** Budget reports distributed to departments (per auditor's office should be done no later than the 1st week of February)
- **December- January 16, 2026:** Department Heads to meet with CFO, CA, Dept. CA, HR to develop county-wide return budget. January 16th CA to submit.
- **January 16, 2026:** Elected Officials to return budgets to CFO (per regulation must be done by March 2nd)
- **January 26, 2026:** Budget Binders distributed to Commissioners
- **February 3, 2026:** Tuesday evening Budget 101 (7PM)
- **February 9 – 11, 2026:** Schedule two to three full days of individual department budget presentations to the Commissioners
- **February 27, 2026:** Assessor to certify value of real and personal property (per regulation must be done by March 3rd)
- **March 12, 2026:** Schedule community forum for public hearing of budget (per regulation must be done between March 7th and March 28th)
- **Mid-March 2026:** Final health insurance renewal rates obtained
- **March 19, 2026:** Currently, this is an evening regular session. Commissioners adopt budget (per regulation must be done by March 29th)
- **March 20, 2026:** Budget must be published by March 28th each year in the local paper of record.
- **April –May 2026:** Health insurance renewal rates/options presented to Commissioners
- **April 2, 2026:** Commissioners reconvene and consider any objections, and proceeds with the laying of property tax levy rates (per regulation must be done on April 15th, the 3rd Tuesday of April) – Normally a 9:30 meeting.
- **April 15, 2026:** Lay the Levy. CFO to forward the levy order to the State Auditor's Office (per regulation must be done within 3 days of the 3rd Tuesday in April)

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: David Bound

Department or Organization: Administration

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: **January 8, 2026**

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

Date Requested – 2nd Choice:

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

**Records Management and Preservation Board Grant application and supporting documentation
Artist Selection Committee for WV250 Mural**

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

- + Approve and sign the grant application and supporting documents for the Records Management and Preservation Board Grant as presented.
- + Discuss and approve the artist selection committee for the WV250 mural. Suggested committee is stated:
 - o Cara Keys, County Commissioner
 - o Angie Banks, County Assessor
 - o Jacki Shadle, County Clerk
 - o Laura Kuhn, Director of Fleet and Facilities
 - o Peggy Smith, President, Jefferson County Arts Council
 - o Ken Fanelli, Vice President, Jefferson County Arts Council
 - o Kayla Whetstone, Grants and Social Services Coordinator

Is this a funding request? Y/N Y

If so, how much? \$1,820

Provide exact financial impact/request: 10% Grant Match

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

Requested **motion to approve and sign the grant application and supporting documents for the Records Management and Preservation Board Grant as presented.**

Requested **motion to approve the artist selection committee for the WV250 mural.**

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: David Bound

Email address: David.J.Bound@jeffcowv.gov

Phone Number: 304-728-3284 ext 1003

<u>FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION</u>
--

not applicable



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PRESIDENT

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Jack Hefestay

COMMISSIONER

Cara Keys

COMMISSIONER

Steve Stolipher

COMMISSIONER

Mike Mood

To: Commissioner Pasha Majdi
Commissioner Jack Hefestay
Commissioner Cara Keys
Commissioner Steve Stolipher
Commissioner Mike Mood

From: David Bound
Kayla Whetstone

Date: January 8, 2026

Re: Fiscal Note: Records Management and Preservation Board Grant

The Department of Engineering, Planning, and Zoning is requesting grant funding for digitization of County records through the Records Management and Preservation Board Grant.

This grant requires a 10% cash match on total amount awarded. We are requesting to apply for equipment at \$3,200 and personnel at \$15,000. Below are the cash match amounts for each category.

Equipment Cash Match	\$320
Personnel Cash Match	\$1,500
Total	\$1,820
 Coal Severance 002.101 Available	 \$15,499.05



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Cara Keys

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Mike Mood

COMMISSIONER

Steve Stolipher

RESOLUTION OF SUPPORT

West Virginia Records Management and Preservation Board Grant Application
Department of Engineering, Planning, and Zoning

WHEREAS, the County Commission is responsible for the oversight and preservation of public records maintained by county offices; and

WHEREAS, the Department of Engineering, Planning, and Zoning maintains essential public records, including plan sheets, permit applications, and related documents that support county operations and public access; and

WHEREAS, many of these records currently exist only in paper form and are vulnerable to deterioration, loss, fire, flooding, and other disasters that could result in the permanent destruction of irreplaceable documents; and

WHEREAS, digitizing these records will improve long-term preservation, enhance efficiency, support continuity of operations, and increase accessibility for staff and the public; and

WHEREAS, the Department of Engineering, Planning, and Zoning intends to apply for funding through the West Virginia Records Management and Preservation Board Grant program to obtain digitization equipment and utilize intern personnel, under appropriate staff oversight, to complete this project;

NOW, THEREFORE, BE IT RESOLVED that the County Commission hereby supports the Department of Engineering, Planning, and Zoning's application to the West Virginia Records Management and Preservation Board Grant program; and

BE IT FURTHER RESOLVED that the President of the County Commission is authorized to sign this resolution and any related documents in support of the grant application.

ADOPTED this 8 day of January, 2026.

COUNTY COMMISSION

Pasha Majdi, President

ATTEST:

County Clerk



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Jack Hefestay

COMMISSIONER

Cara Keys

COMMISSIONER

Mike Mood

COMMISSIONER

Steve Stolipher

To the West Virginia Records Management and Preservation Board:

On behalf of the County Commission, I am pleased to offer this letter of support for the Department of Engineering, Planning, and Zoning's application to the West Virginia Records Management and Preservation Board Grant program.

The Department of Engineering, Planning, and Zoning maintains a substantial collection of historically and operationally significant records, including plan sheets, permit applications, and related documents that are essential to land use decisions, infrastructure planning, regulatory compliance, and public access. Many of these records currently exist solely in paper format and are subject to deterioration, loss, and limited accessibility due to age and frequent handling.

In addition to these challenges, maintaining these records only in paper form presents a significant risk to their long-term preservation and public safety. Paper records are vulnerable to fire, flooding, water damage, and other unforeseen disasters that could result in the permanent loss of irreplaceable documents. Digitizing these records is a critical step in mitigating these risks and ensuring the continuity of essential county records.

This grant request seeks funding for both equipment and personnel to support a comprehensive digitization effort. The proposed project will allow the department to acquire appropriate scanning and digitization equipment while also utilizing interns, under the direct oversight of department staff, to carry out the digitization process. This approach ensures proper records handling, adherence to records management standards, and quality control, while also providing meaningful workforce development opportunities.

The County Commission strongly supports this initiative, as it aligns with our commitment to preserving public records, improving efficiency in county operations, and expanding public access to information. Digitizing these records will enhance long-term preservation, reduce physical storage demands, and allow staff and the public to more easily retrieve critical documents in a timely manner.

We recognize the importance of responsible records management and believe this project represents a proactive and sustainable solution to safeguarding vital county records for future generations. The County Commission fully endorses this application and supports the Department of Engineering, Planning, and Zoning in pursuing this funding opportunity.

Thank you for your consideration of this request and for your continued support of records preservation efforts across West Virginia.

Sincerely,

Pasha Majdi, President

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Edwina Benites-LM

Department or Organization: County Administration

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: January 8, 2026

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

Date Requested – 2nd Choice:

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

- 1 National Burn Awareness Week proclamation
- 2 Agritourism Taskforce Bylaws

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

See attached

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*):

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



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VICE PRESIDENT

Cara Keys

COMMISSIONER

Jack Hefestay

COMMISSIONER

Mike Mood

COMMISSIONER

Steve Stolipher

To: Commissioner Pasha Majdi
Commissioner Steve Stolipher
Commissioner Mike Mood
Commissioner Cara Keys
Commissioner Jack Hefestay

From: Edwina Benites-LM, county administrator

Re: County Administrator Report, January 8, 2026

Summary:

- 1 National Burn Awareness Week proclamation
- 2 Agritourism Taskforce Bylaws

1. National Burn Awareness Week proclamation

Suggested motion: motion to approve the National Burn Awareness Week proclamation as presented.

2. Agritourism Taskforce Bylaws

Informational only. The bylaws were approved at the last meeting.



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PROCLAMATION: Designating February 1-7, 2026, as National Burn Awareness Week

Approved: January 8, 2026

WHEREAS, burn injuries continue to be one of the leading causes of accidental death and injury in our Nation, where tragically, children, the elderly, and the disabled are especially vulnerable to burn injuries, and almost one-third of all burn injuries occur in children under the age of 15; and

WHEREAS, in the United States, the CDC reports that 398,000 people received medical care for burn injuries in 2021, with 252,000 deaths from injuries related to hot objects or substances (e.g., contact burns); and

WHEREAS, the primary causes of injury include fire-flame, scalds, contact with hot objects, and electrical and chemicals. Many injuries occur in the workplace. Today, 96.8% of those who suffer burn injuries will survive. Unfortunately, many of those survivors will sustain serious scarring, life-long physical disabilities, adjustment difficulties; and

WHEREAS, National Burn Awareness Week, an initiative of the American Burn Association, is a coming together of burn, fire, and life safety educators to make the public aware of the frequency, devastation, and causes of burn injury as well as consistent and authoritative measures to prevent these injuries and how to best care for those who are injured; and

WHEREAS, the theme for 2026 National Burn Awareness Week is “Burn Prevention Where You Live, Work, and Play – Preventing Burns in the Workplace”, where a common risk of injury exists from fire injury in the workplace; and

WHEREAS, significant research and medical advances have dramatically improved burn care and treatment, aided rehabilitation, shortened hospital stays, and increased burn survival rates. Aftercare support for the physical and emotional effects of burns has also played a key role in the successful reintegration of burn survivors into our communities. Furthermore, burn safety education and prevention efforts continue to reduce the number of people who suffer burns each year; and

WHEREAS, many people devote their lives and careers to treating, caring for, supporting, and rehabilitating burn injury survivors, including those performing vital work in burn research and development. Dedicated firefighters risk their own lives every day to protect others, as well as burn foundations and other life safety professionals who promote burn injury awareness and prevention.

NOW, THEREFORE, be it resolved that the Jefferson County Commission do hereby proclaim the week of February 1st through February 7th, 2026, as National Burn Awareness

Week. We call upon all government agencies, fire, life safety, and health care organizations, communications media, and the people of Jefferson County, WV, to observe this week with the appropriate ceremonies and activities.

Pasha Majdi
Jefferson County Commission President

Jacqueline C. Shadle
Jefferson County Clerk

Cara Keys
Jefferson County Commission Vice-President

Jack Hefestay
Jefferson County Commissioner

Steve Stolipher
Jefferson County Commissioner

Mike Mood
Jefferson County Commissioner

DRAFT

BYLAWS

JEFFERSON COUNTY AGRITOURISM TASKFORCE

ARTICLE I NAME AND PLACE OF BUSINESS

Section 1. Name: Jefferson County Agritourism Taskforce, hereinafter referred to as the Agritourism Taskforce.

ARTICLE II PURPOSE AND COMPLIANCE WITH APPLICABLE LAWS

Section 1. General: The Agritourism Taskforce is organized under the Jefferson County approval on December 18, 2025.

Section 2. Purpose: The Jefferson County Agritourism Taskforce is established to bring together stakeholders to evaluate agritourism opportunities and challenges, identify regulatory or zoning barriers, and develop recommendations that support agritourism as a tool for agricultural sustainability, economic development, and rural preservation in Jefferson County.

ARTICLE III MANAGEMENT AND MEMBERSHIP OF THE AGRITOURISM TASKFORCE

Section 1. Membership. The Agritourism Taskforce shall consist of eight (8) voting members and one county commissioner who may vote to break any tie.

Section 2. Appointment and Terms of Members. The Jefferson County Commission shall appoint members of the Agritourism Taskforce for a period of three (3) years with terms expiring on January 15th. In 2026, the first appointees will be appointed to 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 before they can make motions or vote in any Agritourism meeting or attend executive sessions.

Section 4. Resignation or Removal of Members. If a member of the Agritourism Taskforce resigns, the President or Vice President of Agritourism Taskforce 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 Agritourism Taskforce 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 AGRITOURISM TASKFORCE MEMBERS

Section 1. Time and Place. The Agritourism Taskforce members shall meet on the third Monday of each month at 3:00 pm at the Jefferson County Commission Government Complex and virtually or at a place and time otherwise designated for the meeting. The President, or the Vice President in the President's absence, may designate that any task force meeting be held virtually. 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 Agritourism member will constitute a quorum and no action of the Agritourism Taskforce shall be official unless authorized by a quorum at a regular or special meeting.

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

Section 4. Special Meetings. Special meetings of the Agritourism Taskforce may be called by the President of the Agritourism Taskforce.

Section 6. Meeting Notice. Notice shall be provided consistent with the West Virginia Open Meetings Act.

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 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 8. Meeting Format. The format for all regular meetings of the Agritourism 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. 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 Agritourism Taskforce shall be the President, Vice President, and Secretary. Each officer must be a member of the Agritourism Taskforce.

Section 2. Election of Officers. Annually, all officers of the Agritourism Taskforce shall be elected by the members at the Agritourism Taskforce’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 Agritourism Taskforce.

ARTICLE VII DUTIES OF OFFICERS

Section 1. President. The President shall preside as chair at all meetings of the membership of the Agritourism Taskforce. The President shall attend to the executive business of the

Agritourism Taskforce 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 Agritourism Taskforce 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. Amendments. These bylaws may be amended at any regular or special meeting of the Agritourism Taskforce 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 Agritourism Taskforce. Bylaw amendments shall become effective by final approval of the Jefferson County Commission.

Approved: April 17, 2025

Pasha Madji
President, Jefferson County Commission

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Edwina Benites-LM

Department or Organization: County Administration

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: January 8, 2026

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

Date Requested – 2nd Choice:

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

Selection of committees and boards for Calendar Year 2026

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

See attached

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*):

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

If not attached, explain:

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

Contact information:

Email address:

Phone Number:

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION

not applicable

2025
 Jefferson County Commission
 Assignments to Boards, Commissions, and Organizations

Organization	2025	2026
Approval of financial bills	Mood, alternate Hefestay	
Board of Health – BOH	Hefestay	
Building Repair & Security Courthouse Committee	Stolipher	
Charles Town Utility Board Liaison - CTUB	Mood, alternate Hefestay	
Community Corrections Committee – Day Report Center	Stolipher	
Development Authority – JCDA	Majdi, alternate Mood	
E911 Council	Mood	
Extension Service	Stolipher	
Farmland Protection Board – JCFPB	Stolipher	
Jefferson County Convention & Visitors Bureau - JCCVB	Keyes	
Jefferson County Fire & Rescue Association - JCFRA	Keyes	
Historic Landmarks Commission – JCHLC	Hefestay	
Homeland Security/LEPC	Hefestay	
Legislative Liaison	Co. Administrator	
Jefferson County Parks and Recreation Commission	Hefestay	
Jefferson County Planning Commission	Keyes	
Region 9	Majdi	
Solid Waste Authority	Majdi	
Hagerstown-Eastern Panhandle Metropolitan Planning Org. (HEPMPO)	Keyes	
Eastern Panhandle Transit Authority (EPTA)	Mood	
Workforce Investment Act Liaison	Majdi	

**Jefferson County, West Virginia
Local Emergency Planning Committee
C/O Jefferson County Office of Homeland
Security and Emergency Management
28 Industrial Boulevard, Suite 101
Kearneysville, WV 25430
Phone: 304-728-3290 Fax: 304-728-3320
Email: lepc@jeffersoncountywv.org**



Jefferson County, West Virginia, Local Emergency Planning Committee

2025 Bi-Monthly Meeting Minutes

FOR PUBLIC INFORMATION!

REGARDS,
COMMISSIONER HEFESTAY

**Jefferson County Local Emergency Planning Committee
Minutes
February 19, 2025**

The Regular Bi-Monthly meeting of the Jefferson County LEPC was held at Hospice of the Panhandle on Wednesday, February 19, 2025. Those present were: John Bresland, Citizen/Chairman; John Sherwood, Vice Chairman; Ed Smith, Independent Fire Company/Treasurer; Stephen Allen, Jeff. Co. OHSEM/Information Coordinator; Dick Myers, Jeff. Co. OHSEM; Dr. Terrence Reidy, Jeff. Co. Health Department; Brandon Wonder, Jeff. Co. Health Department; Adaira Jenkins, Hospice of the Panhandle/Secretary; Drew Jenkins, CBP/ATC; George Wilson, Jeff. Co. ESA; David Tabb, Citizen; Rich Clawson, Animal Welfare Society; Trey Hockman, Jeff. Co. Sheriff's Office; Jacki Shadle, Jeff. Co. Clerk; Stephen Rivera; Jeff. Co. OHSEM; Sgt. Jonathan Meeks, WV State Police; Dawn Shoemaker, American Water; Thomas Butcher, First Energy; Donaldson Twyman, Citizen; Jennifer Barre, EPA/Citizen; Hollie Kennedy, Roy Rogers; Jack Hefestay, Jeff. Co. Commission; Krista Hoffman, Jeff. Co. Development Authority.

I. Call to Order – John Bresland called the meeting to order at 0821 hours.

II. Pledge of Allegiance and Moment of Prayer – Led by Stephen Rivera.

III. Welcome Guests and Prospective New Members

1. Mr. Bresland thanks Hollie Kennedy with Roy Rogers for providing and delivering food for today's LEPC meeting.
2. Mr. Bresland shared Rockwool will be assigning a new representative from their organization to participate in LEPC. They recently hired a new health and safety manager. Mr. Bresland also shared that Rockwool has offered to hold a LEPC meeting at Rockwool this year.

IV. Minutes

1. Minutes of the previous meeting were presented by John Bresland. Mr. Tabb requested information in #14 Member Sharing Time be corrected to reflect accurate information regarding the debris that has dammed up the Opequon. Mrs. Jenkins agreed to correct this information. Steven Allen moved to approve the minutes, seconded by David Tabb. Motion approved.

V. Financial Report

1. Mr. Smith advised as of January 31, 2025, the regular account balance is \$1,803.97 after reimbursing Steven Allen \$167.00 for fair expenses. The balance in the mass fatality account remains the same with a balance of \$10,223.08 as of January 31, 2025. Steven Allen made a motion to approve the financial report, Jackie Shadle seconded the motion. Report was approved.

IV. Unfinished Business

1. Reports from Committees
 - a. By-Laws Committee – Dick Myers – Chair
 - i. Mr. Myers had nothing to share.
 - b. Budget Committee – Ed Smith – Chair
 - i. Mr. Smith had nothing to share.
 - c. Exercise Sub-Committee – Donnie Grubb – Chair
 - i. Not present. Nothing to report at this time.
 - d. Membership Committee – Steve Allen – Chair

- i. Mr. Allen thanked John Bresland for soliciting new members from Tier II reporting facilities for the LEPC. Mr. Bresland shared that he is trying to get a representative from Thompson Gas. Jennifer Barre asked about participation from railroads. Mr. Allen shared there are no active participants in the LEPC as there aren't any local safety representatives for railroads, but they do issue a report for the commodity flow study.
 - e. Public Awareness Committee – Donnie Lee Grubb III – Chair
 - i. Not Present. Nothing to report at this time.
 - f. Training and Education – Donnie Grubb – Chair
 - i. Not Present. Nothing to report at this time.
- 2. Exercises
 - a. 2024 WV Homeland Security Region 3 Exercise Series
 - i. Mr. Allen shared that we are still waiting on the after-action report from the exercise in August/September 2024. He advised there has not been an initial planning meeting for 2025. Sandy Green is activated and operating in Mercer County to assist with flooding in southern WV.
 - b. 2023 Reunification Functional Exercise Jefferson County Sheriff's Office
 - i. Mr. Hockman advised nothing to report at this time.
 - c. Active Attack Integrated Response (AAIR) Training
 - i. Mr. Hockman advised nothing to report at this time.
- 3. Grants
 - a. SERC GRANT (State Emergency Response Commission)
 - i. Mr. Myers advised this grant is ongoing and the LEPC must submit receipts for reimbursement. He informed the group that some money was spent regarding this grant (~\$2,000 for fair supplies, fair tickets, and "go bags"). Total grant amount is \$3,000.00 over two years. Funds must be spent and then reimbursement requested to receive the grants funds.
 - b. HSGP (Homeland Security Grant Program)
 - i. Mr. Myers shared the grant window is currently closed. He further shared that the OHSEM has been instructed recently not to put in for this grant in an effort to not take away from the IT department, Sheriff's Office, LEPC, etc. Mr. Myers shared that volunteer fire departments can also apply for this grant and that it takes careful coordination to ensure not all community partners are applying.
 - c. NPSG (Non-Profit Security Grant)
 - i. Mr. Myers advised the NPSG through FEMA opened a supplemental grant window.
 - ii. Mrs. Jenkins advised Hospice of the Panhandle submitted an application for the supplemental grant in December and is awaiting a decision.
 - d. HMEP (Hazardous Materials Emergency Planning) Grant
 - i. Mr. Myers advised the grant window is currently closed; however, he advised this has been applied for the last 2-3 years by the Office of Homeland Security and Emergency Management and has been denied (OHSEM). OHSEM will be applying for this again when it's available. Last report is from 2016.

4. Training

State Sponsored Training Courses

Course	Date/s	Location
ICS- 300 Intermediate ICS for Expanding Incidents	3/3-3/5	Hurricane, WV

Radiation Emergency Medicine	3/3-3/4	Beaver, PA
Radiation Emergency Assistance Center/Training	3/4-3/5	Beaver, PA
Funsar/Sartech II	3/4-3/23	Hedgesville, WV
ICS- 400 Advanced ICS for Complex Incidents	3/10-3/11	Hurricane, WV
Rail Car Incident Response	3/15	Keyser, WV
Lake CISM Training	3/21-23/25	Pendleton County
Vehicle Rescue Technician	3/28, 3/29, 3/30	Bedington
Firefighter 2		Capon Bridge, WV
ICS 300/400	03/10-03/14/25	167 th Air National Guard

Upcoming Local Training

Course	Date/s	Location
Community CPR and Stop the Bleed	03/11/25	JCESA
Community CPR and Stop the Bleed	04/08/25	JCESA
Community CPR and Stop the Bleed	05/13/25	JCESA
Child and Babysitting Safety	05/15/25	JCESA

All classes are being held at the Jefferson County Emergency Services Agency (JCESA) located at 419 Sixteenth Avenue, Ranson WV 25438 and start at 6pm.

FEMA/Emergency Management Institute (EMI) Training Courses (online)

- On-demand virtual training opportunity focused on water and wastewater threats provided by the EPA, FBI, and DHS. <https://www.youtube.com/watch?v=uIvUC6IQRZs>
- IS-100.b - Introduction to Incident Command System, ICS-100
- IS-200.b - ICS for Single Resources and Initial Action Incidents
- IS-700.a - National Incident Management System (NIMS) An Introduction
- IS-800.b - National Response Framework, An Introduction
- Fusion Liaison Officer (FLO) Program Training is being offered for those who are interested in becoming a FLO. February, April and July.

5. Planning

- a. Mr. Allen shared that the LEPC is responsible for creating an incident action plan (IAP) for Tier II facilities and this is a federal law. He further shared that if there aren't any plans for these facilities the LEPC could be held liable. CAMEO can be used to document these IAP's as it generates a lot of facility information, but it is not a requirement to use CAMEO. The facility itself should have an internal plan for hazardous response; however, it is the LEPC's responsibility to create an external response plan for fire departments, EMS, law enforcement, etc. The external response plan should include information about response to hazardous materials not limited to response for law enforcement for traffic control, fire departments, hot zone and cold zone information, etc.
- b. Ms. Barre clarified that the LEPC only has to create an IAP for those facilities that report Extremely Hazardous Substances (EHS) onsite. She shared that this is only a portion of the 43 reporting Tier II facilities, not all Tier II facilities.

6. Tier II Reporting Facilities

- a. Mr. Allen reports we've received reports from 24 facilities out of 43 in the county and still have a month to go. Deadline is March 1. Mr. Allen shared that some facilities don't send a report as they should, and some reports aren't accurate. He shared that it is up to the LEPC to verify the

accuracy of the report and reach out to companies if needed. Mr. Drew Jenkins recommended the LEPC potentially hiring an outside agency to complete the IAP's, sharing the example of other outside agencies that assisted with the Hazard Mitigation Plan and the work Tetra Tech has done with. He advised that these resources might have recommendations for an agency that could complete the IAP's. Mr. Allen and Mr. Myers shared that this would likely be outside the LEPC budget.

V. New Business

1. Discussion related to creating incident action plan for solar panels
 - a. Mr. Wilson shared that the county had its first solar panel fire recently and this is something new that the fire department has encountered. It was shared that typically during a solar panel fire a solar compound representative responds and shuts off the solar panels so the fire department can respond. Mr. Wilson shared that during the reported incident a representative did show up quickly to assist with response.
 - b. Commissioner Hefestay shared that there is currently one solar compound in Jefferson County by the name of "Blake Solar". He shared that there is information on the JeffersonCountyWV.org website under Solar Projects that has the information and contacts for Blake Solar.
 - c. Discussion continued related to conditions necessary for solar compounds, potential hazardous materials related to solar compounds, etc. Commissioner Hefestay shared that solar panels are made up of different components depending on the type used. He shared that there is a solar text amendment currently up for review in Jefferson County. He voiced that if solar compounds are going to be approved citizens should be questioning where, if they are safe, and how to handle emergencies related to compounds. Mr. Wilson shared that fire departments have had zero training on how to handle solar compound fires.
 - d. Commissioner Hefestay advised that Luke Sigfried with Zoning and Planning would be a good resource for the LEPC to reach out to for more information. There was discussion surrounding the LEPC putting together a committee to further discuss how to proceed on gathering more information about the solar compound in the county. Mr. Ed Smith recommended contacting the solar company representative directly to come to an LEPC meeting to discuss and address questions and concerns from the LEPC as well as scheduling a tour of the facility.
 - e. Mr. David Tabb made a motion for the chair of the LEPC committee to put together a sub-committee with interested LEPC members to further gather information and materials related to the solar compound. Mr. John Sherwood seconded the motion. Motion approved.

VI. Member Sharing Time

1. Sgt. Meeks had nothing to add.
2. Mr. Hockman had nothing to add.
3. Mr. Rivera shared next Wednesday is media day when education will be provided to the local media and local PIO's on how to communicate in an incident.
4. Mr. Myers gave updated information on Everbridge, the emergency notification application.
5. Mr. Allen OHSEM is scheduled to be on the county commission agenda tomorrow night to discuss 1. Emergency management performance grant \$67,400 eligible to receive back and 2. Asking County commission to dissolve the steering committee. Mr. Allen advised that there hasn't been anything happening with this committee and the requirement is to have an emergency services council which is a group of 5 people to be appointed to advise the director of emergency services pertaining to emergency services. Finally, OHSEM will be requesting an additional payment for hazard mitigation plan as a bill was received for \$4,500 that came late after turning in all the paperwork. Fire safety day in Shannondale

is Saturday, March 1 from 1000-1400 and OHSEM will be on radio WRNR 9:30-9:35 talking about Everbridge.

6. Mr. Smith shared that he has been a representative for the Jeff. Co. Fire and Rescue since LEPC committee initiated, states he is trying to get a new representative from the association. Mr. Smith states that he hopefully by the next meeting will resign as treasurer for the LEPC and the LEPC will need a new treasurer after the next meeting. He shared that this responsibility requires 15 minutes every 2 months and that he will discuss it with Mr. Bresland and move forward at the next meeting.
7. Mr. Clawson shared on Tuesday morning the Animal Welfare Society will be on the radio 95.9 from 9:10 until 9:45.
8. Mrs. Barre shared there might be updates to tier II forms. She also shared that OSHA updated physical hazards standard and the EPA is to align with these updates. She shared that CAMEO updates are on hold.
9. Mr. Jenkins had nothing to share.
10. Mr. Butcher shared citizens are concerned about increased electric bills in the last two months. Mr. Butcher explained that there was no rate increase in December and effective January 1, 2025, there was a 15 cent per hour kilowatt decrease. Potomac Edison has set peak demands on the system and a lot of electricity was generated and used in the last few months. Dominion, First Energy, and AEP met with the governor before the legislative session to discuss the future of energy- on board with everything except coal. Mr. Butcher talked briefly about changes to expect with the new administration and Potomac Edison will meet all deadlines and regulations and continue to comply based on each administration.
11. Dr. Reidy shared COVID started 5 years ago here. Nationally for the first time in 5 years, COVID deaths are now exceeded by the flu deaths for the last week. He shared that it has been a very busy flu season with a lot more hospitalizations. COVID deaths continue to decline but still seeing lots of COVID diagnosis all year long. There have been no reported bird flu cases in WV currently, but this could change as wild birds can carry this disease into the area.
12. Mr. Tabb shared that the 3M water company purchased a sonar device that can measure water from the ground and that they are looking at purchasing an electronic spectrogram testing system to test water on site instantly. He shared that elevations with water in Middleway are interesting and these instruments would all real time data on hand related to water.
13. Mrs. Jenkins shared Hospice of the Panhandle is still waiting to hear on Non-profit security grant submitted in December.
14. Mr. Wonder left early but had nothing to add.
15. Ms. Shoemaker had nothing to add.
16. Mr. Twyman had nothing to add.
17. Mr. Wilson shared that JCESA onboarded three new people with the agency and some already have fire/EMT experience- full-time paid staff. He shared that the commission approved transition of part time employees to full time positions in the budget. Part-time positions only filled 5% of the budget last year and with this change the agency is looking to add 12 full-time staff members. Mr. Wilson shared that the agency is looking at staffing a flex truck in Middleway staffed 24/7 with paramedic/firefighter starting July 1; however, if there is a call off in town this staff member will be moved from Middleway to town to cover the open shift. He shared that the agency is also looking to add a safety officer, logistics and front office staff as full-time positions between 7 stations in the county.
18. Ms. Shadle had nothing to add.
19. Mr. Sherwood had nothing to add.
20. Mr. Bresland had nothing to add.
21. Mrs. Hoffman left early but had nothing to add.
22. Mr. Hefestay shared that the objective with the JCESA is to get more manpower so the county can staff ambulances full time to make sure we have full coverage in the county for ambulance/EMS. He shared that the county commission meets twice a month, and the agenda is posted online with the next meeting

being held February 20, Thursday evening at 6pm and attendance can be in person or on zoom. He also shared that the Jeff. Co. Commission is planning to reactivate the water board.

VII. Adjournment – Mr. Tabb moved to adjourn; Dr. Reidy seconded the motion. Motion carried. The meeting was adjourned at 10:41 a.m. The next meeting of the Jefferson County LEPC will be held at 8:15am at Hospice of the Panhandle on Wednesday, April 16, 2025.

**Jefferson County Local Emergency Planning Committee
Minutes
April 16, 2025**

The Regular Bi-Monthly meeting of the Jefferson County LEPC was held at Hospice of the Panhandle on Wednesday, February 19, 2025. Those present were: John Bresland, Citizen/Chairman; John Sherwood, Vice Chairman; Ed Smith, Independent Fire Company/Treasurer; Stephen Allen, Jeff. Co. OHSEM/Information Coordinator; Dick Myers, Jeff. Co. OHSEM; Dr. Terrence Reidy, Jeff. Co. Health Department; Brandon Wonder, Jeff. Co. Health Department; Adaira Jenkins, Hospice of the Panhandle/Secretary; Drew Jenkins, CBP/ATC; George Wilson, Jeff. Co. ESA; David Tabb, Citizen; Rich Clawson, Animal Welfare Society; Trey Hockman, Jeff. Co. Sheriff's Office; Jacki Shadle, Jeff. Co. Clerk; Stephen Rivera; Jeff. Co. OHSEM; Sgt. Jonathan Meeks, WV State Police; Dawn Shoemaker, American Water; Thomas Butcher, First Energy; Donaldson Twyman, Citizen; Jennifer Barre, EPA/Citizen; Hollie Kennedy, Roy Rogers; Jack Hefestay, Jeff. Co. Commission; Krista Hoffman, Jeff. Co. Development Authority.

- I. **Call to Order** – John Bresland called the meeting to order at 0815 hours.
- II. **Pledge of Allegiance and Moment of Prayer** – Led by John Sherwood.
- III. **Welcome Guests and Prospective New Members**
 1. All members present, including new prospective members and guests, introduced themselves.
- IV. **Minutes**
 1. Minutes of the previous meeting were presented by John Bresland. Sheriff Hansen moved to approve the minutes, seconded by Steve Allen. Motion approved.
- V. **Financial Report**
 1. Mr. Smith advised since last meeting there were three transactions from the regular account: Mr. John Bresland reimbursed for breakfast for last LEPC meeting, Jefferson Publishing paid for annual LEPC meeting notice publication, Sandy Green reimbursed for lunch for Regional LEPC meeting. After expenses, the regular account balance is \$1,467.13. The balance in the mass fatality account remains the same with a balance of \$10,223.08. Steven Allen made a motion to approve the financial report; David Tabb seconded the motion. Report was approved.
- IV. **Unfinished Business**
 1. Reports from Committees
 - a. By-Laws Committee – Dick Myers – Chair
 - i. Mr. Myers had nothing to share.
 - b. Budget Committee – Ed Smith – Chair
 - i. Mr. Smith had nothing to share.
 - c. Exercise Sub-Committee – Donnie Grubb – Chair
 - i. Mr. Grubb left early. Nothing to report at this time.
 - d. Membership Committee – Steve Allen – Chair
 - i. Mr. Allen thanked John Bresland for soliciting new members from Tier II reporting facilities for the LEPC. Mr. Bresland shared that he is trying to get a representative from Thompson Gas. Jennifer Barre asked about participation from railroads. Mr. Allen shared there are no active participants in the LEPC as there aren't any local

safety representatives for railroads, but they do issue a report for the commodity flow study.

- e. Public Awareness Committee – Donnie Lee Grubb III – Chair
 - i. Not Present. Nothing to report at this time.
- f. Training and Education – Donnie Grubb – Chair
 - i. Not Present. Nothing to report at this time.

2. Exercises

- a. 2024 WV Homeland Security Region 3 Exercise Series
 - i. Mr. Allen shared that we are still waiting on the after-action report from the exercise in August/September 2024. He advised there has not been an initial planning meeting for 2025. Sandy Green is activated and operating in Mercer County to assist with flooding in southern WV.
- b. 2023 Reunification Functional Exercise Jefferson County Sheriff's Office
 - i. Mr. Hockman advised nothing to report at this time.
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- a. SERC GRANT (State Emergency Response Commission)
 - i. Mr. Myers advised this grant is ongoing and the LEPC must submit receipts for reimbursement. He informed the group that some money was spent regarding this grant (~\$2,000 for fair supplies, fair tickets, and "go bags"). Total grant amount is \$3,000.00 over two years. Funds must be spent and then reimbursement requested to receive the grants funds.
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4. Training

State Sponsored Training Courses

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ICS 300/400	03/10-03/14/25	167 th Air National Guard

Upcoming Local Training

Course	Date/s	Location
Community CPR and Stop the Bleed	03/11/25	JCESA
Community CPR and Stop the Bleed	04/08/25	JCESA
Community CPR and Stop the Bleed	05/13/25	JCESA
Child and Babysitting Safety	05/15/25	JCESA

All classes are being held at the Jefferson County Emergency Services Agency (JCESA) located at 419 Sixteenth Avenue, Ranson WV 25438 and start at 6pm.

FEMA/Emergency Management Institute (EMI) Training Courses (online)

- On-demand virtual training opportunity focused on water and wastewater threats provided by the EPA, FBI, and DHS. <https://www.youtube.com/watch?v=uIvUC6IQRZs>
- IS-100.b - Introduction to Incident Command System, ICS-100
- IS-200.b - ICS for Single Resources and Initial Action Incidents
- IS-700.a - National Incident Management System (NIMS) An Introduction
- IS-800.b - National Response Framework, An Introduction
- Fusion Liaison Officer (FLO) Program Training is being offered for those who are interested in becoming a FLO. February, April and July.

5. Planning

- a. Mr. Allen shared that the LEPC is responsible for creating an incident action plan (IAP) for Tier II facilities and this is a federal law. He further shared that if there aren't any plans for these facilities the LEPC could be held liable. CAMEO can be used to document these IAP's as it generates a lot of facility information, but it is not a requirement to use CAMEO. The facility itself should have an internal plan for hazardous response; however, it is the LEPC's responsibility to create an external response plan for fire departments, EMS, law enforcement, etc. The external response plan should include information about response to hazardous materials not limited to response for law enforcement for traffic control, fire departments, hot zone and cold zone information, etc.
- b. Ms. Barre clarified that the LEPC only has to create an IAP for those facilities that report Extremely Hazardous Substances (EHS) onsite. She shared that this is only a portion of the 43 reporting Tier II facilities, not all Tier II facilities.

6. Tier II Reporting Facilities

- a. Mr. Allen reports we've received reports from 24 facilities out of 43 in the county and still have a month to go. Deadline is March 1. Mr. Allen shared that some facilities don't send a report as they should, and some reports aren't accurate. He shared that it is up to the LEPC to verify the accuracy of the report and reach out to companies if needed. Mr. Drew Jenkins recommended the LEPC potentially hiring an outside agency to complete the IAP's, sharing the example of other outside agencies that assisted with the Hazard Mitigation Plan and the work Tetra Tech has done with. He advised that these resources might have recommendations for an agency that

could complete the IAP's. Mr. Allen and Mr. Myers shared that this would likely be outside the LEPC budget.

V. New Business

1. Discussion related to creating incident action plan for solar panels
 - a. Mr. Wilson shared that the county had its first solar panel fire recently and this is something new that the fire department has encountered. It was shared that typically during a solar panel fire a solar compound representative responds and shuts off the solar panels so the fire department can respond. Mr. Wilson shared that during the reported incident a representative did show up quickly to assist with response.
 - b. Commissioner Hefestay shared that there is currently one solar compound in Jefferson County by the name of "Blake Solar". He shared that there is information on the JeffersonCountyWV.org website under Solar Projects that has the information and contacts for Blake Solar.
 - c. Discussion continued related to conditions necessary for solar compounds, potential hazardous materials related to solar compounds, etc. Commissioner Hefestay shared that solar panels are made up of different components depending on the type used. He shared that there is a solar text amendment currently up for review in Jefferson County. He voiced that if solar compounds are going to be approved citizens should be questioning where, if they are safe, and how to handle emergencies related to compounds. Mr. Wilson shared that fire departments have had zero training on how to handle solar compound fires.
 - d. Commissioner Hefestay advised that Luke Sigfried with Zoning and Planning would be a good resource for the LEPC to reach out to for more information. There was discussion surrounding the LEPC putting together a committee to further discuss how to proceed on gathering more information about the solar compound in the county. Mr. Ed Smith recommended contacting the solar company representative directly to come to an LEPC meeting to discuss and address questions and concerns from the LEPC as well as scheduling a tour of the facility.
 - e. Mr. David Tabb made a motion for the chair of the LEPC committee to put together a sub-committee with interested LEPC members to further gather information and materials related to the solar compound. Mr. John Sherwood seconded the motion. Motion approved.

VI. Member Sharing Time

1. Sgt. Meeks had nothing to add.
2. Mr. Hockman had nothing to add.
3. Mr. Rivera shared next Wednesday is media day when education will be provided to the local media and local PIO's on how to communicate in an incident.
4. Mr. Myers gave updated information on Everbridge, the emergency notification application.
5. Mr. Allen OHSEM is scheduled to be on the county commission agenda tomorrow night to discuss 1. Emergency management performance grant \$67,400 eligible to receive back and 2. Asking County commission to dissolve the steering committee. Mr. Allen advised that there hasn't been anything happening with this committee and the requirement is to have an emergency services council which is a group of 5 people to be appointed to advise the director of emergency services pertaining to emergency services. Finally, OHSEM will be requesting an additional payment for hazard mitigation plan as a bill was received for \$4,500 that came late after turning in all the paperwork. Fire safety day in Shannondale is Saturday, March 1 from 1000-1400 and OHSEM will be on radio WRNR 9:30-9:35 talking about Everbridge.
6. Mr. Smith shared that he has been a representative for the Jeff. Co. Fire and Rescue since LEPC committee initiated, states he is trying to get a new representative from the association. Mr. Smith states that he hopefully by the next meeting will resign as treasurer for the LEPC and the LEPC will need a new

- treasurer after the next meeting. He shared that this responsibility requires 15 minutes every 2 months and that he will discuss it with Mr. Bresland and move forward at the next meeting.
7. Mr. Clawson shared on Tuesday morning the Animal Welfare Society will be on the radio 95.9 from 9:10 until 9:45.
 8. Mrs. Barre shared there might be updates to tier II forms. She also shared that OSHA updated physical hazards standard and the EPA is to align with these updates. She shared that CAMEO updates are on hold.
 9. Mr. Jenkins had nothing to share.
 10. Mr. Butcher shared citizens are concerned about increased electric bills in the last two months. Mr. Butcher explained that there was no rate increase in December and effective January 1, 2025, there was a 15 cent per hour kilowatt decrease. Potomac Edison has set peak demands on the system and a lot of electricity was generated and used in the last few months. Dominion, First Energy, and AEP met with the governor before the legislative session to discuss the future of energy- on board with everything except coal. Mr. Butcher talked briefly about changes to expect with the new administration and Potomac Edison will meet all deadlines and regulations and continue to comply based on each administration.
 11. Dr. Reidy shared COVID started 5 years ago here. Nationally for the first time in 5 years, COVID deaths are now exceeded by the flu deaths for the last week. He shared that it has been a very busy flu season with a lot more hospitalizations. COVID deaths continue to decline but still seeing lots of COVID diagnosis all year long. There have been no reported bird flu cases in WV currently, but this could change as wild birds can carry this disease into the area.
 12. Mr. Tabb shared that the 3M water company purchased a sonar device that can measure water from the ground and that they are looking at purchasing an electronic spectrogram testing system to test water on site instantly. He shared that elevations with water in Middleway are interesting and these instruments would all real time data on hand related to water.
 13. Mrs. Jenkins shared Hospice of the Panhandle is still waiting to hear on Non-profit security grant submitted in December.
 14. Mr. Wonder left early but had nothing to add.
 15. Ms. Shoemaker had nothing to add.
 16. Mr. Twyman had nothing to add.
 17. Mr. Wilson shared that JCESA onboarded three new people with the agency and some already have fire/EMT experience- full-time paid staff. He shared that the commission approved transition of part time employees to full time positions in the budget. Part-time positions only filled 5% of the budget last year and with this change the agency is looking to add 12 full-time staff members. Mr. Wilson shared that the agency is looking at staffing a flex truck in Middleway staffed 24/7 with paramedic/firefighter starting July 1; however, if there is a call off in town this staff member will be moved from Middleway to town to cover the open shift. He shared that the agency is also looking to add a safety officer, logistics and front office staff as full-time positions between 7 stations in the county.
 18. Ms. Shadle had nothing to add.
 19. Mr. Sherwood had nothing to add.
 20. Mr. Bresland had nothing to add.
 21. Mrs. Hoffman left early but had nothing to add.
 22. Mr. Hefestay shared that the objective with the JCESA is to get more manpower so the county can staff ambulances full time to make sure we have full coverage in the county for ambulance/EMS. He shared that the county commission meets twice a month, and the agenda is posted online with the next meeting being held February 20, Thursday evening at 6pm and attendance can be in person or on zoom. He also shared that the Jeff. Co. Commission is planning to reactivate the water board.

VII. Adjournment – Mr. Tabb moved to adjourn; Dr. Reidy seconded the motion. Motion carried. The meeting was adjourned at 10:41 a.m. The next meeting of the Jefferson County LEPC will be held at 8:15am at Hospice of the Panhandle on Wednesday, April 16, 2025.

**Jefferson County Local Emergency Planning Committee
Minutes
June 18, 2025**

The Regular Bi-Monthly meeting of the Jefferson County LEPC was held at Hospice of the Panhandle on Wednesday, June 18, 2025. Those present were: John Bresland, Citizen/Chairman; Ed Smith, Independent Fire Company/Treasurer; Stephen Allen, Jeff. Co. OHSEM/Information Coordinator; Dick Myers, Jeff. Co. OHSEM; Dr. Terrence Reidy, Jeff. Co. Health Department; Brandon Rhodes, Jeff. Co. Health Department; Drew Jenkins, CBP/ATC; Gary Viands, Jeff. Co. ESA; David Tabb, Citizen; Bruce Low, Citizen; Jack Hefestay, Jeff. Co. Commission; Robert Roberts, WVU – Jefferson and Berkeley Medical Centers; Stephen Rivera; Jeff. Co. OHSEM; Dawn Shoemaker, American Water; Jamie Sydykova, American Water; Trey Hockman, Jefferson Co. Sheriff's Office; Sanford Green, Emergency Management Liaison; Donaldson Twyman, Citizen; Louis Grindle, EPTA.

- I. **Call to Order** – John Bresland called the meeting to order at 0816 hours.
- II. **Pledge of Allegiance and Moment of Prayer** – Led by Stephen Rivera.
- III. **Welcome Guests and Prospective New Members**
 1. All members present, including new prospective members and guests, introduced themselves.
- IV. **Minutes**
 1. Minutes of the previous meeting were presented by John Bresland. David Tabb moved to approve the minutes, seconded by Ed Smith. Motion approved.
- V. **Financial Report**
 1. Ed Smith said the regular LEPC account has increased by \$3,000 because of a deposit from the state. The new balance in the account is \$4,467.13. The Mass Casualty account has had no transactions since the last meeting. The balance remains at \$10,223.08. Ed Smith said the name of the bank has changed to Burke & Herbert Bank. Stephen Allen made a motion to approve the financial report; David Tabb seconded the motion. Report was approved.
- IV. **Unfinished Business**
 1. Reports from Committees
 - a. By-Laws Committee – Dick Myers – Chair
 - i. Mr. Myers had no additional updates.
 - ii. Mr. Bresland inquired about the most recent update and approval of the bylaws. Mr. Myers responded that the bylaws were last updated and approved in 2024. Mr. Myers added that if anyone wants a copy of the bylaws, to let him know.
 - b. Budget Committee – Ed Smith – Chair
 - i. Mr. Smith had nothing to share.
 - c. Exercise Sub-Committee – Donnie Grubb – Chair
 - i. No additional updates.

- d. Membership Committee – Steve Allen – Chair
 - i. Mr. Allen commended Mr. Bresland for his efforts in getting participation and representation from the Tier II reporting facilities. Mr. Allen reported that he experienced technical difficulties accessing HazConnect and the Tier II reporting software. Tony Domingo has been made aware of the issue and is working on a resolution.
 - ii. Mr. Bresland reported that Rockwool has expressed interest in becoming a member of the LEPC and may be willing to host some of the future meetings. Mr. Bresland added that he wants to engage the local propane facilities and have them part of the LEPC.
 - iii. Commissioner Hefestay recommended inviting Delegate Ridenour to attend the LEPC meetings. Mr. Allen stated that he has the Delegate’s contact information and would provide it to Mr. Bresland. Mr. Bresland said that he would reach out.
 - iv. Mr. Low asked if the LEPC minutes can be posted online to Jeffersoncountylepc.com website. Mr. Allen mentioned that the Jeffersoncountylepc.com website is no longer accessible and said that minutes can be posted to the Jeffersoncountywv.org website. A space will be created on the Jefferson County Office of Homeland Security and Emergency Management page for the Jefferson County LEPC.
- e. Public Awareness Committee – Donnie Lee Grubb III – Chair
 - i. Not Present. Nothing to report at this time.
- f. Training and Education – Donnie Grubb – Chair
 - i. Not Present. Nothing to report at this time.

2. Exercises

- a. 2025 WV Homeland Security Region 3 Exercise Series
 - i. Mr. Green reported that a tabletop exercise was conducted on June 10th at Hope Christian Church in Augusta, WV. He noted that the exercise was well attended and well received. The scenario focused on the impacts of heat and drought.
 - ii. Mr. Allen inquired whether a date had been set for the upcoming functional exercise. Mr. Green responded that a date has not yet been finalized, but they are considering the second week of September.
 - iii. Mr. Green noted that the current setup of the exercise scenario assumes surrounding counties are experiencing the same emergency conditions. Some counties have expressed concerns that this limits their ability to utilize and test the mutual aid components of their emergency plans. To address this, there is consideration to modify the scenario to allow for the assumption that mutual aid resources are available.

- iv. Mr. Myers discussed the importance of the Finance Section and its role in the Emergency Operations Center (EOC). Dr. Reidy recommended exploring training opportunities specific to the finance function of the EOC. Mr. Myers noted that training is available for elected and county officials to help them understand their responsibilities during incidents occurring within their jurisdiction. He also mentioned a five-day course that provides detailed instruction on the types of financial information that must be collected during an incident. Mr. Green added that Kevin Nelson may be a valuable contact to assist in facilitating a finance and administration-related EOC course.
- b. Active Assailant School Exercise in support of JC SO/JC BoE
 - i. Trey Hockman had no additional updates.
 - c. Active Attack Integrated Response (AAIR) Training
 - i. Trey Hockman announced that the Active Assailant Integrated Response Training will be offered twice: the first session on August 11th-12th and the second session on August 13th-14th. The training will be held at Covenant Church and is open to Fire, EMS, Law Enforcement, and Dispatchers.
3. Grants
- a. SERC GRANT (State Emergency Response Commission)
 - i. Mr. Myers said that he submitted the necessary documentation to be reimbursed for the funds spent on last year's fair. A reimbursement of \$3,000 was received and is reflected in the Financial Report. Mr. Myers also noted that this year's grant amount has increased to \$4,000.
 - b. HSGP (Homeland Security Grant Program)
 - i. Mr. Green reported that the notice for the funding opportunity has not yet been released. He advised that anyone with a project in mind should have their proposal written and ready to submit before the funding opportunity is announced, as the application window length is currently unknown. He recommended completing project preparations well in advance.
 - c. NPSG (Non-Profit Security Grant)
 - i. Mr. Green said he has not seen the notice of funding opportunity yet. No additional updates.
 - d. HMEP (Hazardous Materials Emergency Planning) Grant
 - i. Mr. Green explained that the HMEP grant is funded by the DOT and follows a three-year funding cycle. He noted that it is up to the state office to determine whether HMEP grant proposals will be accepted. The grant requires a transportation nexus such as rail, air, truck, boat, or pipeline for hazardous materials. He emphasized that the HMEP grant is only for planning, exercises, and training and not for response or for equipment.
 - ii. Update Hazmat Plan
 - 1. No additional updates.
 - iii. Update Commodity Flow Study
 - 1. No additional updates.

4. Training

- a. Mr. Myers stated that if anyone needs a flyer for one of the courses listed in the agenda to reach out to him.
- b. Mr. Low noted that over the past few years there has been discussion about developing a Community Emergency Response Team (CERT) program. He mentioned that there has been interest from other members in the community to develop the program. He added that there are CERT training courses available online through FEMA. He asked whether it would be beneficial to have some people complete the online CERT training.
 - i. Mr. Myers stated that there is an online course available for individuals to take as a prerequisite for CERT training. He noted that he had attempted to enroll in a CERT-related course at the Emergency Management Institute (EMI); however, in-person classes were not being offered at the time he applied. He has since applied to take both the CERT Train-the-Trainer course and the CERT Program Manager course. He added that once he completes the training courses, he will look into starting a CERT program.

State Sponsored Training Courses

Course	Date/s	Location
Traffic Incident Management Course	06/26/25	Jefferson County, WV
Rope Rescue Awareness/Operations	06/20-22/25	Bedington VFD
Water Rescue Swim Test	06/30/25	Martinsburg, WV
Water Rescue Series (66 Hours)	07/11/25	Bedington VFD
Drone FAA Part 107 Exam Prep	07/21-24/25	Martinsburg, WV
Emergency Services Instructor 1 & 2 (50 Hours)	08/01-10/25	Hampshire County, WV
Driver Aerial Operator	08/02-17/25	Hedgesville VFD
Firefighter 1	08/05/25	Bedington VFD
Aerial Search and Rescue Procedures	08/06-07/25	Martinsburg, WV
Rope Rescue Awareness/Operations	08/22-24/25	Springfield Valley VFD
Rope Rescue Technician	08/30-31/25	Springfield Valley VFD
Watercraft Rescue – Awareness, Ops, Tech	09/05-07/25	Bedington VFD
ICS 300	09/08-10/25	Baker Heights VFD
ICS 400	09/10-12/25	Baker Heights VFD

Upcoming Local Training

Course	Date/s	Location
Community CPR and Stop the Bleed	05/13/25	JCESA
Child and Babysitting Safety	5/15/25	JCESA
Community CPR and Stop the Bleed	06/10/25	JCESA
Community CPR and Stop the Bleed	07/08/25	JCESA
Child and Babysitting Safety	07/10/25	JCESA

All classes are being held at the Jefferson County Emergency Services Agency (JCESA) located at 419 Sixteenth Avenue, Ranson WV 25438 and start at 6pm.

FEMA/Emergency Management Institute (EMI) Training Courses (online)

- On-demand virtual training opportunity focused on water and wastewater threats provided by the EPA, FBI, and DHS. <https://www.youtube.com/watch?v=uIvUC6IQRZs>
- IS-100.b - Introduction to Incident Command System, ICS-100
- IS-200.b - ICS for Single Resources and Initial Action Incidents
- IS-700.a - National Incident Management System (NIMS) An Introduction
- IS-800.b - National Response Framework, An Introduction
- Fusion Liaison Officer (FLO) Program Training is being offered for those who are interested in becoming a FLO. February, April and July.

5. Planning

a. CAMEO generated IAP's for Tier II facilities

- i. Mr. Allen stated that he is working with the state to coordinate CAMEO training for a representative from the Jefferson County Emergency Services Agency. He mentioned that George Wilson had identified someone to participate in the CAMEO training, to have them develop Incident Action Plans (IAP) for the Tier II facilities.

1. Mr. Viands said that he will reach out to George Wilson and ask who he had in mind to take the CAMEO training and develop the IAPs. Mr. Viands said he will work on this and provide an update at the end of the month.

6. Tier II Reporting Facilities

- a. Mr. Allen said there are 53 reporting facilities. Ms. Shoemaker added that WV American Water accounts for 14 of those facilities.

7. Opdenenergy solar farm update

- a. Mr. Bresland explained that at the last LEPC meeting, representatives from the Opdenenergy solar farm provided a presentation and extended an invitation for the LEPC to tour the facility. On May 8th members of the LEPC toured the solar farm.

- b. Mr. Myers provided a recap of the solar farm tour. The visit began with a presentation of the facilities operations, followed by a walkthrough of the plant. The employees outlined and explained the potential hazards associated with the materials on site. Mr. Myers added that the employees were welcoming and easy to work with.

- c. Mr. Bresland noted that a key takeaway from the tour was learning how emergency responders can access the 450-acre facility.

- d. Ms. Sydykova asked if the primary risk at the solar farm is electrical. Mr. Viands added that the greatest hazard is the high voltage. He added that the site is monitored 24/7 remotely, as well as during regular business hours by on-site personnel.

- e. Dr. Reidy asked if there are other facilities or industries within the county that would be beneficial for the LEPC to learn more about.

- i. Mr. Viands said that they are working through the Tier II report and identifying appropriate companies to contact to gather relevant information for first responders.

- ii. Mr. Allen said that in either 2013 or 2015, there was a propane plan created for the large sites in the county. The plan included points of contact for each facility and was shared with all seven fire chiefs at that time. He suggested that it may be worth revisiting the plan. Mr. Viands agreed and noted that the contact information will need to be reviewed to ensure it is still accurate.
 - iii. Commissioner Hefestay recommended that LEPC members monitor the minutes and agendas of the Board of Zoning Appeals and the Planning Commission. He noted that this would help keep members informed about upcoming businesses in Jefferson County that may be relevant to the LEPC's planning and preparedness efforts.
8. Jefferson County Fair – Payment to vendor/vendors
- a. Mr. Allen noted that the county fair is scheduled for the third week of August and that additional items still need to be purchased for the LEPC booth. He suggested that, instead of the current practice of using personal funds and seeking reimbursement, the LEPC explore the possibility of obtaining a debit card through its bank to facilitate purchases.
 - b. Mr. Smith asked Mr. Allen if they want a credit card or a debit card.
 - i. Mr. Allen said a debit card.
 - c. Mr. Tabb made a motion to get a debit card for the allowance approved by the LEPC, up to \$1,000 dollars. Mr. Myers seconded the motion. Motion approved.

V. New Business

- 1. Voting of new member Brandon Rhodes, Health Department Administrator.
 - a. Commissioner Hefestay moved to appoint Brandon Rhodes as an official member of the LEPC representing the Health Department. Seconded by Steve Allen. Motion approved.
- 2. Q3 WV Region LEPC/EPEDA Meeting. Location: Berkeley County OEM Office, 802 Emmett Rousch Drive – Martinsburg WV 25401.
 - a. Region 3 LEPC meeting is going to be held July 9th in Martinsburg. Mr. Green added that he sent out information. Timothy Gablehouse will be the guest presenter, an internationally known subject matter expert on environmental issues, liabilities, and more, relating to LEPCs and Emergency Management.

VI. Member Sharing Time

- 1. John Bresland had no additional updates.
- 2. Ed Smith suggested that Brandon Rhodes be appointed as the treasurer. Mr. Bresland said he will consider that when making the treasurer appointment.
- 3. Stephen Allen brought up that the next LEPC meeting date is during the Jefferson County Fair. The group proposed August 27th as the next LEPC meeting date.
- 4. Dick Myers thanked everyone who participated in the recent tabletop exercise. He added that if WV American Water is interested in putting injects in future exercises to help them test their plans to let him know. He offered course flyers to anyone interested.
- 5. Terrence Reidy had no additional updates.
- 6. Brandon Rhodes had no additional updates.

7. Drew Jenkins had no additional updates.
8. Jamie Sydykova had no additional updates.
9. Donaldson Twyman had no additional updates.
10. Louis Grindle had no additional updates.
11. Trey Hockman had no additional updates.
12. David Tabb spoke about the development concerns in the county. On a personal note, he said that his brother Walter is battling cancer. He spoke about various needs he helped his brother with, and added that when people are in need, how important it is to care for them.
13. Stephen Rivera said that if anyone is interested in volunteering at the Jefferson County LEPC Fair Booth to get in contact with him. He also, discussed the avenues that the Jefferson County Office of Homeland Security and Emergency Management disperses preparedness information. He added that if anyone is in need of emergency preparedness material to contact him.
14. Dawn Shoemaker said that WV American Water is having a tabletop exercise on August 21st at the Hampton Inn and lunch will be provided. On August 20th there will be an opening for the public. She added that an email invite will be sent with further information.
15. Bruce Low had no additional updates.
16. Robert Roberts had no additional updates.
17. Sandy Green had no additional updates.
18. Jack Hefestay said that there is a special Jefferson County meeting today. He briefly overviewed the topics of the upcoming meeting.
19. Garry Viands had no additional updates.

Mr. Tabb moved to have the next LEPC meeting on August 27th at Hospice of the Panhandle. Seconded by Mr. Smith. Motion carried.

- VII. Adjournment** – David Tabb moved to adjourn; seconded by Dick Myers motion. Motion carried. The meeting was adjourned at 10:50 a.m.

The next meeting of the Jefferson County LEPC will be held at 8:15am at Hospice of the Panhandle on Wednesday, August 27th, 2025.

Jefferson County Local Emergency Planning Committee
Minutes
August 27, 2025

The Regular Bi-Monthly meeting of the Jefferson County LEPC was held at Hospice of the Panhandle on Wednesday, June 18, 2025. Those present were: John Bresland, Citizen/Chairman; John Sherwood, Chamber of Commerce/Vice Chair; Brandon Rhodes, Jefferson County Health Department/Treasurer; Stephen Allen, Jeff. Co. OHSEM/Information Coordinator; Dick Myers, Jeff. Co. OHSEM; Dr. Terrence Reidy, Jeff. Co. Health Department; Drew Jenkins, CBP/ATC; Lt. Gary Viands, Jeff. Co. ESA; David Tabb, Citizen; Bruce Low, Citizen; Jack Hefestay, Jeff. Co. Commission; Robert Roberts, WVU – Jefferson and Berkeley Medical Centers; Ryan Levins, National Park Service; Rich Clawson, Animal Welfare Society; Dawn Shoemaker, American Water; Jamie Sydykova, American Water; Lt. Rob Sell, Jefferson Co. Sheriff's Office; Jesse Hott, American Red Cross.

- I. **Call to Order** – John Bresland called the meeting to order at 0815 hours.
- II. **Pledge of Allegiance and Moment of Prayer** – Led by John Sherwood.
- III. **Welcome Guests and Prospective New Members**
 1. All members present, including new prospective members and guests, introduced themselves.
- IV. **Minutes**
 1. Minutes of the previous meeting were presented by John Bresland. David Tabb moved to approve the minutes, seconded by Jesse Hott. Motion approved.
- V. **Financial Report**
 1. Treasurer Rhodes advised as of July 31st the regular account balance is \$4,467.13. The Mass Casualty account had two dormant account transaction fees of \$5.00 each which brings the new balance to \$10,213.08. Commissioner Hefestay made a motion to approve the financial report; Stephen Allen seconded the motion. Report was approved.
- IV. **Unfinished Business**
 1. Reports from Committees
 - a. By-Laws Committee – Dick Myers – Chair
 - i. Mr. Myers had no additional updates.
 - b. Budget Committee – Ed Smith – Chair
 - i. Mr. Smith had nothing to share.
 - c. Exercise Sub-Committee – Donnie Grubb – Chair
 - i. Mr. Roberts stated WVU JMC will be going through their mass causality trailer this Thursday. They are planning a mass causality exercise for the Fall time frame. Mr. Roberts will keep us advised of any updates.

d. Membership Committee – Steve Allen – Chair

- i. Mr. Allen commended and wanted to thank Mr. Bresland for his persistence in getting more industry and businesses involved in the LEPC. He also wanted to thank WV American Water for their participation in the LEPC.
- ii. Mr. Bresland commented on WV American Water TTX and wanted to thank them for inviting us and was very informative. Ms. Shoemaker appreciated the participation and would like to continue working with the group to improve on their plans. Mr. Bresland also wanted to let the group know that WV American Water has a \$5,000 grant available to local Fire Departments. Ms. Shoemaker encourages the representatives here to apply and she can provide additional information for those interested.
- iii. Mr. Bresland stated he has been attempting to make contact with the propane companies. He ask if anyone had any contact information for AmeriGas. Mr. Tabb stated he would check with his contacts and get back with Mr. Bresland.

e. Public Awareness Committee – Donnie Lee Grubb III – Chair

- i. Not Present. Nothing to report at this time.

f. Training and Education – Donnie Grubb – Chair

- i. Not Present. Nothing to report at this time.

2. Exercises

a. 2025 WV Homeland Security Region 3 Exercise Series

- i. Mr. Green was not in attendance. Mr. Allen stated the scenario focused on the impacts of heat and drought. We will be holding the functional exercise at the Jefferson County EOC on October 28, 2025 starting promptly at 9 am. Mr. Myers invited our community partners to participant in the exercise, which give you the opportunity to test your plan. This not only helps your local agency with grant funding but also gives an idea of how our EOC operates during an emergency.

b. Active Assailant School Exercise in support of JC SO/JC BoE

- i. Lt. Sell had no additional updates at this time.

c. Active Attack Integrated Response (AAIR) Training

- i. Lt. Sell announced that the Active Assailant Integrated Response Training as a success. The training was held at the Covenant Church in Shepherdstown. It was open to Fire, EMS, Law Enforcement, and Dispatchers. We had 29 students from Jefferson, Berkeley, and Hampshire counties as well as the National Park Service. Those who had attended had rave revues. Lt. Sell advised that we now have four instructors (Lt. Robert Sell, Sandy Green, Sgt. Vincent Tiong, and Cpl. Trey Hockman) who can teach future classes.

3. Grants

a. SERC GRANT (State Emergency Response Commission)

- i. Mr. Allen advised Mr. Myers had applied and the LEPC had received \$3,000 for reimbursement for the last grant cycle ending in 2024 just prior to our last meeting. The grant is a two year grant so we can submit for any additional funds that we spend within that time period.

- b. HSGP (Homeland Security Grant Program)
 - i. Mr. Allen reported that the notice of funding opportunity was released. Jefferson County Commission has submitted an application. He advised that anyone with a project in mind should have their proposal written and ready to submit before the funding opportunity is announced because it may only have a short time frame to apply. This is a perfect example, the county had one week once the NOFO was dropped.
- c. NPSG (Non-Profit Security Grant)
 - i. No additional updates.
- d. HMEP (Hazardous Materials Emergency Planning) Grant
 - i. Mr. Allen explained that the HMEP grant is funded by the DOT and follows a three-year funding cycle. He noted that it is up to the state office to determine whether HMEP grant proposals will be accepted. The grant requires a transportation nexus such as rail, air, truck, boat, or pipeline for hazardous materials. He emphasized that the HMEP grant is only for planning, exercises, and training and not for response or for equipment. Mr. Allen advised it has been about 10 years since the last commodity flow study and we would like permission to submit for this grant cycle for the study. There was discussion on what is involved, who would apply and cost. There was a motion by Mr. Tabb and second by Jesse Hott to start the application process by Mr. Allen.
 - ii. Update Hazmat Plan
 - 1. No additional updates.
 - iii. Update Commodity Flow Study
 - 1. No additional updates.

4. Training

State Sponsored Training Courses

Course	Date/s	Location
Watercraft Rescue – Awareness, Ops, Tech	09/05-07/25	Bedington VFD
ICS 300	09/08-10/25	Baker Heights VFD
ICS 400	09/10-12/25	Baker Heights VFD
Propane IQ Class	09/13-14/25	Romney WV
Vehicle Rescue Awareness and Ops – Passenger	09/20-21/25	Capon Bridge VFD
Aerial Driver Operator	09/28-10/25	Bedington VFD
Emergency Services Instructor I and II	10/10-19/25	Berkeley Co. Sta. 97
Vehicle Rescue Technician – Passenger	10/11-12/25	Capon Bridge VFD
WV AuxComm	10/25-26/25	Romney WV (HCESA Building)
EMT – Refresher Course	10/29-31/25	Jefferson Co. ESA
Rope Rescue – Technician	11/14-16/25	Blue Ridge Mountain VFD

Upcoming Local Training

Course	Date/s	Location
Community CPR and Stop the Bleed	05/13/25	JCESA
Child and Babysitting Safety	5/15/25	JCESA
Community CPR and Stop the Bleed	06/10/25	JCESA
Community CPR and Stop the Bleed	07/08/25	JCESA
Child and Babysitting Safety	07/10/25	JCESA

All classes are being held at the Jefferson County Emergency Services Agency (JCESA) located at 419 Sixteenth Avenue, Ranson WV 25438 and start at 6pm.

FEMA/Emergency Management Institute (EMI) Training Courses (online)

- On-demand virtual training opportunity focused on water and wastewater threats provided by the EPA, FBI, and DHS. <https://www.youtube.com/watch?v=ulvUC6IQRZs>
- IS-100.b - Introduction to Incident Command System, ICS-100
- IS-200.b - ICS for Single Resources and Initial Action Incidents
- IS-700.a - National Incident Management System (NIMS) An Introduction
- IS-800.b - National Response Framework, An Introduction
- Fusion Liaison Officer (FLO) Program Training is being offered for those who are interested in becoming a FLO. February, April and July.

5. Planning

a. CAMEO generated IAP's for Tier II facilities

- i. Mr. Allen stated that he spoke with Jennifer Barr during the fair and she doesn't have time to assist. He stated, Jim West from ESA was interested in learning CAMEO and would benefit the LEPC and ESA in completing the IAP's that are required.

6. Tier II Reporting Facilities

- a. Mr. Allen said there are 53 reporting facilities. No additional facilities added.

7. Jefferson County Fair –

- a. Mr. Allen stated that it was a good week. He and Mr. Bresland had discussed during the fair we need some better participation from the LEPC members to assist at the booth. Mr. Allen stated it is a great opportunity to highlight your company/agency. Mr. Myers wanted to thank those who did participate and look forward to continue to provide the citizens with great information regarding the LEPC.

V. New Business

1. Voting of new members: Gary Viands and Jamie Sydykova.
 - a. Motion on the floor to accept Mr. Viands and Ms. Sydykova in as members of the LEPC. Seconded by Mr. Tabb. Motion approved.
2. Mor. Low advised he read an article from the Department of Natural Resources about a Hemorrhagic Disease in the deer population. He asked, with the upcoming hunting season, if there is a concern to the public. Dr. Reidy stated this type of disease doesn't pose any issues to humans or any transmission concerns. It is different than CWD, chronic wasting disease.

VI. Member Sharing Time

1. John Bresland had no additional updates.
2. Rich Clawson stated the Animal Welfare Society will participating in an event at the Middleway Fire Department on October 5th. They will be having live radio broadcast, fire prevention and demonstrations, raffles and giveaways.
3. Stephen Allen had nothing to add at this time.
4. Dick Myers stated there will be an (IPPW) improvement planning workshop being held on September 17th in Moorefield. He also wanted to let everyone know our PAC Stephen Rivera has resigned to take another position. Also, the Jefferson County Communications Director Jeff Polczynski has retired. Both positions will be posted. Deputy Director, Tara Vann is the interim Director. Lastly, Mr. Myers wanted to thank WV American Water for their hospitality during the TTX. It was very informative and was great to meet and greet other community partners.
5. Terrence Reidy advised the Health Department also provides Narcan training for those who are interested. Dr. Reidy spoke about the Charles Towers incident that occurred on September 16th. He was asking if there would be an After Action Review. Mr. Allen stated he had contacted the Fire Officials who were in charge of the incident, but has not heard back from them. Dr. Reidy advised in light of that he felt it was a good idea to proceed with an AAR. He will set up an invite for those that were involved in the incident.
6. David Tabb stated he attended a meeting with FEMA representatives regarding storm water management and was advised of certain guidelines that needed to be followed. The conservation district has one of four items dealing with dams that had to be completed.
7. Ryan Levins had nothing to add at this time.
8. Brandon Rhodes had no additional updates.
9. Drew Jenkins wanted to thank the individuals who participated in the fair. He also wanted to thank WV American Water for the invite to their TTX, even though he was not able to attend due to a prior commitment. Mr. Jenkins also stated his facility had two high profile visitors and wanted to thank the local partners for their assistance with the availability of their services during that time. It goes to show how well our organizations/agencies work together and wants to continue the partnerships that we have established.
10. Jamie Sydykova thanked the group for officially voting her into the LEPC.
11. Lt. Robert Sell advised it was good week for the fair. Calls for service were handled quickly and no major issues. Lt. Sell stated there will be an Arts and Crafts Festival September 26-28 located at the fairgrounds.
12. Dawn Shoemaker wanted to thank all those who attended the TTX and looking forward to future partnership participation.
13. Bruce Low had no additional updates.
14. Jesse Hott advised the ARC is starting a new push to identify new volunteers, resources and sheltering possibilities. They had a great response from their current volunteers who respond to calls ie. (locally) Charles Towers and displaced residents from single family fires or other disasters. In October, they will promoting the "Sound the Alarm" program (installation of free smoke detectors), which corresponds with Fire Prevention Week. He also added there is a free web resource for small businesses to establish EOP's if an event were to occur. It would have helped in the case of Charles Towers if a plan was in place.
15. Robert Roberts advised that BMC and JMC also provide free Narcan which are located in the main lobby of those facilities.
16. Jack Hefestay wanted to thank WV American Water for the invite to the TTX and was impressed with exercise. He stated the County Commission supports ESA. Lt. Viands said they are planning to put a FLEX Vehicle at Middleway Fire Department at the end of October, but not set in stone. Chief Sine will be presenting a plan to the County Commission in the near future. Commission Hefestay also wanted to advise the group of the recent purchase of the two APU buildings. This will allow to have many of the counties services to be in one location.

17. Garry Viands added the fair went well, no negatives at this time. Lt. Viands also discussed the call at Charles Towers. Things went well with a few issues and is looking forward to the AAR.
18. John Sherwood had nothing to add at this time.

VII. Adjournment – David Tabb moved to adjourn; seconded by Gary Viands motion. Motion carried. The meeting was adjourned at 10:45 a.m.

The next meeting of the Jefferson County LEPC will be held at 8:15am at Hospice of the Panhandle on Wednesday, October 15, 2025.

**Jefferson County Local Emergency Planning Committee
Minutes
October 15, 2025**

The Regular Bi-Monthly meeting of the Jefferson County LEPC was held at Hospice of the Panhandle on Wednesday, October 15, 2025. Those present were: John Bresland, Citizen/Chairman; John Sherwood, Vice Chairman; Stephen Allen, Jeff. Co. OHSEM/Information Coordinator; Dick Myers, Jeff. Co. OHSEM; Dr. Terrence Reidy, Jeff. Co. Health Department; Adaira Jenkins, Hospice of the Panhandle/Secretary; David Tabb, Citizen; Rich Clawson, Animal Welfare Society; Thomas Butcher, First Energy; Jack Hefestay, Jeff. Co. Commission; Gary Viands, Jefferson County ESA; Brandon Rhodes, Jeff. Co. Health Department/Treasurer; Ryan Levins, National Park Service-Harpers Ferry; Bruce Low, Citizen; Marc Nicklas, Amerigas; Kari Dean, JCCM; Brandon Wonder, Jeff. Co. OHSEM.

I. Call to Order – John Bresland called the meeting to order at 0819 hours.

II. Pledge of Allegiance and Moment of Prayer – Led by John Sherwood.

1. Moment of silence to remember those that died in explosion at Tennessee explosives plant.

III. Welcome Guests and Prospective New Members

IV. Minutes

1. Minutes of the previous meeting on August 27, 2025 were presented by John Bresland. David Tabb moved to approve the minutes, seconded by Ryan Levins. Motion approved.

V. Financial Report

1. Brandon Rhodes advised the balance in the regular account remains the same with a balance of \$3,917.13. Brandon shared that since last LEPC meeting there was a dormant account fee of \$5.00 on the Mass Fatality Account as well as a deposit of \$1.00 and explained this process. The beginning balance on the Mass fatality account was \$10,218.08. After the dormant account fee and deposit, the balance of the Mass Fatality account was \$10,214.08. Steven Allen made a motion to approve the financial report; Jack Hefestay seconded the motion. Report was approved.

IV. Unfinished Business

1. Reports from Committees

a. By-Laws Committee – Dick Myers – Chair

i. Mr. Myers had nothing to share.

b. Budget Committee – Brandon Rhodes – Chair

i. Mr. Rhodes had nothing to share.

c. Exercise Sub-Committee – Donnie Grubb – Chair

i. Mr. Grubb was not present. Nothing to report at this time.

d. Membership Committee – Steve Allen – Chair

i. Mr. Allen thanked John Bresland and Dr. Reidy for actively soliciting new members for the LEPC.

e. Public Awareness Committee – Donnie Lee Grubb III – Chair

i. Not Present. Nothing to report at this time.

f. Training and Education – Donnie Grubb – Chair

i. Not Present. Nothing to report at this time.

2. Exercises

- a. WV Homeland Security Region 3 Exercise Series
 - i. Mr. Allen shared that the functional exercise is scheduled for 10/28/2025 0900-1500. He advised an Emergency Operations Center will be stood up and encouraged everyone to ensure they are signed up for Nixle/Everbridge emergency notifications to receive communication during the exercise. Mr. Allen explained the purpose of the exercise and the importance each year responding to requests for injects for exercise planning. Mr. Allen shared that previous exercises have been cancelled during government shutdowns and it's possible this exercise could be cancelled.
- b. Reunification Functional Exercise Jefferson County Sheriff's Office
 - i. No representative from the Sherriff's Office present. Nothing to report at this time.
- c. Active Attack Integrated Response (AAIR) Training
 - i. No representative from the Sherriff's Office present. Nothing to report at this time.

3. Grants

- a. SERC GRANT (State Emergency Response Commission)
 - i. Mr. Myers advised this grant is ongoing. The grant is \$4,000 per year and is a reimbursement grant meaning the LEPC must spend funds then submit receipts for reimbursement.
- b. HSGP (Homeland Security Grant Program)
- c. NPSG (Non-Profit Security Grant)
- d. HMEP (Hazardous Materials Emergency Planning) Grant

4. Training

State Sponsored Training Courses

Course	Date/s	Location
Incident Command System 400 (ICS 400)	10/06-07/25	Taylor Co Health Dept.
MGT 335 Event Security Planning	10/07-08/25	St Albans PD
Emergency Services Instructor I and II	10/10-19/25	Berkeley Co. Sta. 97
Vehicle Rescue Technician – Passenger	10/11-12/25	Capon Bridge VFD
Drone Search & Rescue	10/16-17/25	Morgantown
AuxComm Class	10/25-26/25	Romney
Drone Search & Rescue	10/27-28/25	Putnam County
EMT – Refresher Course	10/29-31/25	Jefferson Co. ESA
Drones for First Responders	11/03-05/25	Bridgeport, WV
Rope Rescue – Technician	11/14-16/25	Blue Ridge Mountain VFD

Upcoming Local Training

Course	Date/s	Location
Community CPR and Stop the Bleed	10/14/25	JCESA
Community CPR and Stop the Bleed	11/18/25	JCESA
Community CPR and Stop the Bleed	12/09/25	JCESA
Child and Babysitting Safety	12/11/25	JCESA

All classes can be viewed by accessing the calendar at JCESA.org. Classes are being held at the Jefferson County Emergency Services Agency (JCESA) located at 419 Sixteenth Avenue, Ranson WV 25438 and start at 6pm.

FEMA/Emergency Management Institute (EMI) Training Courses (online)

- On-demand virtual training opportunity focused on water and wastewater threats provided by the EPA, FBI, and DHS. <https://www.youtube.com/watch?v=uIvUC6IQRZs>
- IS-100.b - Introduction to Incident Command System, ICS-100
- IS-200.b - ICS for Single Resources and Initial Action Incidents
- IS-700.a - National Incident Management System (NIMS) An Introduction
- IS-800.b - National Response Framework, An Introduction

**Courses are not available during the government shutdown as the website is inaccessible.

5. Planning

6. Tier II Reporting Facilities

- a. Mr. Allen advised no new facilities have reported since last meeting. Reports have been received this year from 53 facilities. Mr. Allen discussed requirements surrounding Tier II reporting.

V. New Business

1. Voting on new members

- a. Dr. Reidy made a motion to vote on Amerigas as a new member; Jack Hefestay seconded the motion. Motion approved.
- b. Jack Hefestay made a motion to vote on Jefferson County Community Ministries as a new member; David Tabb approved the motion. Motion approved.

2. Next Bi-Monthly LEPC meeting- Tony Domingo, Assistant Section Chief with WV Emergency Preparedness Response Division will be presenting.

3. Brandon Wonder was introduced as the new Public Affairs Coordinator with the Jeff. Co. Office of Emergency Management.

4. Dick Myers provided an update from the SERC conference.

- a. SERC grant- Potentially increasing the grant to assist with the amount of responsibility for LEPC's, discussed the need to raise rates for businesses that are reporting TIER II to accomplish this.
- b. LEPC can do commodity flow study- only 6-7 counties in the state can get this completed with current funding- concerns with first come first serve and counties receiving funding when they've had a recent commodity flow study when other counties are not being awarded that haven't had a commodity flow study in 10-12 years
- c. HAZ connect software (TIER II) reporting facilities- (Mr. Myers has HAZ connect flyer)
- d. Hand out- allowable grant expenditures for LEPC funds
- e. LEPC reference guide- includes LEPC responsibilities
- f. Anytime an LEPC meeting is conducted there has to be a hazardous materials component to it
- g. New 2026 LEPC notebooks were provided
- h. Exercise at end of first day- board game tabletop exercise
- i. Two members of the LEPC can go to the SERC conference for free every year. SERC conference is typically a day and a half.

5. Changes to By-Laws

- a. Mr. Myers advised that any cost involved with a request for information cannot include a charge for "man hours". He shared this is close to the last page in the By-Laws and requested this come back to the LEPC for a vote next meeting.
- b. Mr. Myers shared that the annual public notice in the media has to have the business hours of the Office of Emergency Management included.

VI. Member Sharing Time

1. John Bresland had nothing to add.
2. John Sherwood had nothing to add.
3. Adaira Jenkins shared that Hospice of the Panhandle completed a third submission over the summer for the Non-Profit Security Grant.
4. Stephen Allen had nothing to add.
5. Gary Viands shared that there is a training calendar available at the JCESA website. He shared that the county commission is visiting fire departments to create a 5, 10, and 15 year plan. He shared that a flex truck was to be posted at Middleway but this is currently on hold due to staffing and five new employees will be onboarding.
6. Rich Clawson left early, had nothing to add.
7. Thomas Butcher reported that First Emergency is building a new natural gas power plant in the state.
8. Jack Hefestay reported that the county commission meets once a month. The meeting can be attended via zoom. He reports the new county building is still be worked on and the expectation is that everyone should be moved in by the end of 2026. The county is planning on selling the current buildings. Commissioner Hefestay reported this Friday there will be a special session of the county commission to interview a replacement for the county attorney.
9. Dick Myers had nothing to add.
10. Dr. Reidy shared that flu shots are available at the Health Department and those that would liek to receive a shot should call the Health Dept. for an appt.
11. Brandon Rhodes reporting hand, foot, and mouth is running rampant and to be mindful.
12. Ryan Levins thanks the State for providing monetary donation to continue National Park Service operations during the government shut down.
13. Bruce Low had nothing to add.
14. David Tabb had nothing to add.
15. Marc Niklas shared is currently busy season for Amerigas.
16. Kari Dean shared that she is from Jefferson County Community Ministries. JCCM has hired a new executive director and will be opening a new medical clinic in Ranson December 1. The medical clinic will have low-income apartments upstairs. She shared that WVU Medicine will be providing care Mon-Wed while Shenandoah Community Health will be providing care Thurs and Fri. Mrs. Dean shared a new adult emergency shelter will be breaking ground and opening in the spring at Racetrack Street and 5th avenue. Three grants (state and federal) are funding this project.
17. Brandon Wonder shared information about the OEM monthly newsletter including the daily sit rep. He encouraged members to contact him directly if they are interested in receiving this.

VII. Adjournment – Mr. Tabb moved to adjourn; Gary Viands seconded the motion. Motion carried. The meeting was adjourned. The next meeting of the Jefferson County LEPC will be held at 8:15am at Hospice of the Panhandle on Wednesday, December 17, 2025.

Jefferson County, West Virginia
Local Emergency Planning Committee
C/O Jefferson County Office of Homeland
Security and Emergency Management
28 Industrial Boulevard, Suite 101
Kearneysville, WV 25430
Phone: 304-728-3290 Fax: 304-728-3320
Email: lepc@jeffersoncountywv.org



Jefferson County Local Emergency Planning Committee
Agenda
December, 17 2025 0815

- I. **Call to Order: Chair- John Bresland**
- II. **Pledge of Allegiance and Prayer**
 - 1. Moment of silence for 2 National Guardsman attacked in Washinton, D.C. on 11/26
- III. **Welcome guests and prospective new members**
- IV. **Minutes**
 - 1. Approval of Minutes of the October 15, 2025 meeting
- V. **Financial Report: Treasurer- Brandon Rhodes**
 - 1. Approval of Financial Report for the Regular and Mass Fatality Accounts

a. Regular Account Balance	10/15/2025	\$ 3,917.13
b. Mass Fatality Account Balance	10/15/2025	\$10,214.08
- VI. **Unfinished Business**
 - 1. Sub Committee reports
 - a. By-Laws: Dick Myers - Chair/David Tabb
 - b. Budget: Brandon Rhodes - Chair/George Ware
 - c. Exercise Sub-Committee: Chair/Don Grubb
 - d. Membership: Chair/Steve Allen
 - e. Public Awareness: Donnie Lee Grubb - Chair/Angela Gordon
 - f. Training and Education: Chair/Don Grubb
 - 2. Exercises
 - a. 2025 WV Homeland Security Region 3 Exercise Series: Sandy Green/Don McLaughlin
 - b. Active Assailant School Exercise in support of JC SO/JC BoE: Sheriff Hansen/Lt. Sell

SPRING 2026

c. Active Attack Integrated Response (AAIR) Training: Lt. Sell/Sandy Green

3. Grants

- a. SERC (State Emergency Response Commission) Grant: John Bresland
- b. HSGP (Homeland Security Grant Program): Sandy Green/Steve Allen
- c. NPSG (Nonprofit Security Grant): Sandy Green
- d. HMEP (Hazardous Materials Emergency Preparedness) Grant: Sandy Green/John Bresland/Steven Allen
 - i. Update HazMat Plan
 - ii. Updated Commodity Flow Study

4. Training

State-Sponsored Training Courses

Course	Date/s	Location
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Upcoming Local Training

Course	Date/s	Location
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FEMA/Emergency Management Institute (EMI) Training Courses (online)

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- IS-700.a - National Incident Management System (NIMS) An Introduction
- IS-800.b - National Response Framework, An Introduction

✓ 5. Planning

a. CAMEO generated IAP's for Tier II facilities – Steve Allen/Jennifer Barre

• 6. Tier II reporting facilities

a. 53 facilities have reported for the year 2024. Reporting period for 2025 will open January 1, 2026.

VII. New Business

1. Region Presentation by Tony Domingo, West Virginia Emergency Management Division, Tier II/LEPC Programs

ASST SEC CHIEF PREPAREDNESS AND RESPONSE

304-414-7671

304-380-3090

304-957-8367

Tony A. Domingo
@ WV, SOV

THE UNTHINKABLE - AMANDA RIPLEY ON AMAZON
ALL TRAINING CLASSES AT JCESA ARE FREE!

CIV RESP TO ACTIVE SITUATIONS

Jefferson County, West Virginia
Local Emergency Planning Committee
C/O Jefferson County Office of Homeland
Security and Emergency Management
28 Industrial Boulevard, Suite 101
Kearneysville, WV 25430
Phone: 304-728-3290 Fax: 304-728-3320
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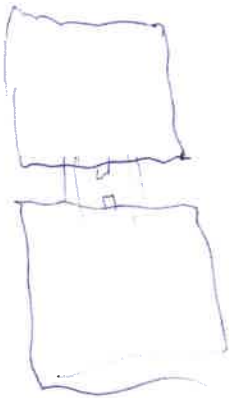
SPRING 2026

- ✓ 2. Remarks from WV State Delegate Bill Ridenour, 100th District, Jefferson County
- ✓ 3. Discussion: Emergency evacuation from the Mountain
- ✓ 4. Nominations and vote for Vice Chair of the LEPC
- ✓ 5. After Action Report Charles Town Towers evacuation
- 6. Vote on By-Laws change regarding inability to charge for "man hours" for requests for information

VIII. Member Sharing Time

IX. Adjournment

The next LEPC meeting is currently scheduled for Wednesday, February 18, 2026 at Hospice of the Panhandle. The meeting will commence at 0815 hours.



One hour presentation

Overview of what LEPC should be doing (15 min)

Hazconnect – overview, purpose, how it works, access (15 min)

What should you do with Hazconnect data - PLAN, Comp Emer Resp Pln per 42 USC 11003 (15 min)

Questions (15 min)

Overview of what LEPC should be doing (15 min)

Not getting into history and creation of LEPCs

Giving an Overview of what LEPC should be doing

Primary responsibilities of LEPC (Local Emergency Planning Committee) under EPCRA:

- Develop an emergency plan for your community to prepare for and respond to chemical emergencies
- Review and exercise the plan annually (at a minimum)
- Place a Notice of Public Availability ad annually in print media with the largest circulation in your area advising the public they can view certain facility information on a certain date, at a certain time and at a certain location
 - Public has a right to view reports collected under EPCRA:
 - 312 Annual Report, Revised Reports, Updated Reports
 - List of chemicals, their properties, health hazards, quantities
 - The comprehensive emergency response plan (storage locations should be redacted if included in the plan; personal phone numbers should be redacted(PII))

Under EPCRA (Emergency Planning and Community Right-to-know Act)

- LEPCs are not only required to develop and implement an emergency plan for their community
- The LEPC needs to ensure that the people in the community are aware of the chemical risks AND know what to do if a chemical accident occurs

In planning, LEPCs need to address concerns of individuals with special needs or challenges

- elderly, disabled, children
- those with transportation challenges (no car or inability to drive)
- those with hearing impairments
- those with language barriers (Non-English speaking or those with difficulty comprehending English)

Through planning, training and exercises the LEPC's should identify gaps in capabilities. They should work with the community, emergency responders, facilities and other stakeholders to strategically plan to fill those gaps in order to improve community and responder preparedness.

- Not working to close identified gaps is what can lead to civil rights lawsuits against local governments and the SERC. People have a civil right to adequate emergency planning.
- The community also has a right to know what is NOT going to happen in terms of an emergency response so they don't continue to have unrealistic expectations.

WV SERC has established **eight** Baseline Requirements for LEPCs to be recognized as an active LEPC and potentially receive grant monies. These baseline requirements are based on Federal and State code for LEPCs and the open meetings law in WV.

- By-Laws
- Comprehensive Emergency Response Plans
- Annual Notice of Public Availability
- Officer List
- Membership List
- Information Request Process
- Information Coordinator
- Meeting Minutes and Agendas (Notice on Secretary of State website / WV Open Meetings Law)

Hazconnect – overview, purpose, how it works, access (15 min)

Hazconnect is the electronic filing system for entities in WV to file their EPCRA Section 312 Tier II Reports (westvirginia.hazconnect.com).

Certain entities which have Material Safety Data Sheets or Safety Data Sheets for hazardous substances present at their site are required to file reports for substances on site for the previous year. If those substances are in quantities which meet certain thresholds.

- Threshold for EHS is 500 pounds or the threshold planning quantity, whichever is less. Some TPQs (Threshold Planning Quantity) is Zero.
- Threshold for gasoline (all grades combined) at a retail gas station is 75,000 gallons, if the tank(s) was stored entirely underground and in

compliance at all times during the preceding year with all applicable federal and state Underground Storage Tank (UST) requirements.

- Note For above ground storage tanks and non-compliant underground tanks the reporting threshold is 10,000 pounds or approximately 1,600 gallons depending on temperature, type and additives which affect density. Thus, treating them as common hazardous substances.
- Retail gas station is defined as a station selling fuel to the public for motor vehicle use on land.
- Threshold for diesel fuel (all grades combined) at a retail gas station is 100,000 gallons, if the tank(s) were stored entirely underground and in compliance at all times during the preceding year with all applicable federal and state UST requirements.
 - Note For above ground storage tanks and non-compliant underground tanks the reporting threshold is 10,000 pounds or approximately 1,330 gallons depending on the grade, temperature and additives. Thus, treating them as common hazardous substances.
 - Retail gas station is defined as a station selling fuel to the public for motor vehicle use on land.
- For all other hazardous chemicals for which facilities are required to have or prepare an MSDS / SDS the minimum reporting threshold is 10,000 pounds.

Section 312 Reports contain: Company Name, address, contact information for facility, plant manager and safety manager, hazardous substance information including maximum /minimum quantities, how the hazardous substance is stored, physical and health hazards of substance.

Entities can be anything from an oil or gas well to a marina to a large chemical or industrial plant.

EPCRA requires the filing of reports because the public has a right to know what hazards are present in their communities. By knowing what hazards are present in the community, the community and LEPC can plan for emergencies and thus be better prepared.

Once the entity submits an Annual Report OR Updates or Revises a previously filed report, the system notifies the SERC, LEPC and respective fire department by way of email that a report has been filed / updated or revised. The notification goes to the email the system has on file for the SERC, LEPC and fire department.

Once the LEPC and fire department receives notification that a report has been filed, updated or revised, a member of the LEPC and fire department would log in to Hazconnect using their account to get access to the report.

We also allow County Emergency Managers, 9-1-1 Directors, and Deputy Directors and Planners for OEM and 9-1-1 to have access to Hazconnect.

What should you do with Hazconnect data - PLAN, Comp Emer Resp Pln per 42 USC 11003 (15 min)

The **fire department** should use the data in the Annual / Revised / Updated Report to plan for an emergency.

The **LEPC** would use the data in the Annual / Revised / Updated Report to plan for an emergency.

The LEPC is specifically required to use the data in Hazconnect to complete Comprehensive Emergency Response Plans for each facility that contain at least an EHS (extremely hazardous substance).

The LEPC is specifically required to review or update the Comprehensive Emergency Response Plan yearly, at a minimum, or any other time as necessary based upon changes or additions to facilities or chemicals.

Moving Forward

LEPC should work on meeting baseline requirements.

LEPC should review data in Hazconnect to ensure its accuracy. Don't focus so much on what is not in there and who is not reporting. Focus on who is reporting and what data is in there and its accuracy so you will have accurate data when you do your Comprehensive Emergency Response Plans or plan for other Non-EHS events.

In reviewing the Hazconnect data, you as an LEPC are free to reach out to the facility to get inaccuracies corrected. Keep in mind that an employee may be doing the data entry or a contractor may be doing the data entry. In either case, it is the facility's responsibility to make sure their data is accurate.

I hope to target specific under reporting or non-reporting entities in the future i.e. retail gas stations, marinas, airports, lead-acid batteries, etc.

QUESTIONS (15 min)

JCC Meeting Public Comments

From Deborah Lowe <dlowe@jeffersoncountywv.org>

Date Mon 12/22/2025 8:16 PM

To Pasha Majdi <pmajdi@jeffersoncountywv.org>; Steve Stolipher <sstolipher@jeffersoncountywv.org>; Cara Keys <ckkeys@jeffersoncountywv.org>; Mike Mood <mmood@jeffersoncountywv.org>; Jack Hefestay <jhefestay@jeffersoncountywv.org>

Cc Edwina Benites <ebenites@jeffersoncountywv.org>; Thomas Hansen <thansen@jcsdvw.com>

From the Sheriff and Command Staff:

Several remarks were made at the last Commission meeting regarding an incident that occurred on December 5th at Mi Degollado and La Mezzaluna. We cannot comment on Federal operations; however, the need was felt to pass along that this was not an ICE operation. It was another federal agency who was executing a fugitive warrant for someone who was wanted for child rape out of Texas, who was already on the sexual offender list in California. While we can and do get called in to support Federal agencies, we treat everyone with respect and care until their actions require us to escalate our reactions for the protection of the public and the deputies. Additionally, the Jefferson County Sheriff's Office does not stop or take anyone into custody without probable cause. Again, we cannot speak to the actions of Federal Agencies, only to our own.

Sent via the Samsung Galaxy S21 Ultra 5G, an AT&T 5G smartphone

DO NOT SUPPORT DATA CENTERS IN JEFFERSON COUNTY

From Charlotte Fremaux <cmfremaux@gmail.com>

Date Tue 12/16/2025 9:55 AM

To twilt@ransonwv.us <twilt@ransonwv.us>; Pasha Majdi <pmajdi@jeffersoncountywv.org>; Mike Mood <mmood@jeffersoncountywv.org>; jill.s.upson@wv.gov <jill.s.upson@wv.gov>; kathryn.skinner@k12.wv.us <kathryn.skinner@k12.wv.us>; qrfsolutionsk9@outlook.com <qrfsolutionsk9@outlook.com>; contact@cornerconnectionwv.com <contact@cornerconnectionwv.com>; wgoodrich@potomac.bank <wgoodrich@potomac.bank>; khoffman@jcda.net <khoffman@jcda.net>; Cara Keys <ckkeys@jeffersoncountywv.org>; Jack Hefestay <jhefestay@jeffersoncountywv.org>; Steve Stolipher <sstolipher@jeffersoncountywv.org>; Edwina Benites <ebenites@jeffersoncountywv.org>

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To all officials considering the statement of support for data centers in Jefferson County:

I am appalled and disgusted that another rural development association is considering supporting the building of data centers here in Jefferson County. There is ample evidence in other areas and states that the building of data centers destroys the rural character, agriculture, tourism, and property rights of landowners by threatening their wells and water sources and by driving up the cost of electricity to home and business owners.

Jefferson County sends more tax revenue to the state than any other county. That depends upon the existing home, farm, and business owners being assured that their property rights are upheld, their businesses able to thrive, and people earning the higher incomes that send the revenue to the state be able to stay here, live, and do business. If you think that data centers—which are unsightly, useordinate amounts of water, and add nothing to the community—are incentives for people to move here or start businesses that provide financial support to the county and state, you are dreaming.

We now enjoy robust tourism that brings millions of dollars per year, supports local businesses and lodging. Building data centers will end that. The viewshed and tourism value of our rich historical properties and resources will be forever compromised.

The massive amount of water data centers consume will cause residential and agricultural wells to go dry, stripping landowners of their property values and ability to enjoy their existing property rights. Water is life. The ability to draw water from our wells is a right. We live on karst hydrology, which has and will continue to make industrial development here unsustainable.

As technology advances, existing data centers will require massive and expensive upgrades or become abandoned, leaving decaying buildings and sprawl across our county. Is this your vision for economic development? Do you not expect to be held accountable for the damage these centers will cause?

It is also the practice of electricity providers to pass on the costs of building and supporting the microgrids needed for the centers on to consumers. Is this what you want for the community and the people you serve??

It is appalling that, in the vein of Rockwool, Mountain Pure/Sidewinder, and other heavy industry, our elected officials are selling out our county for personal gain or a non-existent fix to economic development. The public does not support this. Think of the sheer numbers of people who have been and will continue to fight this quick-fix-based vision of economic development. Think, instead of economic development that enhances life here, supports existing farming and local businesses, and secures the existing residents (as well as those who may move here in the future) reasons for living here.

Do your jobs. Work for the good of the community you serve. Work for economic development that fits the character of our county and the reasons people live here. Stop looking for quick fixes that enrich a few and impoverish everyone else.

We the people of Jefferson County did not elect you to destroy our way of life, threaten our property values and rights, and make living here more difficult. Your decisions that affect our lives will be remembered and you will be held accountable.

Thank you for considering my views.

Charlotte M Fremaux
175 Fern Drive
Harpers Ferry, WV 25425
301-404-8639

December 23, 2025

Edwina Benites, County Administrator
Jefferson County
P.O. Box 250
Charles Town WV 25414

Dear Ms. Benites:

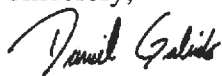
In accordance with Code of Virginia § 15.2-2204.C, this letter provides you with written notice that the **Loudoun County Board of Supervisors** will hold a public hearing on a proposed Comprehensive Plan Amendment (CPAM-2024-0005) to amend the *Loudoun County 2019 General Plan* ("2019 GP"). CPAM-2024-0005 Electrical Infrastructure proposes amendments to the 2019 GP to consider map, text, and policy amendments related to the location, siting, design, and aesthetics of high voltage transmission corridors (equal to or greater than 138 kilovolts) and electrical infrastructure. The public hearing will be held **on Wednesday, January 14, 2026, at 6:00 P.M.** in the Board of Supervisors' Meeting Room, Loudoun County Government Center, 1 Harrison Street, S.E., Leesburg, Virginia.

CPAM-2024-0005 proposes revisions to Chapter 6, Chapter 7, Glossary, and such other Chapters, policies, maps, and provisions of the 2019 GP as necessary to implement and maintain consistency with the foregoing amendments or as otherwise necessary to correct typographical errors, section and subsection numbering, and formatting within, update cross-references to, and further clarify the requirements of, the above-mentioned section(s) of the 2019 GP.

A copy of the proposed CPAM may be examined at the Loudoun County Government Center, Office of County Administrator, Information Desk, First Floor, 1 Harrison Street, S.E., Leesburg, Virginia, from 8:30 AM to 5:00 PM, Monday through Friday, or call 703-777-0246 (option 5) to request a hard copy or electronic copy. You also may view all documents/materials within the project's file on the County's online application management system at loudoun.gov/landmarc under the search term "CPAM-2024-0005". In addition, documents may be viewed and downloaded electronically the week before the hearing at www.loudoun.gov/bosdocuments (for Public Hearing documents, follow the link for Board of Supervisors Business Meetings, Public Hearings and Special Meetings"). Comments may be mailed to the Loudoun County Department of Planning and Zoning, 1 Harrison St., S.E., P.O. Box 7000, Leesburg, Virginia, 20177-7000 (attention: Pat Giglio). Any written comments received prior to the public hearing will be distributed to Board members.

Questions may be directed to Pat Giglio, Department of Planning and Zoning at patrick.giglio@loudoun.gov (571-627-8068).

Sincerely,



Daniel Galindo
Director, Planning and Zoning

cc: Public

NO to Support for Data Centers

From Terry Thorson <terry.thorson@gmail.com>

Date Tue 12/16/2025 8:49 AM

To khoffman@jcda.net <khoffman@jcda.net>; joshua.cook@jcda.net <joshua.cook@jcda.net>; Tayler Sisk <tsisk@jcda.net>; twilt@ransonwv.us <twilt@ransonwv.us>; Pasha Majdi <pmajdi@jeffersoncountywv.org>; Mike Mood <mmood@jeffersoncountywv.org>; jill.s.upson@wv.gov <jill.s.upson@wv.gov>; kathryn.skinner@k12.wv.us <kathryn.skinner@k12.wv.us>; qrfsolutionsk9@outlook.com <qrfsolutionsk9@outlook.com>; contact@cornerconnectionwv.com <contact@cornerconnectionwv.com>; wgoodrich@potomac.bank <wgoodrich@potomac.bank>

Cc Cara Keys <ckeys@jeffersoncountywv.org>; Jack Hefestay <jhefestay@jeffersoncountywv.org>; Steve Stolipher <sstolipher@jeffersoncountywv.org>; Edwina Benites <ebenites@jeffersoncountywv.org>

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Please do not betray this county with support for data centers. *There is no benefit to us, just costs -- the water use, the heat, the unreclaimable land use, the environmental degradation.*

Your work is important, but support for data centers? Actively courting them? No, no one who is considering the future of this county as a place for tourists and farming wants this. Just the regular folks who want to live in a county where small businesses prosper and the younger generations can find jobs want this.

Don't make a decision for political reasons, make it for common sense and care for the community.

--

Terry Thorson
8036 Shepherdstown Pike | Shepherdstown WV 25443
304-876-1526 | 202-603-6023

Consideration of Data Centers for Economic Development in Jefferson County;

From Anna Mary Walsh <amwalsh222@yahoo.com>

Date Mon 12/15/2025 8:37 PM

To twilt@ransonwv.us <twilt@ransonwv.us>; Pasha Majdi <pmajdi@jeffersoncountywv.org>; Mike Mood <mmood@jeffersoncountywv.org>; jill.s.upson@wv.gov <jill.s.upson@wv.gov>; kathryn.skinner@k12.wv.us <kathryn.skinner@k12.wv.us>; qrsolutionsk9@outlook.com <qrsolutionsk9@outlook.com>; contact@cornerconnectionwv.com <contact@cornerconnectionwv.com>; khoffman@jcda.net <khoffman@jcda.net>; wgoodrich@potomac.bank <wgoodrich@potomac.bank>

Cc Cara Keys <ckey@jeffersoncountywv.org>; Jack Hefestay <jhefestay@jeffersoncountywv.org>; Steve Stolipher <sstolipher@jeffersoncountywv.org>; Edwina Benites <ebenites@jeffersoncountywv.org>

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Dear Members of the JCDA,

I join all of you with your concern for economic development and the success of our county in drawing in industries, companies, and corporations that will help to provide a more helpful tax base for us.

I have spent hours researching data centers that have cropped up all across the United States. Viewing pros and cons, I am extremely worried and concerned what this project would do not FOR our county but TO our county's resources.

As I've studied what is needed to operate these data centers, it is extremely scary in the amount of water needed to keep these systems cool. We've seen the Sidewinder company wanting to set up and use millions of gallons of water daily; we view the residential maps of the county where houses are popping up in areas I never thought would pass as livable acreage because of the use of DDT and other poisons on land where people are drinking from wells. The billion dollar companies behind the data center boom are firms that have the money to snap up farmland, reshape rural land, and leave locals to absorb the higher utility costs.

And now it is the belief of one of our county government boards that data centers are our saving grace as a great direction to move.

Wrong.

Many counties across our state are experiencing the same concerns where data centers are being pushed by our governor to occupy vital land for the existence of current industry, residences, and tourism areas. The Eastern Panhandle has always held the lead in our state in common sense in the use of our land and resources to maintain a quality of life for our residents and those thousands of others who will be moving here over the next decades.

Let's keep the welfare of our residents in mind. There will be other industries that will be environmentally friendly for our region. Data centers do not reflect a positive choice. I am sending this to you as a message of non-support of data center development in our county.

Cordially,
Anna Mary Walsh