

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, JANUARY 19, 2012
9:30 A.M.

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

Revised Jan. 17, 2012 at 9:18 a.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

APPROVAL OF PURCHASE ORDERS

APPROVAL OF ACCOUNTS PAYABLE

PUBLIC COMMENT

PRESENTATIONS:

1. **9:45 a.m.** **Angela Banks, Assessor**
 - Exonerations -Discussion/Action

2. **10:00 a.m.** **Joe Cosentini, City Manager, Charles Town**
 - Certificate of Annexation for the Moler Property - Discussion/Action
 - Certificate of Annexation for the property of First Charles Town Group and
 Willow Spring PSC - Discussion/Action

3. **10:15 a.m.** **Cheryl L. Keyrouse**
 - Jefferson County Day at the Capitol, Charleston , WV - Discussion/Action

4. **10:30 a.m.** **Break**

5. **10:45 a.m.** **Barbara Miller, Director of Homeland Security and Emergency Management**
 - Appointments/Reappointments to Jefferson County Homeland Security and
 Emergency Management Steering Committee Steering Committee -
 Discussion/Action

6. **11:00 a.m.** **Lynn Fields and Karen Olden, Deputy Probate Clerks**
 - Quarterly Closings/Estate Approvals - Discussion/Action

7. **11:15 a.m.** **Linda Reeves**

- Homestead Exemption Denial Appeal - Discussion/Action

8. 11:30 a.m. Jennifer Myers and Paul Marshall, Parks and Recreation Commission
- Hite Road Park Update - Discussion/Action
- Presentation on Re-Charting Parks and Recreation as a multi-governmental organization - Discussion/Action
9. 12:00 p.m. Jennifer Brockman, Director of Planning and Zoning
- Alternative Recommendations regarding on a Proposed Amendment to **Articles 20** and 26 of the Jefferson County Subdivision and Land Development Regulations amending the Maximum Square Footage Requirements for a Minor Site Plan in various Zoning Districts - Discussion/Action
- Letter of support and approval regarding designation of designated roads in Jefferson County to be a part of a new proposed US Bike Route 11 - Discussion/Action

NEW BUSINESS:

10. Request to increase Chief Deputy County Clerk salary from \$45,100 to \$48,175 as a result of the Classification Compensation Study - Discussion/Action
11. Request for Compensation During Temporary Assignment for Sandy Slusher McDonald from Deputy County Administrator to Interim County Administrator effective January 16, 2012 - Discussion/Action
12. Request for approval of \$50,000 for the completion of the new maintenance building - Discussion/Action
13. Request to hire a part-time Deputy Sheriff for the sole purpose of filling vacancies due to a deputy being off on military activation or assignment - Discussion/Action
14. Discuss the possibility of outsourcing the county's IT system or grow our current system in-house (PN) - Discussion/Action

DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY REPORTS

Department of Planning and Zoning

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

15. Break for Lunch

The Commission will resume at 1:30 to continue any New Business that has not be discussed.

~~~~~ POSSIBLE AFTERNOON SESSION ~~~~~

16. 1:30 p.m.

ADJOURN

**CORRESPONDENCE:**

Notice of Interviews and Appointments to the following Board, Committee or Commission: Eastern Panhandle Transit Authority Board, Zoning Board of Appeals, Berkeley/Jefferson Criminal Community Justice Board and the Water Advisory Committee.

Copy of letter sent to Congresswoman Shelley Moore Capito received from the Hagerstown Metropolitan Planning Organizations.

Copy of letter received from William H. Gordon Associates, Inc. regarding Proposed Recreational Zone in Jefferson County, WV.

End of year letter received from Community Alternatives to Violence.

Letter received from Wendy Whitehair-Lochner regarding opposition to commercial zoning.

Letter received from Beverly A. Meadows regarding opposition to extending the Route 340 corridor.

Notice of Board of Review and Equalization dates.

Media Advisory/Press Release received from the Jefferson County Emergency Services Agency regarding Community Information meetings on Proposed County Fire and EMS Fees.

The weekly settlement report for Charles Town Races and Slots for the week ending January 7, 2012 received from the West Virginia Lottery.

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

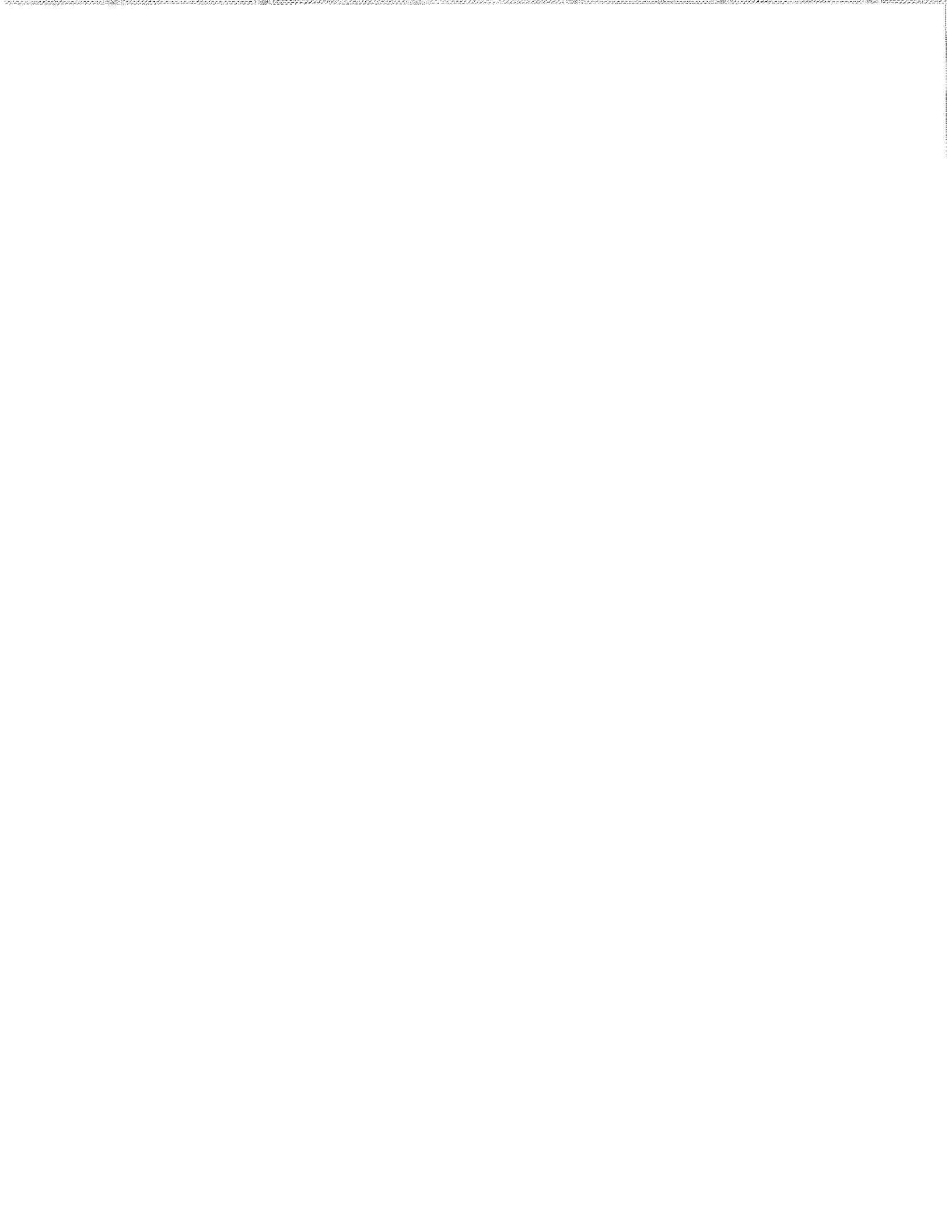


# PURCHASE ORDERS TO BE APPROVED

## January 19 2012

| DEPARTMENT               | PURCHASE ORDER | AMOUNT              | VENDOR                     | DESCRIPTION                        |
|--------------------------|----------------|---------------------|----------------------------|------------------------------------|
| COUNTY CLERK (ELECTIONS) | 50662          | \$ 627.44           | SHEPHERDSTOWN CHRONICLE    | Map Legal Ads                      |
|                          | 50661          | \$ 313.00           | SPIRIT OF JEFFERSON        | Map legal ads                      |
| COURTHOUSE               | 50838          | \$ 3,195.98         | CT CARPET ONE FLOOR & HOME | Carpet install County Clerk Office |
| HOMELAND SECURITY        | 53189          | \$ 362.69           | P CARD                     | GPS SYSTEM                         |
| OTHER BUILDINGS          | 50833          | \$ 642.24           | BRIGGS                     | Weld angles to make ramp           |
|                          | 50834          | \$ 1,328.13         | DELL                       | PC                                 |
|                          | 50835          | \$ 1,328.13         | DELL                       | PC                                 |
|                          | 50923          | \$ 2,341.38         | FIDELIY POWER SYSTEM       | Generator service call             |
|                          | 50924          | \$ 1,288.17         | ROY'S GLASS                | Glass service                      |
| <b>GRAND TOTAL</b>       |                | <b>\$ 11,427.16</b> |                            |                                    |

Printed at 3:41 p.m. on 1/13/12



①

9:45 am

1-19-12  
Agenda

**Sandy McDonald**

**From:** "Angela Banks" <abanks@jeffersoncountywv.org>  
**To:** "tboyde" <tboyde@jeffersoncountywv.org>  
**Cc:** <sandy@jeffersoncountywv.org>  
**Sent:** Thursday, January 12, 2012 2:21 PM  
**Subject:** CC meeting next Thursday

I need to be on the agenda for Thursday, January 19, 2012 for exonerations.

Angela L. Banks  
Jefferson County Assessor  
104 E. Washington St.  
Charles Town WV 25414  
304-728-3224



|                                                                                            |
|--------------------------------------------------------------------------------------------|
| <p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p> |
|--------------------------------------------------------------------------------------------|

**AGENDA REQUEST FORM**

Name: Joe Cosentini

Department or Entity: City of Charles Town

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

Date Requested – 1<sup>st</sup> Choice: January 19, 2012

Date Requested – 2<sup>nd</sup> Choice: January 26, 2012

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

Subject: Certificate of Annexation for the Moler Property

Certificate of Annexation for the property of First Charles Town Group and Willow Spring PSC

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

See Attached

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

To approve the certificates of annexation and orders for the subject properties

Attachments:

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

In Re: Annexation of Additional Territory of the City of Charles Town Pursuant to West Virginia Code Section 8-6-4

ORDER

A certificate of the governing body of the City of Charles Town has this day filed showing that an annexation has been made, in the manner required by law, to the corporate limits thereof, and that by such annexation the said corporate limits are as follows:

See Attached Exhibit A

It is therefore ORDERED that such annexation to said corporate limits of Charles Town be, and the same is hereby APPROVED and CONFIRMED, and the Clerk of the Court is directed to deliver to the said Council of the City of Charles Town a certified copy of this Order, as soon as practical after the entry of the same.

COUNTY COMMISSION OF  
JEFFERSON COUNTY, WEST VIRGINIA

BY: \_\_\_\_\_  
Patricia Noland

Entered: \_\_\_\_\_

**CERTIFICATE OF ANNEXATION PURSUANT TO AN ORDINANCE**

**AN ANNEXATION ORDINANCE ANNEXING THE PROPERTIES OF BRUCE MOLER AND  
JANET MOLER, SITUATE AT THE CORNER OF EUCLID AVENUE AND WASHINGTON  
AVENUE, CHARLES TOWN, WEST VIRGINIA**

WHEREAS, West Virginia Code 8-6-4 permits a municipality to, by ordinance, annex additional territory without ordering a vote on the question if (1) a majority of the qualified voters of the additional territory file with the governing body a petition to be annexed and (2) a majority of all freeholders of the additional territory, whether they reside or have a place of business therein or not, file with the governing body a petition to be annexed, and

WHEREAS, Bruce Moler and Janet Moler are freeholders of the area sought to be annexed and they are also qualified voters in the area sought to be annexed, and

WHEREAS, pursuant to West Virginia Code 8-6-4(f) only a qualified voters petition is necessary in this matter, and


WHEREAS, since there are no freeholders in the area sought to be annexed and that all of the qualified voters have joined in the petition seeking to have the area annexed, Council is of the opinion that a majority of the freeholders and voters of the area sought to be annexed desire to be annexed into the City, and

WHEREAS, the City Council has determined that the property sought to be annexed is contiguous and adjacent to the municipal boundary line of the City of Charles Town pursuant to the description attached to said petition and shown on the plat submitted with said petition, and

NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the municipality of the City of Charles Town (1) adopts the recitals set forth above as true and correct and that they are hereby incorporated in the ordinances as if set out in full, (2) hereby finds and is satisfied that the petition is sufficient in every respect and that the recorded is directed to enter this fact upon the City's Journal and forward a certificate to the effect to the County Commission of Jefferson County, West Virginia requesting that they enter an ORDER annexing the property in

the petition to the municipality of the City of Charles Town. FURTHER, after the date of entry of the County Commission's Order, the corporate limits of the municipality of Charles Town shall be as set forth therein.

CITY OF CHARLES TOWN

By:   
The Honorable Peggy A. Smith, Mayor

First Read:

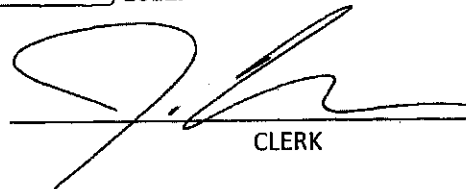
Date: 08/01/11

Second Read:

Date: 08/13/11

**CERTIFICATE**

The undersigned, being the Clerk for the City of Charles Town, hereby certifies that the above ordinance is a true copy of the Ordinance of the City of Charles Town entered into its Journal as of the 15<sup>th</sup> day of August, 2011.

  
CLERK

AN ANNEXATION ORDINANCE ANNEXING THE PROPERTIES OF BRUCE MOLER AND  
JANET MOLER, SITUATE AT THE CORNER OF EUCLID AVENUE AND WASHINGTON  
AVENUE, CHARLES TOWN, WEST VIRGINIA

WHEREAS, West Virginia Code 8-6-4 permits a municipality to, by ordinance, annex additional territory without ordering a vote on the question if (1) a majority of the qualified voters of the additional territory file with the governing body a petition to be annexed and (2) a majority of all freeholders of the additional territory, whether they reside or have a place of business therein or not, file with the governing body a petition to be annexed, and

WHEREAS, Bruce Moler and Janet Moler are freeholders of the area sought to be annexed and they are also qualified voters in the area sought to be annexed, and

WHEREAS, pursuant to West Virginia Code 8-6-4(f) only a qualified voters petition is necessary in this matter, and

WHEREAS, since there are no freeholders in the area sought to be annexed and that all of the qualified voters have joined in the petition seeking to have the area annexed, Council is of the opinion that a majority of the freeholders and voters of the area sought to be annexed desire to be annexed into the City, and

WHEREAS, the City Council has determined that the property sought to be annexed is contiguous and adjacent to the municipal boundary line of the City of Charles Town pursuant to the description attached to said petition and shown on the plat submitted with said petition, and

NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the municipality of the City of Charles Town (1) adopts the recitals set forth above as true and correct and that they are hereby incorporated in the ordinances as if set out in full, (2) hereby finds and is satisfied that the petition is sufficient in every respect and that the recorded is directed to enter this fact upon the City's Journal and forward a certificate to the effect to the County Commission of Jefferson County, West Virginia requesting that they enter an ORDER annexing the property in

the petition to the municipality of the City of Charles Town. FURTHER, after the date of entry of the County Commission's Order, the corporate limits of the municipality of Charles Town shall be as set forth therein.

CITY OF CHARLES TOWN

By: 

The Honorable Peggy A. Smith, Mayor

First Read:

Date: 08/01/11

Second Read:

Date: 08/15/11

Served 7/9/07

FREEHOLDER PETITION TO ANNEX FIVE (5) PARCELS OF REAL ESTATE  
CONSISTING OF THOSE PARCELS FOUND AT MAP 10A, PARCELS 0105, 0106,  
0107, 0108, AND 0113, CHARLES TOWN DISTRICT, JEFFERSON COUNTY,  
WEST VIRGINIA (EUCLID AVENUE) BEING THE LAND OF BRUCE P. MOLER  
AND JANET MOLER

WHEREAS, West Virginia code 8-6-4 permits a municipality to, by ordinance, annex additional territory without ordering a vote on the question if (1) a majority of the qualified voters of the additional territory file with the governing territory, whether they reside or have a place of business therein or not, file with the governing body a petition to be annexed, and

WHEREAS, the Petitioners, Bruce P. Moler and Janet Moler, are the sole owners of the five (5) above described lots which are the subject of this annexation petition and are the freeholders, and

WHEREAS, the Petitioners, Bruce P. Moler and Janet Moler, are the sole owners of the five (5) above described lots and are qualified voters, and

WHEREAS, the annexation is consistent with the City of Charles Town Comprehensive Plan, and

WHEREAS, the proposed zoning classification is commercial, as described in the City of Charles Town Zoning Ordinance, and any further revisions, are requested as part of this Annexation Petition. The City of Charles Town Council was informed about this proposal request at its meeting on December 4, 2006, and

WHEREAS, the subject property is located on Euclid Avenue and is contiguous to the existing corporate limits by its proximity to Washington Street, and

WHEREAS, the petitioners will comply with all environmental features to be located on the subject property. This will ensure the protection, or mitigate negative


impacts, that the annexation of this property and future development may bring. The petitioners or their assigns will submit any site plans for approval by the City Planner and the City Planning Commission, however, the property is currently in use as a used car lot and auto repair center, and

WHEREAS, the property and parcels shall be served by the Charles Town Water and Sewer Departments and shall comply with the existing rules and regulations adopted by the City of Charles Town Utility Board and any State Regulatory agencies.

NOW, THEREFORE, WITNESSETH: That the undersigned, being the sole owners of the property, voters, and freeholders of the additional territory sought to be annexed, does hereby petition the Municipality of the City of Charles Town to include in its municipal boundaries by annexation, without election, all of those certain parcels of real estate contained in those Deeds recorded in the Office of the Clerk of the County Commission in Deed Book 855, at Page 469; Deed Book 848, at Page 159; and Deed Book 928, at Page 480, shown on Map 10A, Parcels 0105, 0106, 0107, 0108, and 0113. This parcel is contiguous and adjacent to the municipal boundary by way of Washington Street.

Dated this 3<sup>rd</sup> day of July, 2007.

  
\_\_\_\_\_  
BRUCE P. MOLER

  
\_\_\_\_\_  
JANET MOLER

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to-wit:

Bruce P. Moler and Janet Moler, the Petitioners named in the foregoing Voters Petition for annexation, being duly sworn, says that the facts and allegations contained

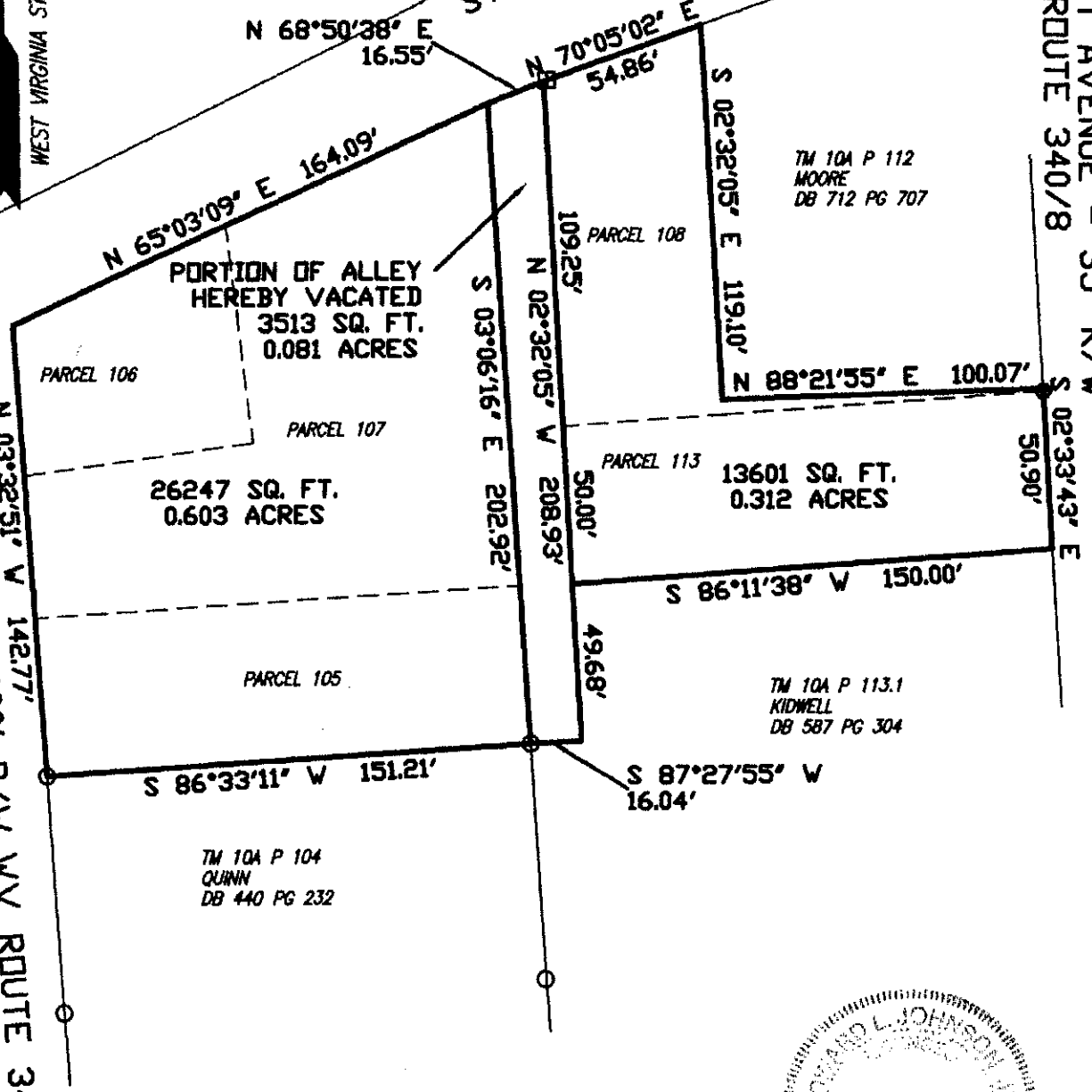


- LEGEND:**  
 ○ FOUND STEEL PIN  
 ⊞ FOUND CONC. R/W MON.  
 ● FOUND AXLE

BASELINE ROUTE 51  
 STATE PROJECT # X319-340-4.86

PROSPECT AVENUE - 35' R/W  
 W/ ROUTE 340/8

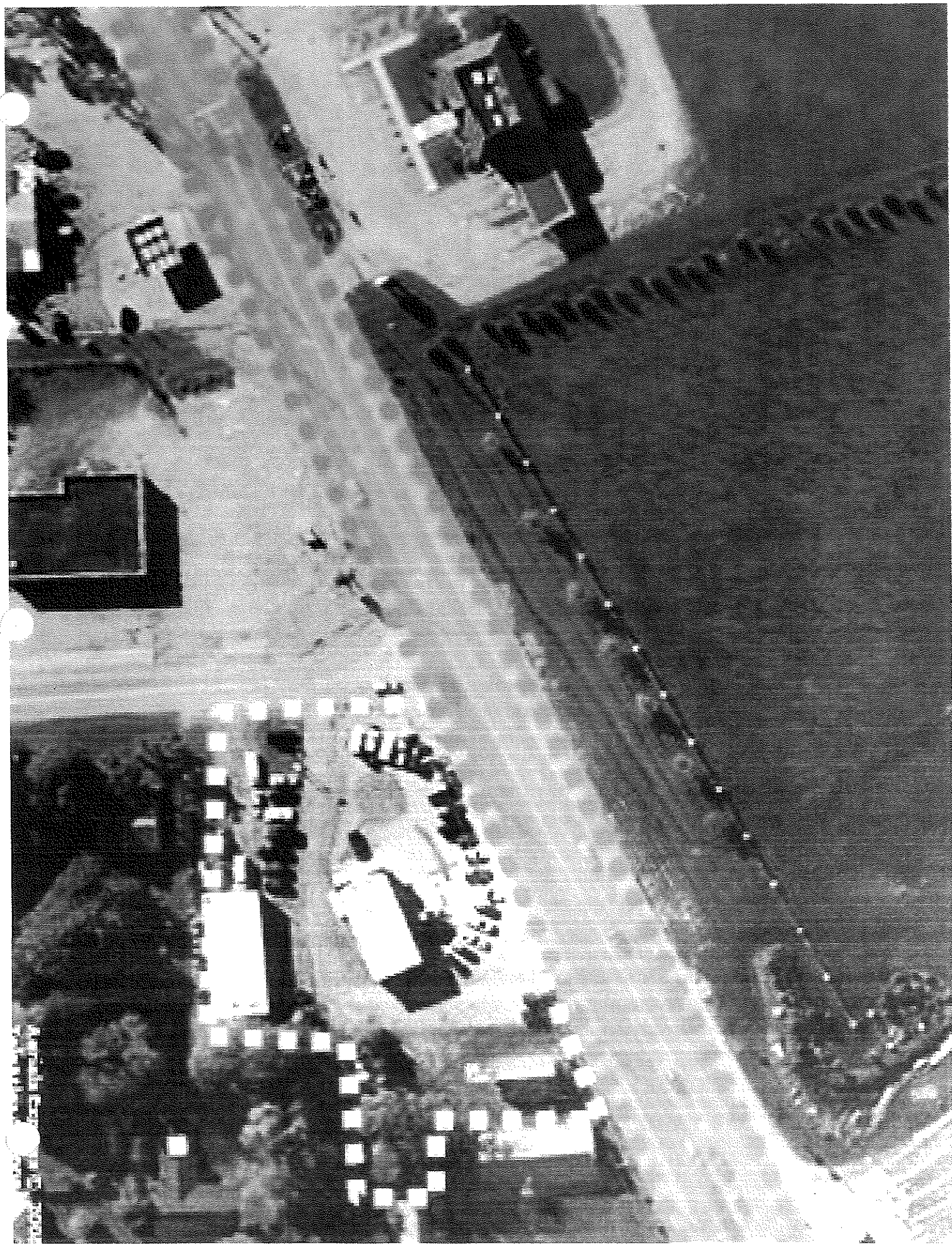
EUCLID AVENUE - 100' R/W W/ ROUTE 340/7



PLAT SHOWING AN ALLEY VACATION AND PROPOSED ANNEXATION  
 THE PROPERTY OF









IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

In Re: Annexation of Additional Territory of the City of Charles Town Pursuant to West Virginia Code Section 8-6-4

ORDER

A certificate of the governing body of the City of Charles Town has this day filed showing that an annexation has been made, in the manner required by law, to the corporate limits thereof, and that by such annexation the said corporate limits are as follows:

See Attached Exhibit A

It is therefore ORDERED that such annexation to said corporate limits of Charles Town be, and the same is hereby APPROVED and CONFIRMED, and the Clerk of the Court is directed to deliver to the said Council of the City of Charles Town a certified copy of this Order, as soon as practical after the entry of the same.

COUNTY COMMISSION OF  
JEFFERSON COUNTY, WEST VIRGINIA

BY: \_\_\_\_\_  
Patricia Noland

Entered: \_\_\_\_\_

**CERTIFICATE OF ANNEXATION PURSUANT TO AN ORDINANCE**

**AN ANNEXATION ORDINANCE ANNEXING THE PROPERTIES OF FIRST CHARLES TOWN GROUP AND WILLOW SPRING PUBLIC SERVICE CORPORATION**

WHEREAS, West Virginia Code 8-6-4 permits a municipality to, by ordinance, annex additional territory without ordering a vote on the question if (1) a majority of the qualified voters of the additional territory file with the governing body a petition to be annexed and (2) a majority of all freeholders of the additional territory, whether they reside or have a place of business therein or not, file with the governing body a petition to be annexed, and

WHEREAS, The freeholders within the additional territory are the Petitioners, First Charles Town Group, Inc., and Willow Spring Public Service Corporation. The qualified voters, as defined under §8-6-4(b) of the Code, within the additional territory are the petitioners and their lessees, namely, MSA, Inc., Dannon C. Rutherford d/b/a Halltown Pool & Spa, and Trustees of Harvest Pointe Community Church, ADF Companies d/b/a Pizza Hut of Charles Town

WHEREAS, the State of West Virginia is the owner and a qualified voter pursuant to West Virginia Code §8-6-4(b) and has not joined in this petition, and

WHEREAS, since all freeholders in the area sought to be annexed and a majority of the qualified voters have joined in the petition seeking to have the area annexed, Council is of the opinion that a majority of the freeholders and voters of the area sought to be annexed desire to be annexed into the City, and

WHEREAS, the City Council has determined that the property sought to be annexed is contiguous and adjacent to the municipal boundary line of the City of Charles Town pursuant to the description attached to said petition and shown on the plat submitted with said petition, and

NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the municipality of the City of Charles Town (1) adopts the recitals set forth above as true and correct and that they are hereby incorporated in the ordinances as if set out in full, (2) hereby finds and is satisfied that the petition is sufficient in every respect and that the City Clerk is directed to enter this fact

upon the City's Journal and forward a certificate to the effect to the County Commission of Jefferson County, West Virginia requesting that they enter an ORDER annexing the property in the petition to the municipality of the City of Charles Town. FURTHER, after the date of entry of the County Commission's Order, the corporate limits of the municipality of Charles Town shall be as set forth therein.

CITY OF CHARLES TOWN

By: 

The Honorable Peggy A. Smith, Mayor

First Read:

Date: 10/3/11

Second Read:

Date: 10/17/11

**AN ANNEXATION ORDINANCE ANNEXING THE PROPERTIES OF FIRST CHARLES  
TOWN GROUP AND WILLOW SPRING PUBLIC SERVICE CORPORATION**

WHEREAS, West Virginia Code 8-6-4 permits a municipality to, by ordinance, annex additional territory without ordering a vote on the question if (1) a majority of the qualified voters of the additional territory file with the governing body a petition to be annexed and (2) a majority of all freeholders of the additional territory, whether they reside or have a place of business therein or not, file with the governing body a petition to be annexed, and

WHEREAS, The freeholders within the additional territory are the Petitioners, First Charles Town Group, Inc., and Willow Spring Public Service Corporation. The qualified voters, as defined under §8-6-4(b) of the Code, within the additional territory are the petitioners and their lessees, namely, MSA, Inc., Dannon C. Rutherford d/b/a Halltown Pool & Spa, and Trustees of Harvest Pointe Community Church, ADF Companies d/b/a Pizza Hut of Charles Town

WHEREAS, the State of West Virginia is the owner and a qualified voter pursuant to West Virginia Code §8-6-4(b) and has not joined in this petition, and

WHEREAS, since all freeholders in the area sought to be annexed and a majority of the qualified voters have joined in the petition seeking to have the area annexed, Council is of the opinion that a majority of the freeholders and voters of the area sought to be annexed desire to be annexed into the City, and

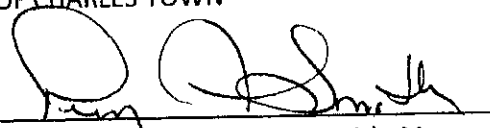
WHEREAS, the City Council has determined that the property sought to be annexed is contiguous and adjacent to the municipal boundary line of the City of Charles Town pursuant to the description attached to said petition and shown on the plat submitted with said petition, and

NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the municipality of the City of Charles Town (1) adopts the recitals set forth above as true and correct and that they are hereby incorporated in the ordinances as if set out in full, (2) hereby finds and is satisfied that the petition is sufficient in every respect and that the City Clerk is directed to enter this fact upon the City's Journal and forward a certificate to the effect to the County Commission of Jefferson County, West Virginia requesting that they enter an ORDER annexing the property in the petition to the municipality of the City of Charles Town. FURTHER, after the date of entry of

the County Commission's Order, the corporate limits of the municipality of Charles Town shall be as set forth therein.

CITY OF CHARLES TOWN

By:



The Honorable Peggy A. Smith, Mayor

First Read:

Date: October 3, 2011

Second Read:

Date: October 17, 2011

**BEFORE THE TOWN COUNCIL OF THE  
MUNICIPALITY OF CHARLES TOWN**

**IN RE:**                                )               **PETITION FOR ANNEXATION**  
                                          )               **FIRST CHARLES TOWN**  
                                          )               **GROUP, INC. and WILLOW**  
                                          )               **SPRING PUBLIC SERVICE**  
                                          )               **CORPORATION**

Your Petitioners would respectfully say unto the Honorable Mayor and the Members of the Town Council of Charles Town, as follows:

-1-

This Petition for Annexation is brought before the mayor and council pursuant to §8-6-4 of the West Virginia Code.

-2-

The Petitioners, First Charles Town Group, Inc., a West Virginia Corporation; and Willow Spring Public Service Corporation, a West Virginia Corporation, are the owners of lands situate in Jefferson County, West Virginia, adjacent to and abutting the corporate limits of the City of Charles Town. Deed references by which each of the Petitioners acquired their respective parcels are as follows:

a)       First Charles Town Group, Inc. – Deed Book 596 at Page 187; Deed Book 858 at Page 585; and Deed Book 867 at Page 66 (FCT Corporation became First Charles Town Group, Inc., by a name change filed in the aforesaid Clerk’s Office on June 26, 1997, in Corporation Book 19 at Page 26); and

b)       Willow Spring Public Service Corporation – Deed Book 585 at Page 142.

-3-

A legal description of such lands, hereinafter referred to as the "additional territory," is hereto attached as Exhibit 1, entitled "Plat of Survey Showing Proposed Annexation Parcel to Charles Town Corporation," by Appalachian Surveys, PLLC. Also attached hereto is a portion of the Jefferson County Assessor's Tax Map showing the subject parcels, as well as other identifiable landmarks.

-4-

The freeholders within the additional territory are the Petitioners, First Charles Town Group, Inc., and Willow Spring Public Service Corporation. The qualified voters, as defined under §8-6-4(b) of the Code, within the additional territory are the petitioners and their lessees, namely, MSA, Inc., Dannon C. Rutherford d/b/a Halltown Pool & Spa, and Trustees of Harvest Pointe Community Church, ADF Companies d/b/a Pizza Hut of Charles Town.

WHEREFORE, your Petitioners request the following:

- a) If satisfied that the Petition is sufficient in every respect, that the Town Council enter that fact into its journal and forward a certificate to that effect to the Jefferson County Commission.
- b) To provide, by ordinance, according to law, for the annexation of the additional territory.
- c) To perform all acts required of the Town Council under §8-6-4 of the West Virginia Code in connection with this proposed annexation.

First Charles Town Group, Inc.

By: Peter L. Chakmakian  
Peter L. Chakmakian, President

Willow Spring Public Service Corporation

By: Peter L. Chakmakian  
Peter L. Chakmakian, President

STATE OF WEST VIRGINIA  
COUNTY OF JEFFERSON, to wit:

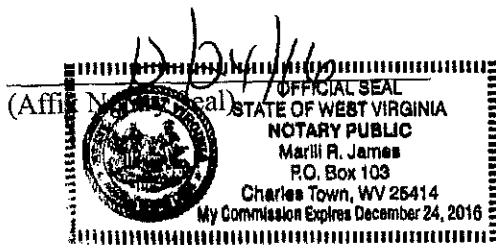
PETER L. CHAKMAKIAN, President of FIRST CHARLES TOWN GROUP, INC., PETITIONER named in the foregoing PETITION FOR ANNEXATION, being duly sworn, says that the facts and allegations contained therein are true, except so far as they are therein stated to be on information, and that so far as they are therein stated to be upon information, she believes them to be true.

First Charles Town Group, Inc.

BY: Peter L. Chakmakian  
Peter L. Chakmakian, President

Taken, sworn to and subscribed before me this 14<sup>th</sup> day of July,  
2011.

My commission expires:



Marilyn R. James  
Notary Public

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to wit:

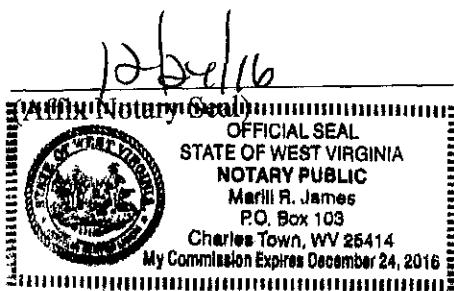
PETER L. CHAKMAKIAN, President of WILLOW SPRING PUBLIC SERVICE CORPORATION, PETITIONER named in the foregoing PETITION FOR ANNEXATION, being duly sworn, says that the facts and allegations contained therein are true, except so far as they are therein stated to be on information, and that so far as they are therein stated to be upon information, she believes them to be true.

Willow Spring Public Service Corporation

BY: Peter L. Chakmakian  
Peter L. Chakmakian, President

Taken, sworn to and subscribed before me this 14<sup>th</sup> day of July,  
2011.

My commission expires:



Merrill R. James

The undersigned hereby determine and designate First Charles Town Group, Inc., a West Virginia Corporation, as the entity which will be entitled to sign a Petition for Annexation of the property located in the Charles Town District on Tax Map 10, Parcels 9.2, 9.7, 9.12, 9.13, 9.17, 9.21, 9.22, 9.26 and 9.27, Jefferson County, West Virginia.

Dated: 9/22/11

First Charles Town Group, Inc.

BY: Peter T Chalmers  
Its President  
Gary  
~~Damon~~ C. Rutherford dba  
Halltown Pool & Spa

BY: G. C. Rutherford

MSA, Inc.

BY: Peter T Chalmers  
Its President

Harvest Pointe Community Church

BY: [Signature]

BY: [Signature]

BY: [Signature]

BY: [Signature]  
Their Elders and/or Trustees

ADF MidAtlantic LLC dba  
Pizza Hut of Charles Town

BY: \_\_\_\_\_  
Its \_\_\_\_\_

The undersigned hereby determine and designate First Charles Town Group, Inc., a West Virginia Corporation, as the entity which will be entitled to sign a Petition for Annexation of the property located in the Charles Town District on Tax Map 10, Parcels 9.2, 9.7, 9.12, 9.13, 9.17, 9.21, 9.22, 9.26 and 9.27, Jefferson County, West Virginia.

Dated: 9/22/11

First Charles Town Group, Inc.

BY: Peter T Chalmers  
Its President  
Gary  
Damon C. Rutherford dba  
Halltown Pool & Spa

BY: G. C. Rutherford

MSA, Inc.

BY: Peter T Chalmers  
Its President

Harvest Pointe Community Church

BY: [Signature]

BY: [Signature]

BY: [Signature]

BY: [Signature]  
Their Elders and/or Trustees

ADF MidAtlantic LLC dba  
Pizza Hut of Charles Town

BY: \_\_\_\_\_  
Its \_\_\_\_\_



## Appalachian Surveys, PLLC

*Surveying the Eastern Panhandle for 30 years*

Commencing at the Point of Beginning; thence North 82°22'11" East, a distance of 568.04 feet; thence North 81°08'05" East, a distance of 786.10 feet; thence South 52°30'16" East, a distance of 101.21 feet; thence South 50°49'56" West, a distance of 121.87 feet; thence South 17°00'55" West, a distance of 321.05 feet; thence South 01°01'00" East, a distance of 114.54 feet; thence South 89°01'31" West, a distance of 32.46 feet; thence South 08°21'24" West, a distance of 40.54 feet; thence North 89°01'32" East, a distance of 38.81 feet; thence South 00°31'57" West, a distance of 85.43 feet; thence South 01°25'56" East, a distance of 304.97 feet; thence South 09°09'53" East, a distance of 80.77 feet; thence South 22°06'32" East, a distance of 254.19 feet; thence South 29°47'01" West, a distance of 552.36 feet; thence North 74°42'10" West, a distance of 53.83 feet; thence South 01°31'23" East, a distance of 226.66 feet; thence South 03°21'28" East, a distance of 500.04 feet; thence South 14°37'08" East, a distance of 152.59 feet; thence South 01°39'55" West, a distance of 100.50 feet; thence South 03°50'10" East, a distance of 859.42 feet; thence South 04°04'12" West, a distance of 230.21 feet; thence North 64°09'01" West, a distance of 278.14 feet; thence North 02°39'09" East, a distance of 204.18 feet; thence North 04°15'40" West, a distance of 695.99 feet; thence North 12°22'16" West, a distance of 151.60 feet; thence North 00°24'16" East, a distance of 401.20 feet; thence North 04°01'38" West, a distance of 250.00 feet; thence North 08°06'46" West, a distance of 321.02 feet; thence North 74°43'22" West, a distance of 492.74 feet; thence South 16°33'45" West, a distance of 16.86 feet; thence North 74°20'30" West, a distance of 135.70 feet; thence North 55°39'19" East, a distance of 195.17 feet; thence North 08°27'21" East, a distance of 167.70 feet; thence North 72°35'41" West, a distance of 1418.87 feet; thence North 02°12'35" East, a distance of 41.45 feet; thence South 72°35'41" East, a distance of 299.51 feet; thence North 00°18'32" East, a distance of 157.97 feet; thence South 87°27'38" East, a distance of 221.98 feet; thence North 00°04'51" East, a distance of 454.44 feet; thence North 74°07'24" East, a distance of 64.28 feet to the beginning of a curve concave to the south having a radius of 3819.88 feet and a central angle of 1°38'12" and being subtended by a chord which bears North 78°01'22" East 109.12 feet; thence easterly along said curve, a distance of 109.12 feet to a point of cusp; thence South 06°03'25" East, a distance of 506.00 feet; thence North 83°56'35" East, a distance of 175.29 feet; thence South 00°39'26" West, a distance of 79.72 feet; thence North 83°44'56" East, a distance of 210.14 feet; thence North 08°13'30" West, a distance of 601.85 feet to the Point of Beginning, containing 61.418 ACRES, more or less.

LESS and EXCEPTING

Commencing at the **Point of Beginning**; thence from the beginning of Right curve from which the radius point bears **North 00°40'51" East**, westerly a distance of **85.80 feet** along the curve concave to the north, having a radius of **293.94 feet** and a central angle of **16°43'28"**; thence **North 72°35'41" West** tangent to said curve, a distance of **449.48 feet**; thence **North 17°45'11" East**, a distance of **290.00 feet**; thence **South 73°59'45" East**, a distance of **187.00 feet**; thence **North 07°31'37" East**, a distance of **303.83 feet** to the beginning of a curve concave to the south having a radius of **284.96 feet** and a central angle of **17°56'14"** and being subtended by a chord which bears **South 79°40'58" East 88.85 feet**; thence easterly along said curve, a distance of **89.21 feet**; thence **South 70°42'52" East** tangent to said curve, a distance of **151.69 feet**; thence **South 05°12'24" West**, a distance of **31.03 feet**; thence **South 03°27'42" East**, a distance of **499.97 feet**; thence **South 34°04'24" West**, a distance of **93.88 feet** to the Point of Beginning, containing **5.461 ACRES**, more or less, resulting in a net area of territory to be annexed as **55.957 acres**.



|                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------|
| <p>Commission Office Use Only</p> <p>Date on Agenda: <u>1/19/11</u></p> <p>Appt Time or New Business: <u>10:15am</u></p> |
|--------------------------------------------------------------------------------------------------------------------------|

**AGENDA REQUEST FORM**

Name: Cheryl L. Keyrouze

Department or Entity: Communication Outreach of Jefferson County, WV

Estimation of amount of time needed for appointment: N/A

Date Requested – 1<sup>st</sup> Choice: 1/12/2012

Date Requested – 2<sup>nd</sup> Choice: 1/19/2012

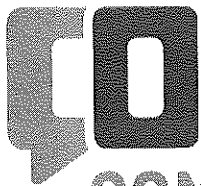
If a specific date is needed, please provide reason for specific date:  
**Funding request for \$1,000.00 by Mid January for Schrock Travel Bus Company deadline.**

Subject: **Jefferson County Day at the Capitol, Charleston, WV**

Please provide the County Commission with a description of your request or presentation, including any background information: **C- Attached Below**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **A motion to help fund Jefferson County Day at the Capitol, in Charleston, WV with \$1,000.00 to help support the cost for transportation by bus in order to encourage more members of the Jefferson County community to not only represent their organizations in Charleston, WV, but also to afford more people to attend in order for them to see the importance of Jefferson County having a presence in our State’s Capital.**

Attachments:



**COMMUNICATION OUTREACH**  
**JEFFERSON COUNTY | WEST VIRGINIA**

Cheryl L. Keyrouze  
Communication Outreach  
Of Jefferson County, WV  
PO Box 1382  
Shepherdstown, WV 25443  
December 7, 2011

**RE: Jefferson County Day 2012**

Last February 21<sup>st</sup> of 2011, the first Annual Jefferson County Day at the Capitol was held in Charleston, WV. Resolutions were passed in both the House and Senate in recognition of our County's Day. It was a very successful trip with almost 60 residents from Jefferson County who participated.

This upcoming year, Jefferson County Day at the Capitol will be held on Monday February 20, 2012 in the Rotunda of our beautiful Capitol Building in Charleston, WV. This upcoming year it has been decided to hold Jefferson County Day equally on both the House and Senate sides of the rotunda. This is in order to provide enough space for our Jefferson County Day participants. Last year we recognized that there was not enough space on just the Senate side and this year we are hoping to increase the number people that will be attending.

We will be following the same format with slight modifications to accommodate some of the recommendations of our JCD 2011 survey.

As you know Communication Outreach of Jefferson County, WV (previously known as WV Communication Outreach of Jefferson County) will be hosting its Second Annual Jefferson County Day at the Capitol in Charleston, WV on February 20, 2012.

**Communication Outreach of Jefferson County, WV Defined**

The objectives of Communication Outreach of Jefferson County are to:

1. Develop and continue to nurture an ongoing direct relationship between the residents of Jefferson County and the state of West Virginia.
2. Share information and concerns, likes and dislikes of the people from Jefferson County within both the county and the state.
3. Hold monthly local meetings, taking turns at different venues around Jefferson County.
4. Develop a large enough organization in order that smaller groups will be able to take turns in making regular trips to Charleston.
5. Host Jefferson County Day, annually, at the Capitol in Charleston.  
Communication Outreach of Jefferson County members will make regular trips to Charleston, support our elected officials, and be dedicated to the people of Jefferson County while developing and cultivating good relationships around our state.
6. Meet with West Virginia state legislators and develop relationships between counties to optimize our strengths and strengthen our weaknesses.
7. Sit in on West Virginia state committee meetings that pertain to Jefferson County.

8. Collect and disseminate information to the residents of Jefferson County through local governments, the media and other outlets.

9. Hold an annual dinner to host our governor of West Virginia.

*Communication Outreach of Jefferson County is an all-volunteer, non-partisan, non-denominational outreach organization structured to help benefit and increase the communications between Jefferson County Residents, Local Governments and West Virginia State Government through fact finding and sharing information.*

Here is an update on our organization:

### **Communication Outreach Of Jefferson County, WV**

2011

- Formed Steering Committee
- Enhanced Mission Statement
- Created Vision Statement
- Outlined Organization
- Created an Informational Presentation
- Obtained Employee ID Number from IRS
- Adopted Bylaws
- Filing Application to Register Company
- Filing Articles of Incorporation
- Forming a Formal Board of Directors
- Preparing Application for 501c(3) Status
- Established Bank Account
- Established PO Box
- Developing Marketing Package and Print Design
- Developing and Establishing Website
- Developing Press Releases

#### Board of Directors

Cheryl Keyrouze -- [CLKeyrouze@aol.com](mailto:CLKeyrouze@aol.com) -- President

Julie Siler -- [jsiler123@yahoo.com](mailto:jsiler123@yahoo.com) -- Vice President

Tish Appignani -- [tish322@frontiernet.net](mailto:tish322@frontiernet.net) -- Secretary

Open Seat -- Treasurer

Open Seat -- Bolivar

Heather Morgan -- [heather@jeffersoncountywvchamber.org](mailto:heather@jeffersoncountywvchamber.org) -- Charles Town

Open Seat -- Harpers Ferry

Nelson Parkinson -- [parkinsonnd@aol.com](mailto:parkinsonnd@aol.com) -- Ranson

Open Seat -- Shepherdstown

Nance Briscoe -- [briscoen@frontiernet.net](mailto:briscoen@frontiernet.net) -- Jefferson County (at large)

Bryan Clark -- [bryan@spiritofjefferson.com](mailto:bryan@spiritofjefferson.com) -- Jefferson County (at large)

#### Members

Rob Perks -- [rperks@access.k12.wv.us](mailto:rperks@access.k12.wv.us)

Jennifer Maghan -- [jmaghan@jeffersoncountywv.org](mailto:jmaghan@jeffersoncountywv.org)

**Planning for Jefferson County Day 2012**

**Steering Committee:**

Whitney Barrett  
Cheryl Keyrouze  
Heather Morgan McIntyre  
Julie Siler

**Areas of Representation:**

Agriculture  
Arts & Humanities  
Economic Development / Business  
Education  
Local Governments / Emergency Services  
Non-Profits  
Tourism / Cultural Heritage / Recreation

**Trip Logistics:**

Transportation  
Lodging  
Food  
Governor's Reception  
Entertainment

**Marketing:**

Communication with Participants  
Media Person

In the next couple of weeks we will be reaching out to folks around the county, participants from last year's JCD, and Leadership Jefferson to form sub-committees for the above topics of representation in order to have a better marketing plan and to get more participants involved in Jefferson County Day.

We will be sending out press releases to all forms of media on a regular basis.

We are hoping to be able to do a presentation for the current Class of Leadership Jefferson.

When our 2012 State Legislative Session begins, we will be taking a trip to Charleston to meet with our local legislators on their turf to discuss the importance of their role in getting other state legislators involved with JCD.

This year we will be seeking out additional funding for musicians to play at the Capitol with the belief that the music will attract more people to our exhibits.

There is a possibility that we may need additional transportation (another bus) for our trip to Charleston.

Jefferson County Day 2011 Budget

|                            |                   |                            |                   |
|----------------------------|-------------------|----------------------------|-------------------|
| <u>Credit</u>              |                   | Dollar Store (tbl clothes) | \$15.90           |
|                            |                   | Walmart (soda/water)       | <u>\$33.76</u>    |
| JC CVB                     | \$1,000.00        |                            | \$3,148.58        |
| JC Dev. Auth.              | \$1,000.00        |                            |                   |
| JC Commission              | <u>\$1,000.00</u> | Credit                     | \$3,370.00        |
|                            | \$3,000.00        | Debit                      | <u>\$3,148.58</u> |
| Participant fees collected | <u>\$370.00</u>   | 2012 Down Payment          | \$221.42          |
| Total                      | \$3,370.00        |                            |                   |

Debit

|                       |            |
|-----------------------|------------|
| Schrock Bus           | \$2,295.00 |
| Driver (Rm & tax)     | \$127.68   |
| Banner                | \$170.00   |
| WV General Services   | \$230.00   |
| Postage               | \$36.08    |
| Postage               | \$52.89    |
| Staples (envelopes)   | \$37.27    |
| Progressive (invites) | \$150.00   |

Below are forms from LAST YEAR for your perusal if you are interested.

## Jefferson County Day at the Capitol

February 21, 2011

### Participant Package

|                                                                   |          |
|-------------------------------------------------------------------|----------|
| 1. Directions for Participant Package                             | Page 2   |
| 2. Registration Form                                              | Page 3   |
| 3. Directions for Bus Pick-up                                     | Page 4   |
| 4. Driving on Your Own                                            | Page 4   |
| 5. Hotel Information                                              | Page 4   |
| 6. Agenda for February 20 <sup>th</sup> and 21 <sup>st</sup> 2011 | Page 5,6 |
| 7. Directions for Driving to Charleston                           | Page 7   |
| 8. Map of Capitol                                                 | Page 8   |
| 9. List of Participants                                           | Page 9   |
| 10. Blank for Notes                                               | Page 10  |

.....  
Dear Participants,

As we move closer to participating in our First Jefferson County Day at the Capitol, I would like to extend my warmest thanks and appreciation for your support and encouragement. I am sure that all of you recognize the importance in developing an on-going relationship between our State and County, or you would not be onboard!

It is my hope that we all have a meaningful trip while enjoying each other's company. We have a diverse group joining in for our first trip to Charleston and while being encouraged to build relations with the State, I hope you take the time to meet with the people of Jefferson County as well.

There will be an informational meeting on Thursday 2/17/2011 at the Holiday Inn Express of Charles Town, at 7PM for a quick Q&A for those who might have some questions or concerns about the trip.

Welcome Aboard!

Cheryl Keyrouze  
518.583.7897

### Directions For Participants

1. Each person, individually, is responsible for filling out their own registration forms and emailing it back to Cheryl Keyrouze at [CLKeyrouze@aol.com](mailto:CLKeyrouze@aol.com).

PLEASE SEND IF YOU HAVEN'T DONE SO YET

2. Each person is responsible for a \$10.00 Administration Fee payable to the Jefferson County Chamber of Commerce.

Please mail check to:

Jefferson County Chamber of Commerce

PO Box 426

Charlestown, WV 25414

- Please write Jefferson County Day under memo on check
- If you are paying for more than one person please write the number of people under memo on check

PLEASE SEND IF YOU HAVEN'T DONE SO YET

3. You are responsible for your own display equipment.
4. If you are interested in sitting in on any state committee meetings, the committee schedules will be available on the morning that we arrive. They may be picked up at the Clerks Office on either the Senate side or House side. Please see Map of Capitol on page 8.
5. Do not be late for the bus because we are on a very tight schedule. PLEASE REMEMBER! When we leave the hotel for the Capitol the morning of the 2/21, we WILL NOT be going back to the hotel so please remember to have all of your items packed up and ready to go.
6. Food and beverages are allowed on the bus, including alcohol. Please be courteous and use discretion because we want this trip to be memorable for all the right reasons ☺

Cost Per Person

|                     |                 |
|---------------------|-----------------|
| Administration Fees | \$10.00         |
| Hotel Charge        | <u>\$127.68</u> |
| Total Cost          | \$137.68        |

In addition, two dinners and beverages (on your own).

Registration Form

1. Organization Name:
2. Name of Participant:
3. Address:



**Please be there no later than 30 minutes ahead of time to allow enough time for the bus driver to load luggage and display material.**

Because this is a five-hour ride, lunch, snacks and beverages are encouraged. We will not be stopping unless there is some unforeseen reason to stop.  
This is a chartered bus, which will have a public restroom.  
There is no charge for the bus.

#### Driving on Your Own

If you are driving on your own, please see attached directions to the Charleston Marriott Town Center near the Capitol.

#### Hotel Information

The Charleston Marriott Town Center has a group rate of \$127.68 per room.  
Charleston Marriott Town Center  
200 Lee Street East  
Charleston, West Virginia 25301 USA  
Phone: 1-304-345-6500 Fax: 1-304-353-3722 Toll-free: 1-800-228-9290  
Check-in: 4:00 PM  
Checkout: 12:00 PM  
Parking -- On-site parking, fee: 3 USD hourly, 9 USD daily  
267 Spaces, Well Lighted & Secure  
Wi-Fi Available

#### Agenda for February 20<sup>th</sup> and 21<sup>st</sup> 2011

##### February 20, 2011

**10:30AM** -- Arrive at Somerset Village Shopping Center Parking Lot (Food Lion) Bring bag lunch / snacks

**11:00AM** -- Depart for Charleston

**4:00PM** -- Arrive in Charleston / Dinner (on own)

**5:45PM - 6:45PM** -- Private Reception with Governor Earl Ray Tomblin at the Governor's Mansion

**The bus will leave the Marriot at 5:30PM**, and will drop us off in front of the Mansion at 5:45PM. (Light refreshments will be served)

**We will leave the Mansion at 6:45PM** and arrive back to the Marriott at 7PM

**7:00PM - 9PM** -- Mixer with our Local and State Representatives at the Whitewater Lounge at the Marriott.

**February 21, 2011**

**7:00AM** -- Breakfast at the Marriott

**8:00AM** -- Please make sure you are on the bus at 8AM -- Load luggage on Bus (we will not be going back to the hotel, please make sure you have everything with you)

**8:30AM** -- Promptly Depart for Capitol

**9:00AM** - Set-up, Pick-up Legislative Committee Agenda if you are interested in sitting in on any Legislative Committee Meetings during the day

**10:00AM - 2:30PM Jefferson County Day at the Capitol (Rotunda / Senate Side)**

**10:00AM** - Meet with Governor Earl Ray Tomblin

**10:30AM** - Movie Short on Jefferson County by Rob Perks / A few words from our Representatives

**11:00AM - 1PM** Session in House and Senate  
(There will be a Resolution passed for JC Day in both the House and Senate during this Session)

**12:30PM - 1:30PM** -- Lunch










**2:30PM - 3:30PM** -- Breakdown

**4:00PM** -- Promptly Depart for Jefferson County (we will be leaving from the same entrance side that we arrived at)












**6:00PM** -- Stop for Dinner (on own)

**6:30PM** -- Board bus

**10:00PM** - Arrive at Somerset Village Shopping Center Parking Lot (Food Lion)

- 

 7. Merge onto I-81 N toward HAGERSTOWN (Crossing into MARYLAND). Go 13.3 Mi
- 
 8. Take the I-70 W exit, EXIT 4, toward HANCOCK. Go 0.5 Mi
- 

 9. Merge onto I-70 W via EXIT 4B toward HANCOCK. Go 25.1 Mi
- 

 10. Merge onto I-68 W via EXIT 1A on the LEFT toward CUMBERLAND (Crossing into WEST VIRGINIA). Go 111.9 Mi
- 

 11. Merge onto I-79 S via the exit on the LEFT toward FAIRMONT. Go 148.0 Mi

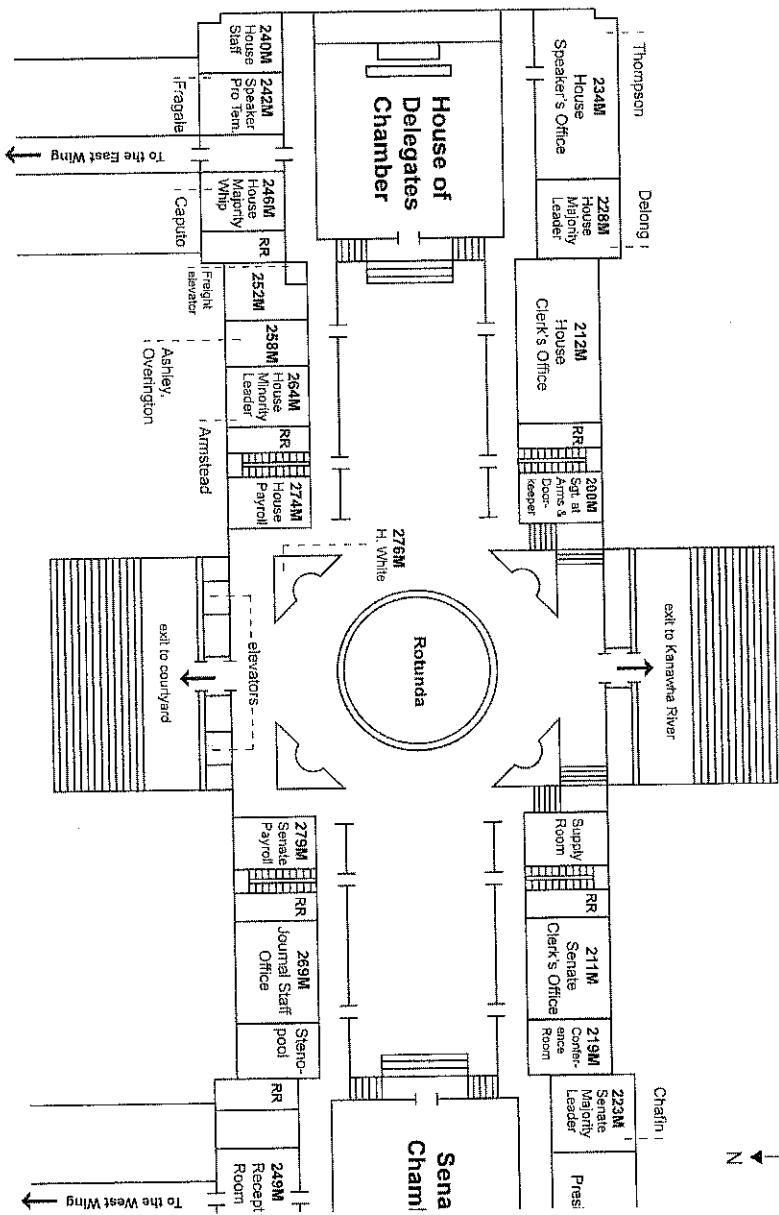
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- 

 12. Merge onto I-77 S toward I-64 / CHARLESTON (Portions toll). Go 4.0 Mi
- 
 13. Take the WV-114 / GREENBRIER ST. exit, EXIT 99, toward STATE CAPITOL. Go 0.2 Mi
- 

 14. Merge onto GREENBRIER ST / WV-114 toward US-60 / STATE CAPITOL. Go 0.4 Mi
- 

 15. Turn LEFT onto KANAWHA BLVD E / US-60. Go 0.3 Mi
- 

 16. Make a U-TURN onto KANAWHA BLVD E / US-60.  
*If you reach MICHIGAN AVE you've gone about 0.1 miles too far* Go 0.1 Mi
- 
 17. 1900 KANAWHA BLVD E is on the RIGHT.  
*If you reach GREENBRIER ST you've gone about 0.1 miles too far* Go 0.01 Mi
- 
**1900 Kanawha Blvd E** 314.1 mi  
 Charleston, WV 25305-0009

**Total Travel Estimate: 314.07 miles - about 5 hours 3 minutes**

# West Virginia State Capitol Maps

## Main Building - Second Floor



**Arts and Humanities**

AHA/Rotary -- Julie Siler /Joe Siler Bus

CATF -- Jenny Ewing Allen

**Commerce**

Frontier Communications -- Chuck Ellison Bus

Frontier Communications -- Paul Espinosa Bus

Skipper's Downtown Dips & Deli / Charles Town Auto Wash -- Tara Perry Bus

Comcast Spotlight -- Lynne Deming Bus

Shepherdstown Business Association / SQ250 -- Meredith Wait Bus

**Economic Development**

Stasis Engineering -- Mike Firetti

Stasis Engineering -- Todd Cope

Stasis Engineering -- Suzanne Cope

Stasis Engineering -- Traci Bray-Taylor

Stasis Engineering -- Paul Lambert

Radox Laboratories -- Eden Miller

Radox Laboratories -- Laura Coyle

Radox Laboratories -- Dr. S. Peter FitzGerald

JCDA -- Tom Bayuzik

Eric and Joy Lewis

**Education**

Jefferson County Schools -- Debbie Hinkle

Jefferson County Schools -- Susan Sowers

Jefferson County Schools -- Rob Perks

JCOHOA -- Nance L. Briscoe Bus

JCOHOA -- Suzanne Malesic Bus

JCOHOA -- Elliot Simon

Ranson Elementary School -- Mary Duke Bus

Charles Town Library -- Marcella Genz Bus

American Public University System -- Natalie Lange Bus

American Public University System --Kristina Lloyd Bus

Shepherd University -- Julia Krall Bus

Good Shepherd Interfaith Volunteer Caregivers -- Paula Marrone-Reese, Chris and Angela Cline

**Jefferson County Commission**

JC County Commission -- Lyn Widmyer Bus

JC County Commission -- Dale Manuel

**Tourism and Cultural Heritage**

Freedoms Run -- Chris Amores Bus

West Virginia Communication Outreach of Jefferson County -- Cheryl Keyrouze Bus

Shepherdstown Visitors Center -- Tom Keyrouze Bus

Holiday Inn Express of Charles Town / Friends of Happy Retreat, Ranson CVB --Nelson Parkinson Bus  
Quality Hotel Conference Center – Ronnie and Robin Marcus  
Hollywood Casino at Charles Town Races -- Annette Gavin Bus  
Hollywood Casino at Charles Town Races -- Chanel Resh Bus  
Bavarian Inn -- Christian, Kerry, Carol, and Erwin Asam Bus  
Clarion Inn – Sherry Carney plus one Bus  
Appalachian Trail Conservancy -- David Tarasevich Bus  
River Riders – Tacy Judd  
Jefferson County Convention and Visitors Bureau – Paulette and Paul Sprinkle

**Towns**

Corporation of Harpers Ferry -- Karen Townsend Bus  
Corporation of Shepherdstown -- Lori Robertson Bus

**Newspapers**

Spirit of Jefferson -- Bryan Clark Bus  
The Journal / The Chronicle – Tricia Fulks  
Around The Panhandle -- Eric Fargo Bus

58 participants (32 on bus)

**Notes**

**SURVEY RESULTS - 30**

|                                   | Excellent | Above average | Average | Below Average | Poor |
|-----------------------------------|-----------|---------------|---------|---------------|------|
| Overall communication             | 17        | 9             | 3       |               | 1    |
| Overall agenda                    | 13        | 12            | 4       |               | 1    |
| Event planning                    | 17        | 7             | 5       |               | 1    |
| Opportunity for your organization | 11        | 11            | 7       |               | 1    |
| Transportation                    | 17        | 10            | 2       |               |      |
| Hotel accommodations              | 17        | 11            | 1       |               |      |
| Food served at event              | 7         | 11            | 10      | 2             |      |
| Social events                     | 14        | 10            | 5       |               | 1    |
| Event location & venue            | 15        | 13            | 2       |               |      |
| Set-up                            | 6         | 7             | 11      | 5             | 1    |
| JC Day Resolution                 | 19        | 8             | 3       |               |      |
| WV State Committee Meetings       | 6         | 7             | 10      | 2             | 4    |
| Networking opportunities          | 13        | 11            | 5       |               | 1    |
| Jefferson County Day movie        | 23        | 5             | 2       |               |      |
| Break-down                        | 10        | 8             | 11      |               | 1    |

**Other**

Too much chaos with the events of the day. Lunch a debacle.  
 Resolutions were fantastic. Wished the Gov. had talked to us. One on one with delegates.  
 Space was too crowded. Little time to attend committee meeting.  
 Thanks for taking the time to organize the event.  
 For the first time, the event went excellently.  
 Food was average.  
 Needed a full table.  
 WV State Committee Meetings were non-applicable because person could not attend due to manning their table as a single.  
 Mass of Jefferson County people at the Capitol was effective on it's own.  
 Getting into the Chambers.  
 Can't say enough about how well the event turned out.  
 Could not attend committee meetings because I had to spend time manning table.  
 "I hope that this is a reminder of the opportunity that exists to "sell" ourselves to Charleston."  
 Since I did not attend several questions were not applicable.  
 Excellent leadership and planning.  
 Event as a whole was a great idea.  
 specific info about agenda would be helpful. Include more of an objective for event and expectations.  
 Did not stay in hotel or use transportation and did not attend committee meetings so marked "poor" for these answers.\*  
 (\* These "poors" were deleted)

Legislators do not where name badges and it is suggested to have a photo comparison list for next year.  
Very poor security in Capitol and Governors Mansion.

**What did you enjoy or value the most about this event**

opportunities to talk to people within the group.  
enjoyed whole event. Reception at Governors Mansion was excellent. Socializing at going was good  
proud to be with the group and share the pride we have for our county.  
Informal Networking -- especially at the Governor's Mansion.  
Talking with and meeting people from other organizations about our area.  
Showing support for Jefferson County.  
Meeting other State Representatives.  
Showing support through action.  
Enjoyed reception at Governor's Mansion.  
Quantity has a quality all its own--mass of people was effective.  
Getting in the Chamber (Session)  
**NETWORKING!**  
making a presence in the State Capitol.  
Great opportunity.  
Cooperative effort and efficient planning.  
As someone who is not from WV it's nice to have the opportunity to explore the states political roots and government.  
Governor's Mansion reception good -- just wish he was there.  
Learning about the county and its businesses  
Enjoyed the Mansion, Capitol and Chambers.

**Do you have any suggestions for improving this event**

not enough communication during the trip  
form committees to assist the organizer in putting together the project  
a package of Jeff. Co. brochures given to the legislators  
more time with legislators  
like to see the hotel paid for by the county  
legislators other than our own attend  
better organization for reaching out to the community to participate  
Never saw Governor face to face  
More space and more tables, keep larger displays from over towering smaller displays  
More one on one with legislators  
looping the video so people can watch it at any time  
Take more people along next time  
More time for exhibits to be open

**Entertainment**

The smell of something cooking is an immediate draw -- re-think the food

Printed name badges.

Use separate place for food and need more time to attend meetings.

Keep up the good work.

More press releases.

More coordination on the logistical aspects and fewer scheduled mixers with more time to explore.

The Governor not showing either day was disappointing.

More beneficial to spend more than one night. We were pressed for time.

Improve set-up and lunch.

**Besides the current categories...what other category should be added**

local business

health care

agricultural and farming community

media outlets

governmental agencies

Ministries, Food Banks

Media

Civic Organizations

Health & Human Services

Law/Local Government

Political activists

Recreation

FEMA, Homeland Security, Fire and Police Departments

**Will you attend this event again next year?**

9 maybe

21 yes

**Will you recommend this event and if so a contact person to contact**

28 yes; Absolutely -- local officials such as Mayors, Chiefs of Police, Count

BCT, WVU Hospitals East, Leadership Jefferson, Free Clinic, Rotary, Private Businesses and Non Profits

2 No

**Further Comments**

more communication with Leadership Jefferson in Charleston

thank you for the opportunity

excellent job Cheryl  
Unorganized  
More time for lobbying particular issues  
Great job!  
Appreciated the organization of the event. Schedule busy but not overwhelming.  
There was time to meet reps. In a relaxed social setting on Sunday evening and time to promote JC on Monday  
Use historical figures for entertainment and music from O'Hurley's  
Formalized meetings with our legislators and state officials would be nice.  
More time!  
Nan Briscoe is willing to design official ID badges for JC Day (printing at cost)  
Less time needed in Capitol

**Interested in future events held by WWCOCJC**

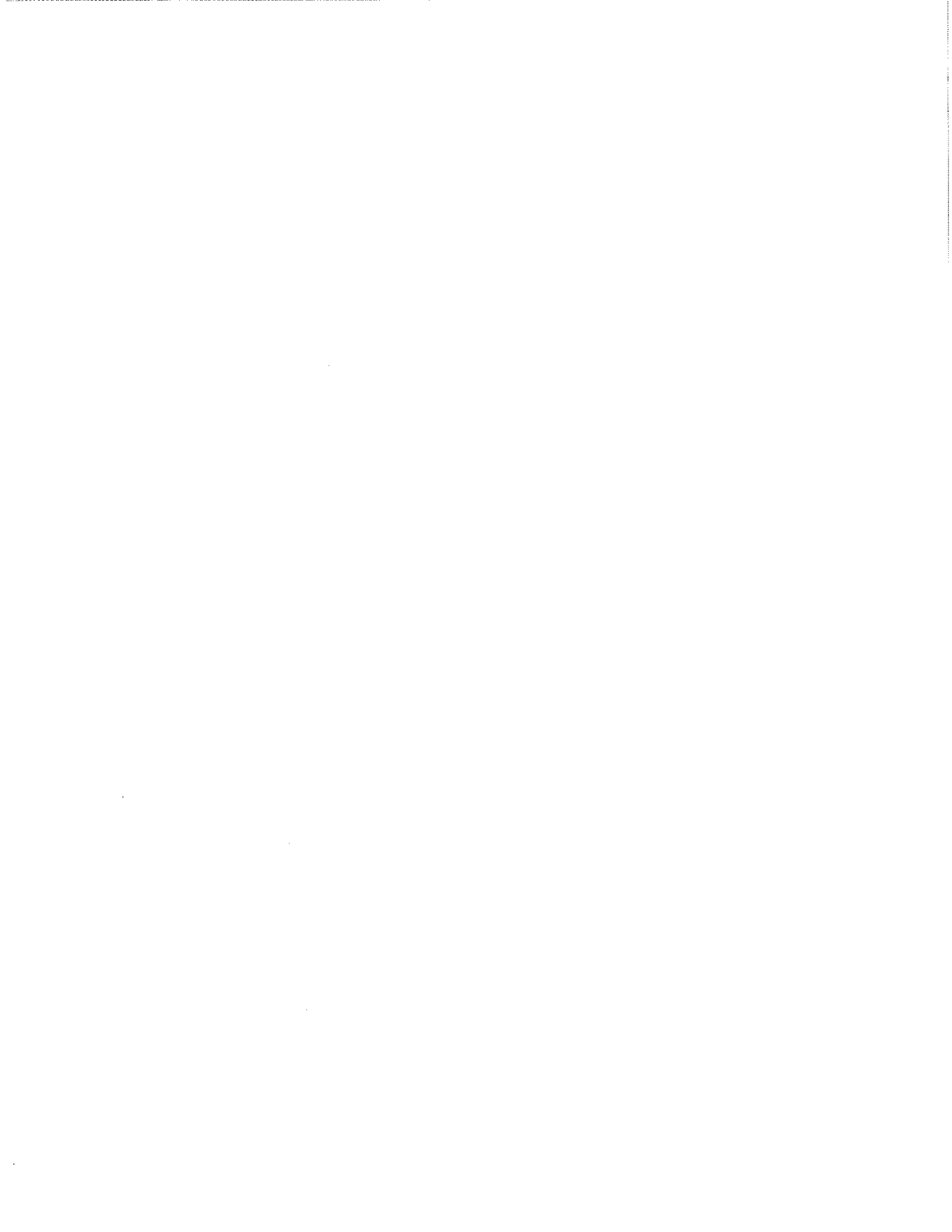
26 yes  
3 maybe  
1 Depends

**Interested in becoming a member**

13 yes  
13 no  
1 Depends  
1 What does that mean?  
1 Not interested at this time.  
1 Maybe

**Interested in joining the board of directors**

10 yes  
17 no  
3 Provide summary of duties.



|                                                                                            |
|--------------------------------------------------------------------------------------------|
| <p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p> |
|--------------------------------------------------------------------------------------------|

**AGENDA REQUEST FORM**

Name: Barbara Miller

Department or Entity: Homeland Security and Emergency Management

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: January 19, 2012

Date Requested – 2<sup>nd</sup> Choice: January 26, 2012

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

Subjects:  
**Appointments/Re-appointments to JCHSEM Steering Committee**

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

1. Attached is a letter from John Sherwood, Chair of the Jefferson County Homeland Security and Emergency Management Steering Committee and myself requesting approval for appointments to the JCHSEM Steering Committee. According to the by-laws, "The Steering Committee shall consist of fourteen members, appointed by the County Commission. Appointments shall be for a period of two years. New appointments or reappointments will be made at the first (steering committee) meeting of each calendar year." Also listed are the Steering Committee Members who are not up for reappointment this year, so that you will see the overall group. The Steering Committee works with the Director to steer the activities of the organization.

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

1. I move to approve the following persons to serve on the Jefferson County Homeland Security and Emergency Management Steering Committee for a period of 2 years: Lane Donley (Representing the Jefferson County Development Authority, pending approval of the Development Authority; Lori Kelly (Representing the American Red Cross); Sanford "Sandy" Green, (Representing WV Homeland Security Region 3, Area Liaison); John Sherwood, (Representing the Jefferson County Chamber of Commerce); Jeff Polczynski, (Representing the Emergency Communications Center); Katherine Dunbar, (Representing Non-Profit Organization, Good Shepherd Inter-Faith Caregivers); Paul Espinosa (Representing Utilities; Frontier Communications); and Ed Smith (Representing Fire and Rescue).

Attachments:

1. Letter from John Sherwood, Chair, JCHSEM Steering Committee/attachments with information on people being appointed or reappointed.



**Jefferson County Homeland Security and Emergency Management**  
**28 Industrial Blvd., Suite 101**  
**Kearneysville, WV 25430**

**Jefferson County Commissioners:**

**Patsy Noland, President**

**Dale Manuel, Vice President**

**Frances Morgan**

**Lyn Widmyer**

**Walt Polish**

**Jefferson County Homeland Security and Emergency Management Steering Committee:**

**John Sherwood, Chair-Chamber of Commerce Representative**

**Amy Jones, Vice Chair-Health Representative**

**Katherine Dunbar, Non-Governmental Organization Representative**

**Mason Carter, Jefferson County Department of Engineering Representative**

**Jeffrey A. Polczynski, EPN, Jefferson County Emergency Communications Center Representative**

**Dale Manuel, County Commission Representative**

**Kelly Parsons, Private Industry Representative**

**Ed Smith, Fire and Rescue Representative**

**Sheriff Bobby Shirley, Law Enforcement Representative**

**Paul Espinosa, Utilities Representative**

**Tom Bayuzik, Jefferson County Development Authority Representative**

**Pamela Holstein-Wallace, Region 3 Homeland Security Representative**

**Holly Morgan Frye, Shepherd University Service Learning Program Education Representative**

**Staff:**

**Barbara J. Miller, CEM, CPM  
Director  
304-728-3298 Office  
304-283-4227-Mobile  
bmiller@jeffersoncountywv.org**

**Terri Mohling, Planner/Program Manager/  
Deputy Director  
304-728-3329-Office  
304-279-8233-Mobile  
tmohling@jeffersoncountywv.org**

**Jennifer D. Maggio, Administrative Assistant,  
Public Information Officer and Volunteer Coordinator  
304-724-8914-Office  
304-279-8135-Mobile  
jmaggio@jeffersoncountywv.org**

**Fax: 304-726-3320**

January 3, 2011

Jefferson County Commission

P.O. Box 250

Charles Town, WV 25414

Dear Commissioners:

At a meeting of the Jefferson County Homeland Security and Emergency Management Steering Committee this day, a motion by the body was unanimously passed to propose to you the following list of names to fill vacancies on this committee:

**Lane Donley** to replace Tom Bayuzik (Development Authority Representative), pending approval by the JC Development Authority Board

**Lori Kelly** to replace Amy Grove (Red Cross Representative)

**Sanford "Sandy" H. Green** to replace Pam Holstein-Wallace (WV Homeland Security Region 3 Area Liaison)

Others from the existing committee who are being submitted for continued service include:

**John Sherwood**, Chair, Chamber of Commerce Representative

**Jeff Polczynski**, Communications Director

**Katherine Dunbar**, Good Shepherd Inter-Faith Caregivers, (Non-Profit Representative)

**Paul Espinosa**, Frontier Communications (Utilities Representative)

**Ed Smith** (Fire and Rescue Representative)

Others on the Steering Committee who are not up for reappointment this year are:

Amy Jones, V. President, Jefferson Co. Health Department

Bobby Shirley, Sheriff of Jefferson County, representing Law Enforcement

Kelly Parsons, Nichols, DeHaven and Associates, representing the private sector

Holly Morgan Frye, Shepherd University, representing education

Mason Carter, Jefferson Co. Engineering Department

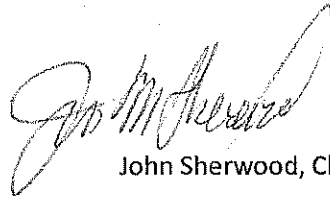
Dale Manuel, County Commission Representative

Per our by-laws, "The Steering Committee shall consist of fourteen members, appointed by the County Commission. Appointments shall be for a period of

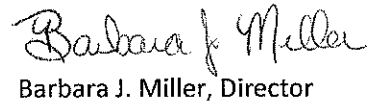
two years. New appointments or reappointments will be made at the first (steering committee) meeting of each calendar year."

Thank you for your attention to these appointments and for your continued support.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Sherwood".

John Sherwood, Chair

A handwritten signature in cursive script, appearing to read "Barbara J. Miller".

Barbara J. Miller, Director

## **Edwina M. B. Donley**

Shepherdstown, West Virginia

Lane Donley was born and raised in the Washington, DC area and moved to West Virginia in 1977. She married Samuel Donley, a life long farmer and businessman. She is stepmother to four outstanding citizens and grandmother to eight, all but one of whom live in West Virginia and most in Jefferson County.

Mrs. Donley is currently employed with the Jefferson County Development Authority as an Administrative Assistant. Her previous background includes employment as an executive secretary, office manager, and purchasing agent (to name a few) with over 40 years experience in Legislative and Executive levels of Federal Government.

Over the years, Lane has been involved in many civic and community activities and is currently active with Trinity Church, Shepherdstown, Altar Guild.

Lori Kelly currently

is the Eastern Panhandle Chapter

Management and administration resp

Grant, Hampshire and Pendleton

## Lorraine M. Kelly

**Lori Kelly** is a Baltimore native and a graduate of the Institute of Notre Dame. She simultaneously studied for a decade at Peabody Conservatory of Music. She was conferred with a bachelor's degree in Psychology and Sociology from Hood College.

Lori moved to the Eastern Panhandle of West Virginia in 1998. She has since served as President of the Shepherdstown Visitors Center and was a member of the Shepherdstown Business Association. She has also participated as a board member for the Friends of NCTC, Friends of the Shepherdstown Riverfront, Jefferson County Education Foundation, Berkeley Arts Council, and Shenandoah Valley Medical Systems. She is proud to be a member of the Shepherdstown Rotary, and serves on their Board of Directors as well.

Lori is a very active member of the community and volunteers much of her time to many local causes. Such extensive non-profit experience led to her briefly guiding **Habitat For Humanity** of the Eastern Panhandle through their interim Executive Director period, as they considered organizational restructuring.

Mrs Kelly also became active in Economic Development efforts as a Community Development Specialist for a Regional Community Planning and Development Council. She is proud to have served as the **Executive Director** for the **Gateway New Economy Council** for almost six years.

Lori Kelly currently serves as the Executive Director of the **American Red Cross** for the Eastern Panhandle Chapter of the West Virginia region. In this role, her organizational management and administration responsibilities encompass Jefferson, Berkeley, Morgan, Hardy, Grant, Hampshire and Pendleton counties.

12/27/11

Ms. Barb Miller, Director  
Jefferson County Office of Homeland Security and Emergency Management  
28 Industrial Blvd., Ste. 101  
Kearneysville, WV 25430

Dear Barb,

Thank you for the offer of a seat on the Jefferson County Steering Committee. I would be delighted to take part.

It is my intention to be there for the January 3<sup>rd</sup> meeting. Please let me know if you need anything further in the interim.

Looking forward to working with you!

Sincerely,

Sanford H. Green  
Region III Liaison  
WV DSHEM  
[Sanford.h.green@wv.gov](mailto:Sanford.h.green@wv.gov)  
304-807-5135

Brief BIO for Sanford H. 'Sandy' Green

29 year member Canaan Valley VFD. Firefighter/Emergency Medical Technician

Serving as Chief for the past nine years, I am responsible for training, tactical deployment, safety and administrative management of a 25 member volunteer fire department plus all associated vehicles and equipment used to provide emergency response services to an area of over 230 square miles consisting of over 1500 homes and businesses. Additionally, I am responsible for providing emergency response services as required for the more than 1.5 million visitors who visit this area annually. I compose the twice yearly 'appeal for funds' letter that generates 30% of our annual income. In addition, I create the operating budget for the department.

Served as President and Assistant Chief from 1991 (ca.) to 2001. Helped the corporation grow to one approaching two million dollars in assets with zero debt.

Served as Incident Commander during 'Operation Jacob', the successful search for severely autistic, 18 year old Jacob Allen lost in the Dolly Sods area. I was responsible for coordinating all ground and air search efforts of over 350 responders as well as all logistical support required for the five day operation.

Chairman, Tucker County E-911 Advisory Council. Nine members.

Chairman, Tucker County Office of Emergency Management Board. Five members.

Founding Member Tucker County Tactical Rescue Team

Served almost 20 years with Tucker County Emergency Medical Services

Currently managing FEMA, Assistance to Fire Grant awarded for the upgrade of emergency communication system for Tucker County and surrounding region

Founding Member **TACTICs** annual emergency response training weekend

## **John M. Sherwood**

Retired from Paying Jobs

Native of Baltimore, Maryland

### Education

B.S. Loyola College, Baltimore, Maryland  
MPA, Cornell University, Ithaca, New York

Served in U. S. Army Medical Service Corps from 1966-1970 in Germany, Texas, and Vietnam

Life Fellow in the American College of Healthcare Executives

### Prior Employment

Director of Student Services Martinsburg Campus Mountain State University 2009-2011  
Dean of Continuing Studies Mount Saint Mary's University 2007-2009  
Interim Executive Director Jefferson-Morgan Chapter American Red Cross 2006  
Interim Administrator Jefferson County Health Department 2007  
CEO of Jefferson Memorial Hospital 2000-2005  
President/CEO St. Luke's Hospital-Allentown Campus, Allentown, PA 1994-1999  
President/CEO of Wayne Memorial Hospital, Honesdale, PA 1983-94; and  
Chief Operating Officer of Conemaugh Valley Memorial Hospital, Johnstown, PA 1975-83

### Current Volunteer Activities include:

Hospice of the Panhandle  
Sacristan St. James the Greater Catholic Church  
Coordinator of Sick & Homebound St. James  
Board Member Rotary Club of Charles Town  
Committee of Troop 82 BSA and Eagle Liaison  
Chairman, Steering Committee for Jefferson County Office of Homeland Security  
Board member Eastern Panhandle Chapter of American Red Cross

### Volunteer activities have included:

Board Member Jefferson County Chamber of Commerce  
Chair of Board of Governors for Shepherd University  
Member of Board of Jefferson-Morgan Counties Chapter of American Red Cross  
Chair of Northeast Pennsylvania Blood Services Region American Red Cross  
Regent for American College of Healthcare Executives  
Junior Achievement  
Various Emergency Medical Services Organizations  
Scoutmaster in Trans Atlantic Council BSA

Reside with my wife, Patti, in Charles Town

304-728-0180 (home) 304-279-3680 (cell) [jmsctwv@frontiernet.net](mailto:jmsctwv@frontiernet.net)

**Barbara Miller**

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**From:** KATHERINE DUNBAR [katherinednbr@yahoo.com]  
**Sent:** Wednesday, December 28, 2011 11:15 AM  
**To:** bmiller@jeffersoncountywv.org  
**Subject:** Resume

Hi Barb. Happy New Year.

Katherine B Dunbar is a graduate of the former Charles Town High School.

Owned and operated the Sears Catalog Store in Ranson for 19 years.

Executive Director of Jefferson, Morgan County American Red Cross for 15 years. Upon retiring took a position with Ryan Homes as Sales Assistant. For the past 2 years I have been working as a Sales Assistant for Dan Ryan Builders in Martinsburg.

Presently volunteer with Good Shepherd Caregivers and the Eastern Panhandle Free Clinic and Chair the Public Awareness Committe for Homeland Security.

107 Hancock Court  
Charles Town, WV 25414

Phone: 304-728-8139  
E-mail: paulespsr@frontiernet.net

# Paul A. Espinosa

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**Objective** Reappointment to the Jefferson County Homeland Security & Emergency Management Steering Committee.

**Work Experience** 2008-Present  
Frontier Communications Ranson, W. Va.

**General Manager-Eastern W. Va. Operations**

- Provide leadership to eastern West Virginia operations staff with responsibility for fostering innovation and cross-functional cooperation in order to exceed P&L goals and deliver customer and employee satisfaction.
- Positively represent the company and communicate company vision and direction through active engagement and involvement in the community.
- Collaborate with regional staff and provide local market analysis in order to improve operational processes and ensure responsiveness to customer needs and expectations.

2003-2007  
Branch Banking & Trust Company Ranson, W. Va.

**Business Services Officer/Financial Center Manager**

- As Business Services Officer, managed and strengthened relationships with commercial banking clients in Eastern West Virginia.
- Served as manager of Shepherdstown, West Virginia financial center from 2003-2005 and promoted to manager of Ranson, West Virginia financial center from 2005-2006 with responsibility for all branch customer service and sales activities.
- Interfaced with retail and commercial clients to promote positive corporate image and to identify and cultivate banking relationships.

2001-2003  
Citizens Communications Charles Town, W. Va.

**Sales Associate**

- Cultivated relationships with major business telecommunications customers resulting in 2002 revenue growth of \$111,000.
- Led sales representatives in Mid-Atlantic territory in 2002 with more than \$200,000 in customer-premise equipment sales.
- Recipient of prestigious Council of Leaders Award presented

to company sales representatives ranking among the top 10% nationally.

1996-2001

GS Communications, Inc.

Frederick, Md.

**Marketing Coordinator**

- Developed, implemented and managed multi-media marketing campaigns to acquire new customers, retain existing customers and increase average subscriber revenues and new product penetration.
- Managed all aspects of marketing the core cable business as well as new digital cable television and high-speed Internet ancillary services including the creation of original artwork concepts, advertising layouts, and radio, telemarketing and television scripts to support campaigns.
- Negotiated contracts with vendors and developed professional relationships with cable network representatives.
- Coordinated product training for customer contact personnel to increase product knowledge and utilization of effective sales strategies.
- Interfaced with the business community, franchise authorities, and general public to promote corporate image and product lines.

1985-1995

Charles Town Races

Charles Town, W. Va.

**Communications Director**

- Directed publicity and media relations activities to promote racing schedule and special events.
- Developed, implemented and managed multi-media campaigns to attract and retain customers.
- Produced and co-hosted monthly television program broadcast on local Fox affiliate.
- Coordinated media relations activities for inaugural West Virginia Breeders Classics, West Virginia's richest day of racing.
- Served as company spokesman and interfaced with the media, government officials, the community and patrons to promote positive company image.

**Education**

1980-1984

W. Va. Wesleyan College

Buckhannon, W. Va.

**Bachelor of Arts**

- Graduated Cum Laude
- 1983 Okey J. Stout Collegian
- Phi Kappa Phi Scholastic Honorary, Omicron Delta Kappa

Leadership Honorary, Delta Mu Delta Business Honorary, Community Council Representative at Large, Theta Xi Social Fraternity, et. al.

**Professional  
Memberships**

Jefferson County Chamber of Commerce, Past President; Rotary Club of Charles Town, Past President, 2003 Rotarian of the Year; Rotary Club of Martinsburg, 1997-2001.

**Community  
Activities**

United Way of the Eastern Panhandle, Chairman-Elect and 2011-12 Campaign Chair; Jefferson County Schools Education Foundation, Treasurer; Washington High School Public Address Announcer; Umpire, Summit Point Babe Ruth Baseball and WVSSAC; Past President & Member Jefferson County Parks & Recreation Commission.

**References**

Available upon request.

# E.D. Smith

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**Objective** Fire & Rescue Representative-Jefferson Co Homeland Security Steering Committee

**Experience** 1974 – Present Independent Fire Company Ranson

**Board of Directors- 1975 to present**

**Vice President - 2012**

**Fire Chief (1991- 2010)**

- Provides overall responsibility for the Operational Firefighting organization.
- Established minimum Physical Standards for Firefighters- NFPA Compliant Annual Physicals for all Firefighters
- Established leadership in technological advancements in Firefighting
- Chairman of the Jefferson County Fire Chiefs Committee- 15 Years

Other County Positions

- Jefferson County Anti-terrorism Committee
- Jefferson County Homeland Security Steering Committee
- Jefferson County Local Emergency Planning Committee (LEPC)
- City of Charles Town Emergency Services Director
- Jefferson Memorial Hospital Advisory Committee

1999-2010 Jefferson County Emergency Services Agency

**Operations Manager (Retired March 1, 2010)**

- Established all operational procedures for the Agency
- Developed and contracted with vendors for Agency insurance, employee health care and liability
- Managed 17 Full Time and 11 Part Time employees
- Interfaced with all Jefferson County Fire and EMS Companies to resolve Volunteer-Career issues and working practices

1967- 1998 AT&T Northern Va.

**Technical Support Manager (Retired 10-30-1998)**

- Communications Support for various Federal Government Agencies
- FEMA Technical Support for Domestic Disasters
- Telecommunications establishment in Haiti and other US Special Events

**Interests** Family, Community Service, Scuba, Yard Maintenance

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

6

**AGENDA REQUEST FORM**

Name: Lynn Fields and Karen Olden

Department or Entity: Probate Office

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

Date Requested – 1<sup>st</sup> Choice: January 19<sup>th</sup>, 2012

Date Requested – 2<sup>nd</sup> Choice: January 26<sup>th</sup>, 2012

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

Subject: **QUARTERLY CLOSINGS/ESTATE APPROVALS**

Please provide the County Commission with a description of your request or presentation, including any background information: **Quarterly closings/Estate approvals**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Approve estates to be closed and estates opened since last quarterly meeting in October.**

Attachments: **No attachments**



Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**AGENDA REQUEST FORM**

Name: Linda Reeves

Department or Entity: \_\_\_\_\_

Estimation of amount of time needed for appointment: \_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: January 19, 2012

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

**Subject: Homestead Exemption Denial Appeal**

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

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

Attachments:

registered to vote. She just got her WV Driver's License in November 2011. She told my staff that that filed her state income tax in Maryland. She just registered a vehicle in June 2011, so she will pay her first year of personal property tax this July 2012.

The deadline to sign up for homestead exemption is December 1<sup>st</sup>. Mrs. Reeves came into my office on December 1<sup>st</sup> and did not have proof of residency, so I denied her homestead exemption. I still stand behind my decision based on the facts in the above paragraph.

Sincerely,



Angela L. Banks

# ASSESSOR OF JEFFERSON COUNTY

104 East Washington Street

Charles Town, WV 25414

Angela L. Banks

304-728-3224

December 5, 2011

KTD

Copy of  
denial  
letter

Linda Jo Reeves  
33 Lakeside Drive  
Harpers Ferry, WV 25425

Dear Ms. Reeves:

Your application for the Homestead Exemption for Tax Year 2012 has been denied. You did not provide documentation to prove that you had been a resident of the State of West Virginia for two calendar years prior to July 1, 2011.

You may appeal this decision to the Jefferson County Commission within 30 days after receipt this notice of denial. An application has been enclosed.

Sincerely,



Angela L. Banks

Assessor of Jefferson County

# ASSESSOR OF JEFFERSON COUNTY

104 East Washington Street  
Charles Town, WV 25414

M. R. Bordier

728-3224

March 4, 2005

*Copy of letter when this was purchased*

Linda Jo Reeves  
14560 Cutstone Way  
Silver Spring MD 20905

KTD 6F/98  
Sec 7L #5,6,7 Shannondale

Dear Taxpayer:

In order to insure correct assessment on real estate obtained by you on October 22, 2004 please complete the following and return to this office within ten (10) days.

As of July 1, 2005...

Will this be your primary residence? No

Correct mailing address: 14560 Cutstone Way

Will this be a rental property? No

Is this real estate for sale? No

Other (Explain) WEEK-END RETREAT

All West Virginia residents are required to title automobiles in this state within thirty (30) days and file an Individual Personal Property and Real Estate Report each year after July 1 and before October 1.

Thank you for your cooperation.

Yours truly,  
*M.R. Bordier*  
M. R. Bordier  
Assessor *[Signature]*

Date: 3-5-05

Signature: Linda Jo Reeves

Phone: 301-594-6665

**§11-6B-6. Appeals procedure.**

(a) *Notice of appeal; thirty days.* -- Any claimant aggrieved by the denial of his or her claim for exemption or the subsequent denial of his or her exemption may appeal to the county commission within thirty days after receipt of written notice explaining why the exemption was denied.

(b) *Review; determination; appeal.* -- The county commission shall complete its review and issue its determination as soon as practicable after receipt of the notice of appeal, but in no event later than the twenty-eighth day of February of the tax year for which the exemption is first applied. In conducting its review, the county commission may hold a hearing on the claim. The assessor or the claimant may apply to the circuit court of the county for review of the determination of the county commission in the same manner as is provided for appeals from the county commission in section twenty-five, article three of this chapter.

year.

**§11-6B-3. Twenty thousand dollar homestead exemption allowed.**

(a) *General.* -- An exemption from ad valorem property taxes shall be allowed for the first twenty thousand dollars of assessed value of a homestead that is used and occupied by the owner thereof exclusively for residential purposes, when such owner is sixty-five years of age or older or is certified as being permanently and totally disabled provided the owner has been or will be a resident of the state of West Virginia for the two consecutive calendar years preceding the tax year to which the homestead exemption relates: *Provided*, That an owner who receives a similar exemption for a homestead in another state is ineligible for the exemption provided by this section. The owner's application for exemption shall be accompanied by a sworn affidavit stating that such owner is not receiving a similar exemption in another state: *Provided, however*, That when a resident of West Virginia establishes residency in another state or country and subsequently returns and reestablishes residency in West Virginia within a period of five years, such resident may be allowed a homestead exemption without satisfying the requirement of two years consecutive residency if such person was a resident of this state for two calendar years out of the ten calendar years immediately preceding the tax year for which the homestead exemption is sought. Proof of residency includes, but is not limited to, the owner's voter's registration card issued in this state or a motor vehicle registration card issued in this state. Additionally, when a person is a resident of this state at the time such person enters upon active duty in the military service of this country and throughout such service maintains this state as his or her state of residence, and upon retirement from the military service, or earlier separation due to a permanent and total physical or mental disability, such person returns to this state and purchases a homestead, such person is deemed to satisfy the residency test required by this section and shall be allowed a homestead exemption under this section if such person is otherwise eligible for a homestead exemption under this article; and the tax commissioner may specify, by regulation promulgated under chapter twenty-nine-a of this code, what constitutes acceptable proof of these facts. Only one exemption shall be allowed for each homestead used and occupied exclusively for residential purposes by the owner thereof, regardless of the number of qualified owners residing therein.

(b) *Attachment of exemption.* -- This exemption shall attach to the homestead occupied by the qualified owner on the July first assessment date and shall be applicable to taxes for the following tax year. An exemption shall not be transferred to another homestead until the following July first. If the homestead of an owner qualified under this article is transferred by deed, will or otherwise, the twenty thousand dollar exemption shall be removed from the property on the next July first assessment date unless the new owner qualifies for the exemption.

(c) *Construction.* -- The residency requirement specified in subsection (a) is enacted pursuant to the Legislature's authority to prescribe by general law requirements, limitations and conditions for the homestead exemption, as set forth in section one-b, article ten of the constitution of this state. Should the supreme court of appeals or a federal court of competent jurisdiction determine that this residency requirement violates federal law in a decision that becomes final, this section shall then be construed and applied, beginning with the July first assessment day immediately following the date the decision became final, as if the residency requirement had not been enacted, thereby preserving the availability of the homestead exemption and the fiscal integrity of local government levying bodies.

**§11-6B-4. Claim for exemption; renewals; waiver of exemption.**

(a) *General.* -- No exemption shall be allowed under this article unless a claim of exemption is filed with the assessor of the county in which the homestead is located, on or before the first day of December following the July first assessment day. In the case of sickness, absence or other disability of the claimant, the claim may be filed by the claimant or his or her duly authorized agent.

(b) *Claims for disability exemption.* -- Each claim for exemption based on the owner being permanently and totally disabled shall include one of the following forms of documentation in support of said claim: (1) A written certification by a doctor of medicine or doctor of osteopathy licensed to practice their particular profession in this state that the claimant is permanently and totally disabled; (2) a written certification by the social security administration that the claimant is currently receiving benefits for permanent and total disability; (3) a copy of the letter from the social security administration originally awarding benefits to the claimant for permanent and total disability and a copy of a current check for such benefits, marked void; (4) a current social security health insurance (medicare) card in the name of the claimant and a copy of a current check to the claimant, marked void, for benefits from the social security administration for permanent and total disability; (5) a written certification signed by the veterans administration certifying that a person is totally and permanently disabled; (6) any lawfully recognized workers' compensation documentation certifying that a person is totally and permanently disabled; (7)

any lawfully recognized pneumoconiosis documentation certifying that a person is totally and permanently disabled; or (8) any other lawfully recognized documentation certifying that a person is totally and permanently disabled.

(c) *Renewals.* --

(1) *Senior citizens.* -- If the claimant is age sixty-five or older, then after the claimant has filed for the exemption once with his or her assessor, there shall be no need for that claimant to refile unless the claimant moves to a new homestead.

(2) *Disabled.* -- If the claimant is permanently and totally disabled, then after the claimant has filed for the exemption once with his or her assessor, and signed a statement certifying that he or she will notify the assessor if he or she is no longer eligible for an exemption on the basis of being permanently and totally disabled and that the claimant will notify the assessor within thirty days of the discontinuance of the receipt of benefits for permanent and total disability, if the claimant originally claimed receipt of said benefits to document his or her claim for exemption, there shall be no need for that claimant to refile, unless the claimant moves to a new homestead.

(3) *Waiver of exemption.* -- Any person not filing his or her claim for exemption on or before the first day of December shall be determined to have waived his or her right to exemption for the next tax year.

(4) *Residential care exception.* -- For purposes of this section, an otherwise qualified claimant who, as a result of illness, accident or infirmity, resides with a family member or is a resident at a nursing home, personal care home, rehabilitation center or similar facility is not considered to have moved to a new homestead.

#### **§11-6B-5. Determination; notice of denial of claim or exemption.**

(a) The assessor shall, as soon as practicable after a claim for exemption is filed, review that claim and either approve or deny it. If the exemption is denied, the assessor shall promptly, but not later than the first day of January, serve the claimant with written notice explaining why the exemption was denied and furnish a form for filing with the county commission should the claimant desire to take an appeal. The notice required or authorized by this section shall be served on the claimant or his or her authorized representative either by personal service or by certified mail.

(b) In the event that the assessor shall have information sufficient to form a reasonable belief that a claimant, after having been originally granted an exemption, is not eligible for said exemption, he or she shall deny the exemption on the next assessment date and shall promptly, but no later than the first day of January, serve the claimant with written notice explaining the reasons for the denial and furnish a form for filing with the county commission should the claimant desire to take an appeal.

#### **§11-6B-6. Appeals procedure.**

(a) *Notice of appeal; thirty days.* -- Any claimant aggrieved by the denial of his or her claim for exemption or the subsequent denial of his or her exemption may appeal to the county commission within thirty days after receipt of written notice explaining why the exemption was denied.

(b) *Review; determination; appeal.* -- The county commission shall complete its review and issue its determination as soon as practicable after receipt of the notice of appeal, but in no event later than the twenty-eighth day of February of the tax year for which the exemption is first applied. In conducting its review, the county commission may hold a hearing on the claim. The assessor or the claimant may apply to the circuit court of the county for review of the determination of the county commission in the same manner as is provided for appeals from the county commission in section twenty-five, article three of this chapter.

#### **§11-6B-7. Property tax books.**

(a) *Property book entry.* -- The exemption of the first twenty thousand dollars of assessed value shall be shown on the property books as a deduction from the total assessed value of the homestead.

(b) *Levy; statement to homestead owner.* -- When the twenty thousand dollar exemption is greater than the total assessed value of the eligible homestead, no taxes shall be levied. The sheriff shall issue a statement to the owner showing that no taxes are due.

#### **§11-6B-8.**

Repealed.

Acts, 1983 1st. Ex. Sess., Ch. 15.

**§11-6B-9. Forms, instructions and regulations.**

The tax commissioner shall prescribe and supply all necessary instructions and forms for administration of this article. Additionally, the tax commissioner may make all necessary rules and regulations for this article as provided in the state administrative procedure act in chapter twenty-nine-a of this code.

**§11-6B-10. Criminal penalties; restitution.**

(a) *False or fraudulent claim for exemption.* -- Any claimant who willfully files a fraudulent claim for exemption, and any person who knowingly assisted in the preparation or filing of such fraudulent claim for exemption or who knowingly supplied information upon which the fraudulent claim was prepared or allowed, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty nor more than one hundred and fifty dollars, or imprisoned in the county jail for not more than six months, or both fined and imprisoned.

(b) *Fraudulent assessments.* -- (1) An assessor or employee of a county who, with intent to defraud the state, assesses the value of the eligible claimant's homestead for an amount which is in excess of its true and actual value or is in excess of the assessed value of similar property in his county, in order to increase the cost of the homestead exemption to his county and to thereby secure a larger reimbursement from the state, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars, or imprisoned in the county jail for not more than one year, or both fined and imprisoned. Each violation of this subsection shall constitute a separate offense.

(2) An assessor or employee of a county who, with intent to defraud a claimant, assesses the value of the eligible claimant's homestead for an amount which is in excess of its true and actual value or is in excess of the assessed value of similar property in his county, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars, or imprisoned in the county jail for not more than one year, or both fined and imprisoned. Each violation of this subsection shall constitute a separate offense.

(c) *Failure to notify assessor.* -- A claimant or his legal representative, who, prior to the next first day of July, fails to notify the assessor of the county wherein property subject to the homestead property tax exemption is located, that title to that property or a portion thereof was transferred by deed, grant, sale, gift, will or by the laws of this state regulating descent and distribution, that the property is no longer used and occupied for residential purposes exclusively by the claimant or that the claimant is no longer permanently and totally disabled, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than one thousand dollars or imprisoned for not more than one year or both.

(d) In addition to the criminal penalties provided above, upon conviction of any of the above offenses, the court shall order that the defendant make restitution unto the state for all taxes not paid due to an improper exemption for the claimant and interest thereon at the legal rate until paid.

**§11-6B-11. Severability.**

If any provision of this article or the application thereof to any person or circumstance is held unconstitutional or invalid, such unconstitutionality or invalidity shall not affect, impair or invalidate other provisions or applications of the article, and to this end the provisions of this article are declared to be severable.

**§11-6B-12. Effective date.**

(a) The provisions of this article enacted in the year one thousand nine hundred eighty-one took effect on the first day of July, one thousand nine hundred eighty-one.

(b) Amendments to this article enacted in the year one thousand nine hundred ninety shall, regardless of the effective date of this act, be used to determine the assessed value of property on which ad valorem property taxes are levied for tax years beginning on or after the first day of January, one thousand nine hundred ninety. Assessors and county commissioners are hereby authorized and directed to review the claims for homestead exemption for the current tax year filed in their counties prior to the second day of October, one thousand nine hundred eighty-nine, and to make such changes in their books for the current tax year as may be needed to give these amendments their intended effect, regardless of any other provision in this chapter that may prohibit such action. Any person who has already paid property taxes for tax year one thousand nine

hundred ninety, and who is considered eligible for homestead exemption under this article, may apply pursuant to section twenty-seven, article three of this chapter for a refund for property taxes erroneously paid.

*Note: Code updated with legislation passed through the 2008 2nd Extraordinary Session*

att 4  
att 5

att 5B

Note my  
office Number,  
which is my  
Jefferson County  
Residents:  
304-728-6267

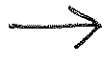
att #5A



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Assistant Secretary for Administration  
Office of Human Resources, Strategic Programs

Linda J. Reeves  
Disability Program Manager  
Diversity Outreach, Opportunities, and Recruitment

200 Independence Ave., SW  
HHH Building, Suite 801  
Washington, DC 20201



PHONE: (304) 728-6267  
FAX: (202) 401-3707  
Linda.Reeves@hhs.gov

| EXPIRATION DATE |     |      |   | CLASS | MOTORBOAT/VEHICLE REGISTRATION<br>STATE OF WEST VIRGINIA |        |
|-----------------|-----|------|---|-------|----------------------------------------------------------|--------|
| MONTH           | DAY | YEAR |   |       |                                                          |        |
| 07              | 01  | 12   | A | W     | NEW PLATE                                                | 7SM234 |

The accompanying boat or plate number assigned to the addressee is to be used for the boat/vehicle described on this card.

| VEHICLE/BOAT IDENTIFICATION NUMBER |      |               |              | 4TAVL52N5TZ088641 |  |
|------------------------------------|------|---------------|--------------|-------------------|--|
| MAKE                               | YEAR | LENGTH/WEIGHT | TITLE NUMBER |                   |  |
| TOYT                               | 1996 | 8000          | CZ70368      |                   |  |
| PC                                 |      |               | 06/27/11     | JEFF              |  |

REEVES, LINDA JO  
33 LAKESIDE DR  
HARPERS FERRY WV 25425

SIGN ON THE BACK

att #4

USA West Virginia DL

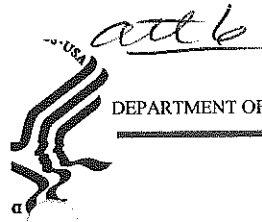
GOVERNOR Earl Ray Tomblin

DRIVER'S LICENSE

1. REEVES  
2. LINDA JO  
3. 33 LAKESIDE DRIVE  
HARPERS FERRY, WV 25425

4a. F662841  
4b. Exp: 04/25/2017  
3. DOB: 04/25/1947  
5. 20111123141338AD370910200

6. CI E  
9a. EYE NONE  
12. R NONE  
16. Ht: 5-03  
17. Wt: 175  
18. Eye: BN  
19. Sex: F



December 27, 2011

Assessor of Jefferson County  
104 East Washington Street  
Charles Town, WV 25424

ATTN: Ms. Angela L. Banks

I have been asked by Ms. Linda Reeves, 33 Lakeside Drive, Harpers Ferry, WV 25425 to write this communication to provide documentation to assist her in proving that she has been a resident of the State of West Virginia for two calendar years prior to July 1, 2011. She informs me that she is applying for a Homestead Exemption within Jefferson County, WV and that individuals seeking this exemption typically show their WV state issued driver license and/or state voters registration card to substantiate their residency. However, she informs me she only recently converted her previous issued Maryland drivers license and voter registration to WV, and that your office now seeks other documentation to substantiate her claim that she has been a resident of WV for more than 2-1/2 years.

I am aware that Ms. Reeves lives and has been living in Harpers Ferry, WV prior to July 1, 2009 and previously commuted to her work duty station from her residence. I can attest that Ms. Reeves has been a federal employee working for the Department of Health and Human Service (DHHS) for more than 35 years. For numerous years, I am aware she held many different position within HHS and her principal duty station was in Rockville, MD for most of those working years. I am aware that prior to her being reassigned to my immediate supervision that her former supervisor who was under my immediate supervision had authorized her to telework from her WV residence, her alternate duty station, three days a week, Mondays, Thursdays, and Fridays. Two days a week, Tuesdays, and Wednesdays, she would report to her Rockville, MD duty station. I understand that typically she would stay over at her daughter's Silver Spring residence on those few days when she had to report to her Rockville duty station or on those occasions when she had an early meeting to attend to in D.C. and other surrounding metropolitan facilities to minimize her long driving commute.

When she was officially reassigned to my immediate supervisor sometime prior to July 1, 2009, due to an office restructuring/ reorganization and office move necessitating all employees to relocate to different facilities throughout the metropolitan area and due to limited office space, Ms. Reeves was authorized to work five days a week from her WV residence. At that time, she was one of the few, if not the only employee within the Office of Human Resources authorized a five day telework at an alternate duty station, her WV residence. Her WV residence was set up as a virtual office equipped with appropriate equipment so she could perform her duties just as if she were in one of our metropolitan D.C. HHS offices. On those occasions when she would be required to attend a meeting or report to D.C., she would drive from her WV residence to fulfill this need. However, typically she would be performing work at her WV resident on a daily basis. Thus, one should be able to conclude that her principal residence was in Harpers Ferry, WV even absent a WV drivers license or WV voting registration card.

I hope this letter provides the information you seek to assist in confirming that Ms. Reeves has been a resident of your state for the period in question. Should you require additional information from me, please contact me on 202-690-6664. Thank you.

Sincerely yours,

Ms. Jody Wildly  
Acting Director, Diversity Outreach, Opportunities  
and Recruitment  
Office of Human Resources, Strategic Programs  
Assistant Secretary for Administration  
U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, D. C. 20201

cc: Ms. Linda Reeves

*ad 7*



# The Roman Catholic Parish of Saint James the Greater

49 Crosswinds Drive, Charles Town, WV 25414-3933  
(304) 725-5558

December 28, 2011

To Whom It May Concern:

This is to confirm that Linda Reeves has been registered in St. James Parish since May 5, 2006. The address that we have on file for Ms. Reeves is 33 Lakeside Drive, Harpers Ferry, WV 25425.

Ms. Reeves has been active in our parish for the past two years by volunteering to help with the Jefferson County Cold Weather Shelter that is hosted by the Churches in our area.

She has been involved for the past three years with our Financial Peace University program that is given at St. James. Also, she has participated in our Singles Group and four years ago she helped with the children on Wednesday evening in our Good Shepherd Atrium.

For the past several years, she has been a practicing Catholic at our weekly Sunday Masses.

I hope that this information will be helpful.

God Bless,

Rev. Mr. David Galvin  
Parish Administrator

att 5

December 31, 2011

To Jefferson County Assessor

Charles Town, WV

To Whom It May Concern:

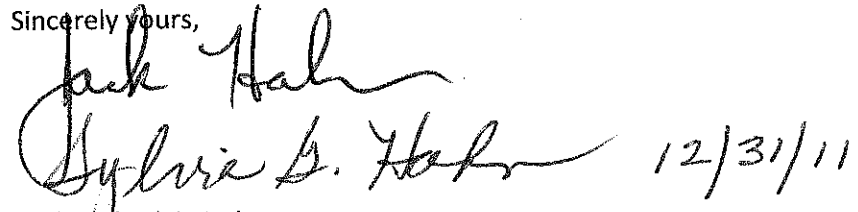
We have known Ms. Linda Reeves for more than 30 years and have been a resident of this county for more than 10 years. Ms. Reeves is a close personal friend of ours and has been a frequent guest in our home and our parent's home in Shannondale for many years. In fact, we were instrumental in encouraging Ms. Reeves to sell her Maryland residence and to come to live in beautiful Jefferson County, WV. We were also instrumental in helping Ms. Reeves locate the Shannondale property which she purchased in 2004, as well as getting her involved in community activities befitting the Shannondale residents, such as numerous clean-up projects and co-spearheading with us a petition campaign with a favorable outcome concerning a matter of grave concern to the Shannondale residents.

Most recently we informed Ms. Reeves of the Homestead exemption that Jefferson County offers to its full time residence knowing that she should be entitled to those provisions with her upcoming 65<sup>th</sup> birthday. We understand that you have asked that she provide you documentation that she has been a full-time resident of Jefferson county for the past 2-1/2 years, as it is thought her Shannondale residence serves as her secondary vacation residence, since she only recently converted her valid MD driver's license to a WV driver's license and you are apparently questioning her domicile. We are aware she has a vacation getaway at Snowshoe, WV, but that her principal residence has been, since 2008, located here at Shannondale.

Ms. Reeves lives directly across the lake from us here in Shannondale, and we have always visited each other frequently during the week, with almost daily telephone contact. We are very aware that she has been working for the Department of Health and Human Services for many years, teleworking full-time from her Shannondale home these past several years, and we have been encouraging her for numerous years to join us in retirement. We can confirm that her Shannondale residence is not used a secondary vacation residence, by virtual of the fact that we see her or are in contact with her almost daily at her Shannondale residence, because of our very close friendship. We can attest she has been a full-time resident in this county for the period in question.

Please feel free to call us by phone, 304-725-1559, should you have a need to confirm the information contained in this letter. We hope this letter provide you with the information and documentation you seek from Ms. Reeves so that she too may receive some of the great benefits of living in this county.

Sincerely yours,

 12/31/11

Jack and Sylvia Hahn

139 Twin Cove Court

Harpers Ferry, WV 25425

1-4-2012

Jefferson County Commissioner  
and Assessor of Jefferson County  
Angela K. Dahl  
1040 E. Washington St.  
Charles Town, WV 25414

Per your letter of denial  
for the Homestead Exemption  
for tax year 2012, I appeal  
your decision to said notice.

When I learned of the Homestead  
Exemption this most recent  
fall, I contacted your  
office & asked for clarification.  
I asked what I needed to  
bring to your office to file  
my application. I asked  
whether I needed to bring  
copies of previous utility  
bills or other such documents  
as I had been required  
to do so to title both of  
my vehicles purchased  
previously in MD and  
titled in my name in WV  
with the DMV in Ranson.  
I was informed by your  
office that I need only  
bring a copy of my  
WV driver's license, & that  
I must present it in person  
on or before Dec 2, 2011 to  
your office.

I arrived at your office  
in the afternoon of ~~Friday~~ <sup>Thurs.</sup>  
March 2, 2011 + sought an  
application to file for  
the homestead exemption.  
I presented my WV driver's  
license. I spent the  
entire afternoon, upon  
my arrival + to closing  
time to meet with you.  
I was informed you were  
unavailable to meet with  
me, as you were on a  
telephone conference. I  
was informed by your  
staff I did not have  
sufficient documentation  
to substantiate that I  
had been a resident of  
this county for the  
required term stipulated  
in article 16B Homestead  
Property Tax Exemption,  
which your staff  
furnished me, even though  
I had followed + furnished  
the documentation I was  
instructed <sup>by your staff</sup> to bring, i.e.,  
my WV driver's license.

Although I repeatedly asked to receive the application document, I was repeatedly informed no application form was available for me to fill out, & that instead individuals have their names added to a sheet of paper once the appropriate documentation has been presented. When I asked what was the appropriate documentation I needed to present, since the information they had informed me verbally was apparently in error, they could not answer my question, & I requested they furnish me with the WV code establishing the Homestead Exemption; I called to their attention § 11-6B-3(a) which stipulated... "Proof of residency includes, but is not limited to, the owner's voter registration card issued in this state or a motor vehicle registration card issued in this state. (Emphases added.) I repeatedly ask what other acceptable forms of "proof of residency" I could

furnished, and staff on duty could not answer that question. Hence, I waited and waited to get greater clarification from the Assessor, but who was unavailable to meet with me up until the office ~~closed~~ was about to closed.

Prior to my departure I insisted the staff accept some "official form" of my application and I referred them to §11-B-5(a) which stipulates that I shall be provided a written notice explaining why the exemption was denied & furnished a form for filing with the County Commissioners an appeal. Please let this serve as my appeal.

It would have been most helpful if the Assessor had provided me with greater clarity concerning his denial of my application, and what the acceptable

documents are for Jefferson County residents. The assessor provided no such clarification whatsoever.

Therefore, I am furnishing documentation to substantiate my claim that I should be eligible and entitled to the Homestead exemption, and I respectfully request the Jefferson County Commission approve my application + overturn Ms. Banks denial. I would also suggest it would be of great benefit to the residents of Jefferson County if the staff of the assessor's office received some training and/or guidance and perhaps had available a ~~listing~~ more precise listing of the acceptable documents that ~~could~~ ~~not~~ should be presented ~~to those~~ including established time frames ~~of~~ or dates of issued documents so that staff and residents of Jefferson County can be more

efficiently served  
without having to  
call these inefficiencies  
and lack of clarity  
to the entire Jefferson  
County Commissioners.

Respectfully yours,

Linda Reeves  
33 Lakeside Drive  
Harpers Ferry, WV  
25425

Attachments -

- 1 - Copy of Handwritten Note to Angie Bates 12-1-11
- 2 - 12-5-11 Letter + Form from Angela Bents (Form completed on 1-4-12)
- 3 - WV Code, Chapter 11, Article 6B
- 4 - WV Drivers License, #F-662841, LINDA REEVER
- 5A - WV Motor Vehicle Registration 75M2#
- 5b - Businesscard with home phone #
- 6 - 12-27-11 Letter from Employees, Jody Wilby
- 7 - 12-28-11 Letter from St James Catholic Parish
- 8 - 12-31-11 Letter by Shannadee, Jefferson County

Angie Bates  
Assessor

I came by your office to submit a request to file the for the Homestead Exemption. I will be 65 years old next year.

I am & have been a federal employee working in MD for 40 years. In 2004 I purchased my current & only residence. From 2004 to approx. 2006, I rotated overnite stays at my HF home & stay alternatively w/ my son & daughter 2 days a week. I telework 2 day a week & spend the weekend here. Since I worked in MD & had my <sup>work</sup> income deducted from my employer, I did not file WV employment & state tax.

I have been living here  
at this residence for  
more than 2 years, &  
I respectfully request  
I be given the  
appropriate homestead  
exemption.

J Lewes

33 Lakeside Rd,  
H. F., WV 25425.

If I am being denied,  
I respectfully  
request a written  
reply. Thank you.

I can get neighbors &  
my church, St. James  
Catholic church  
to submit documentation  
to substantiate my  
claim that I live

att 2

# ASSESSOR OF JEFFERSON COUNTY

104 East Washington Street

Charles Town, WV 25414

Angela L. Banks

304-728-3224

December 5, 2011

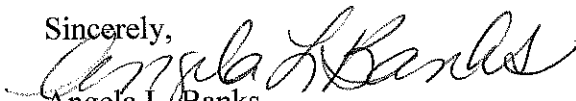
Linda Jo Reeves  
33 Lakeside Drive  
Harpers Ferry, WV 25425

Dear Ms. Reeves:

Your application for the Homestead Exemption for Tax Year 2012 has been denied. You did not provide documentation to prove that you had been a resident of the State of West Virginia for two calendar years prior to July 1, 2011.

You may appeal this decision to the Jefferson County Commission within 30 days after receipt this notice of denial. An application has been enclosed.

Sincerely,



Angela L. Banks

Assessor of Jefferson County



WEST VIRGINIA CODE

CHAPTER 11. TAXATION.

ARTICLE 6B. HOMESTEAD PROPERTY TAX EXEMPTION.

§11-6B-1. Purpose.

This article is enacted to implement the amendment to article X, section one-b of the constitution increasing the ad valorem property tax homestead exemption, which was ratified by the people at the general election held on the fourth day of November, one thousand nine hundred eighty.

§11-6B-2. Definitions.

For purposes of this article, the term:

- (1) "Assessed value" means the value of property as determined under article three of this chapter.
- (2) "Claimant" means a person who is age sixty-five or older or who is certified as being permanently and totally disabled, and who owns a homestead that is used and occupied by the owner thereof exclusively for residential purposes: *Provided*, That: (1) If the property was most recently used and occupied by the owner or the owner's spouse thereof exclusively for residential purposes; (2) the owner, as a result of illness, accident or infirmity, is residing with a family member or is a resident of a nursing home, personal care home, rehabilitation center or similar facility; and (3) the property is retained by the owner for noncommercial purposes, then the owner of that property may continue to claim a homestead property tax exemption on the property.
- (3) "Family member" means a person who is related by common ancestry, adoption or marriage including, but not limited to, persons related by lineal and collateral consanguinity.
- (4) "Homestead" means a single family residential house, including a mobile or manufactured or modular home, and the land surrounding such structure; or a mobile or manufactured or modular home regardless of whether the land upon which such mobile or manufactured or modular home is situated is owned or leased.
- (5) "Owner" means the person who is possessed of the homestead, whether in fee or for life. A person seized or entitled in fee subject to a mortgage or deed of trust shall be considered the owner. A person who has an equitable estate of freehold, or is a purchaser of a freehold estate who is in possession before transfer of legal title shall also be considered the owner. Personal property mortgaged or pledged shall, for the purpose of taxation, be considered the property of the party in possession.
- (6) "Permanently and totally disabled" means a person who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental condition which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months.
- (7) "Sixty-five years of age or older" includes a person who attains the age of sixty-five on or before the thirtieth day of June following the July first assessment day.
- (8) "Used and occupied exclusively for residential purposes" means that the property is used as an abode, dwelling or habitat for more than six consecutive months of the calendar year prior to the date of application by the owner thereof; and that the property is used only as an abode, dwelling or habitat to the exclusion of any commercial use: *Provided*, That failure to satisfy this six month period shall not prevent allowance of a homestead exemption to a former resident in accordance with section three of this article.
- (9) "Tax year" means the calendar year following the July first assessment day.
- (10) "Resident of this state" means an individual who is domiciled in this state for more than six months of the calendar

# APPLICATION FOR REVIEW OF PROPERTY ASSESSMENT

THIS COMPLAINT WILL NOT BE REVIEWED UNLESS FILED OUT IN DETAIL

*Charles Town*  
*Harpers Ferry* (City)

West Virginia

1-4

(Date)

20 12

Property assessed in the name of

*LINDA JO REEVES* *Reverable Trust* in *KABLETOWN* District.

Address of property

*\*33 Lakeside Drive, Harpers Ferry, WV 25445*

| Lot No.                                | Block No.         | Acres           | Description                     |
|----------------------------------------|-------------------|-----------------|---------------------------------|
| <i>See legal description page 1</i>    |                   | <i>1+</i>       | <i>Sec 76 #5,6,7 Shamondale</i> |
| Assessed Value - Land \$               |                   | Improvements \$ |                                 |
| CONSTRUCTION BY COMPLAINANT            |                   | 2011            | 2012                            |
| Cost of land                           | <i>105,900</i>    | <i>60,700</i>   |                                 |
| Cost of construction or contract price | <i>\$ 156,200</i> | <i>163,000</i>  |                                 |
| Date of Construction                   |                   |                 |                                 |
| Cost of added improvements             |                   |                 |                                 |
| Face amount of fire insurance carried  |                   |                 |                                 |
| Offered for sale for                   |                   |                 |                                 |
| Date of offer                          |                   |                 |                                 |
| Monthly rental received, if rented     |                   |                 |                                 |
| Present value in your opinion          | <i>\$ 222,100</i> | <i>223,700</i>  |                                 |
| Present value in my opinion            | <i>\$ 370,100</i> | <i>372,800</i>  |                                 |
| PURCHASE BY COMPLAINANT                |                   |                 |                                 |
| Total purchase price                   |                   |                 |                                 |
| Date purchased                         |                   |                 |                                 |
| Cost of added improvements             |                   |                 |                                 |
| Face amount of fire insurance carried  |                   |                 |                                 |
| Offered for sale for                   |                   |                 |                                 |
| Date of offer                          |                   |                 |                                 |
| Monthly rental received, if rented     |                   |                 |                                 |
| Present value in your opinion          |                   |                 |                                 |

### REASON AND BASIS FOR COMPLAINT

1. *From what this form by the Assessor's Office as*  
 2. *I am requesting you be given the same as*  
 3. *in my book and your book is different at the same lot.*

I do hereby certify that the above statements are true to the best of my knowledge and ability and that all questions on this petition pertaining to the property have been answered. *Thank you.*

Signature of Complainant

*Linda Reeves*

Phone No:

*304-728-6267*

Assessor's Use Only

D/M/P

*\* map found 6-E-0098/997 175 #1222#*  
*6-E-0098/1084 743 10/14/10 updated when*  
*CPA # 11900*  
*referred to the*  
*assessor's office*  
*referred to the*  
*assessor's office*  
*referred to the*  
*assessor's office*

Att #2



8

|                                                                                            |
|--------------------------------------------------------------------------------------------|
| <p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p> |
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**AGENDA REQUEST FORM**

Name: Jennifer Myers/Paul Marshall

Department or Entity: Jefferson County Parks & Recreation Commission

Estimation of amount of time needed for appointment: 30 min.

Date Requested – 1<sup>st</sup> Choice: January 19th

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

Subject:

**Hite Road Park Update  
Presentation on Re-Chartering Parks & Recreation as a multi-governmental organization**

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

Jennifer Myers, Interim Director and Paul Marshall, President of the Jefferson County Parks & Recreation Commission would like to give the Commission and Update on the Master Planning of Hite Road Park.

Paul Marshall, President would like to give the Commission a presentation on Re-chartering the Parks & Recreation Department as a multi-governmental organization under Chapter 10, Article 2 of the WV State Code.

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

Attachments:



|                                                                                            |
|--------------------------------------------------------------------------------------------|
| <p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p> |
|--------------------------------------------------------------------------------------------|

**AGENDA REQUEST FORM**

Name: Jennifer Brockman

Department or Entity: Planning and Zoning

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1<sup>st</sup> Choice: January 19, 2012

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

Subject: **Discussion and Action on Alternative Recommendations regarding on a Proposed Amendment to Articles 20 and 26 of the Jefferson County Subdivision and Land Development Regulations amending the Maximum Square Footage Requirements for a Minor Site Plan in various Zoning Districts**

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

**On July 26, 2011, after receiving public input, the Jefferson County Planning Commission voted to recommend to the County Commission a proposed Amendment to Articles 20 and 26 of the Jefferson County Subdivision and Land Development Regulations regarding the maximum square footage requirements that differentiate between a major and a minor site plan in each zoning district. The County Commission reviewed and discussed the version forwarded to them by the Planning Commission at their August 18, 2011 meeting and held a Public Hearing on this draft on September 15, 2011. The County Commission then held discussion workshops on this amendment on October 6, 2011, November 3, 2011 and November 10, 2011 and subsequently recommended that the staff incorporate their various ideas into additional alternatives.**

**Attached is a summary chart of the four options drafted based on the various County Commission thoughts on how to address the need to broaden the developments that would qualify for review under the Minor Site Plan process (which requires no public hearing). Following the table, there are five separate memos, including the original recommendation of the Planning Commission and a memo detailing each option's ordinance language which would be required to move forward with that option. Note that Option #1 is the staff's recommended alternative.**

**At the Planning Commission's January 10, 2012 meeting, they unanimously moved to forward to County Commission the Planning Commission's support for staff's recommendation.**

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

**I move to approve the proposed language in Option # \_\_\_\_ which amends Articles 20 and 26 of the Jefferson County Subdivision and Land Development Regulations regarding the Maximum Square Footage Requirements for a Minor Site Plan in various Zoning Districts.**

Attachments: **Please note that there are a number of attachment to this request in the following order:**

- Table summarizing the main points of the 4 alternative options

- **Original Recommended Amendment to Articles 20 and 26 of the Jefferson County Subdivision and Land Development Regulations regarding the Maximum Square Footage Requirements for a Minor Site Plan in each Zoning District (presented at the Public Hearing on September 15, 2011)**
- **January 6, 2012 Memo for Option 1 (Staff Recommended)**
- **January 6, 2012 Memo for Option 2**
- **January 6, 2012 Memo for Option 3**
- **January 6, 2012 Memo for Option 4**

|                                                            | <u>Minor Process</u><br>New Site Plan<br>(Undeveloped land)                                                                             | <u>Minor Process</u><br>Addition to existing<br>building(s)                                                                                                                                                       | <u>Major Process</u><br>New Site Plan<br>(Undeveloped land)                                                                  | <u>Major Process</u><br>Addition to existing<br>building(s)                                                                                                                                            | <u>Major Process</u><br>Addition within Major<br>Site Plan definition that is<br>permitted to process as a<br>minor                                                                            |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Option 1</b><br>"Concept Plan"                          | Under 5,000 sq. ft. process<br>strictly administrative<br>5,000 - 50,000 sq. ft.<br>Concept Plan and remaining<br>process as minor      | (See cell to left)                                                                                                                                                                                                | 50,000 sq. ft. or greater                                                                                                    | Additions over 50,000 sq.<br>ft.                                                                                                                                                                       | If building(s) are above<br>50k, at time of adoption,<br>sites shall be permitted a<br>one-time 25k addition as<br>minor site plan with a<br>concept plan                                      |
| <b>Option 2</b><br>"New Site and<br>addition same<br>size" | Buildings totaling no more<br>than:<br>7,500 sq. ft. in V and RG<br>15,000 sq. ft. in Rural/RLIC<br>30,000 sq. ft. in I/C               | A one-time site plan<br>expansion at time of<br>adoption, regardless of<br>existing size, is permitted as<br>a minor up to:<br>7,500 sq. ft. in V and RG<br>15,000 sq. ft. in Rural/RLIC<br>30,000 sq. ft. in I/C | Greater than:<br>7,500 sq. ft. in V and<br>RG<br>15,000 sq. ft. in<br>Rural/RLIC<br>30,000 sq. ft. in I/C                    | Greater than:<br>7,500 sq. ft. in V and RG<br>15,000 sq. ft. in Rural/RLIC<br>30,000 sq. ft. in I/C<br>-or-<br>Have previously utilized the<br>one-time expansion<br>permitted in the minor<br>process |                                                                                                                                                                                                |
| <b>Option 3</b><br>"Building to land<br>ratio"             | 10,000 square feet of<br>building(s) for every acre of<br>land. Any fraction of an acre<br>shall be proportioned to<br>allotted sq. ft. | (See cell to left)                                                                                                                                                                                                | Building(s) over 10,000<br>square feet per acre of<br>land or any fraction of<br>an acre and building<br>ratio thereof       | (See cell to right)                                                                                                                                                                                    | If existing site exceeds<br>size of a major process,<br>for a new site plan, at<br>time of adoption, a one-<br>time site plan expansion<br>is permitted as a minor<br>up to:<br>10,000 sq. ft. |
| <b>Option 4</b><br>"One time 15,000<br>sq. ft. addition"   | Building(s) totaling no more<br>than:<br>7,500 sq. ft. in V and RG<br>15,000 sq. ft. in Rural/RLIC<br>30,000 sq. ft. in I/C             | A one-time site plan<br>expansion at time of<br>adoption, regardless of<br>existing size, is permitted as<br>a minor up to:<br>15,000 sq. ft.                                                                     | Buildings totaling more<br>than:<br>7,500 sq. ft. in V and<br>RG<br>15,000 sq. ft. in<br>Rural/RLIC<br>30,000 sq. ft. in I/C | Have previously utilized the<br>one-time expansion<br>permitted in the minor<br>process<br>-or-<br>Exceed standards of a<br>minor site plan                                                            |                                                                                                                                                                                                |

Square footage is expressed in Gross Floor Area (GFA)

Building(s) shall be defined as both new and existing

**JEFFERSON COUNTY, WEST VIRGINIA**  
**Departments of Planning & Zoning**

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Charles Town, West Virginia 25414

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MEMORANDUM

TO: Commission of Jefferson County  
FROM: Seth Rivard, County Planner  
DATE: August 11, 2011 (January 12, 2012)  
SUBJECT: **Original Option** – Proposed Subdivision Amendment for the Determination of a Minor or Major Site Plan

**This memo was Staff's first proposal in August 2011 to the County Commission. This is enclosed for your reference as you review the following four scenarios that are attached.**

On June 28, 2011, the Planning Commission held a public hearing on the concepts in this memo and the proposed text amendment. During the public hearing suggestions were provided regarding the proposed amendments. Staff and a subcommittee of the Planning Commission reviewed suggestions generated at the public hearing and further amended the proposed amendments. On July 26, 2011, the Planning Commission voted to recommend approval of the amendments below to the County Commission.

While using the recently amended Subdivision Regulations, it became apparent to Staff that there are components of the Regulations that could use further review and potential amendments. Staff believes that the determination of a minor versus major site plan is one section of the Regulations that warrants further review and an amendment.

Currently, any site plan where new and existing building area exceeds 5,000 square feet is processed as a major site plan, which requires multiple additional steps in the process and two public hearings as compared to the minor process, which has no public hearings.

Staff is proposing an increase in the square footage that triggers the requirement for a major site plan process. In the process of reviewing projects and potential site plans, Staff has become aware of the restrictiveness of determining that all projects that are 5,000 square feet or more be classified as major site plan. One of the limits of this dividing point is that it is a one size fits all approach and does not recognize the differences between the zoning districts. Activities and structures in the Rural district are intended to be smaller in nature than those located in the Industrial-Commercial district. This proposed amendment is to increase the square footage for the determination of a major site plan, based on the zoning district in which the proposed project will be located.

There have been a number of cases in which applicants attempt to stay at or under 5,000 square feet, by either downsizing buildings to fit the requirements or by intending to return later for an addition to add the needed extra square feet. This limitation has become an issue; as an applicant is not allowed to do multiple minor site plans in order to avoid the major process. Staff's intent is to provide an increase in the square footage, yet balance the need for public input and awareness. While any number could be considered arbitrary, staff feels the proposal balances the dual goal of protecting the public interest and providing for reasonable growth and development.

Another related issue is that a significant amount of staff resources are being expended on projects that should be classified as a minor, but the square footage requires it to be processed as a major. For example, in any district that allows for commercial or industrial uses, most members of the public would realize that buildings constructed in those districts would generally well exceed 5,000 square feet. It is on those grounds that this proposed amendment is founded.

Shown below are the sections from the Subdivision and Land Development Regulations with the proposed text amendments to address the previously stated issues shown in blue.

### **Sec. 20.203 Minor Site Development**

*Minor Site Developments* are those proposals that do not require the development of new infrastructure or the extension of existing off-tract infrastructure ~~and where there is no subdivision into separate lots.~~ If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Minor site development proposes one or more of the following:

(1) Building(s), both new and additions to existing, where all structures located on the parcel totaling no more than: ~~total less than 5,000 square feet gross floor area (GFA) on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

(2) Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Section 20.203, Sub-Sections (1) and (3) do not apply to this provision;

(3) Existing buildings with gross floor area exceeding the maximum square footage allowed in 20.203(1) are allowed a one-time expansion of no more than 10% of existing GFA in all zoning districts; or ~~Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

(4) apartment or multi-family development of ~~nine~~ eight or less dwelling units.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this section.

### **Sec. 20.204 Major Site Development**

*Major site developments* are those proposals that require the development of new infrastructure or the extension of off-tract infrastructure or where the proposal does not meet the definition of a minor site development ~~and where there is no subdivision into separate lots.~~ This covers the development of one or more parcels of land where there is no subdivision into separate lots. If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Excluded are developments for the purpose of extraction or harvesting of resources and for roads on agricultural land for the purpose of conducting the agricultural operation. Re-subdivision or adjustments of lot lines are also excluded. Major site development shall adhere to full site plan requirements in all proposals.

### **Division 26.200 Definitions of Terms**

**Minor Site Plan.** A plan that follows the minor site development process and that will not require the

development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

A. Building(s), both new and additions to existing, where all structures located on the parcel totaling no more than: ~~total less than 5,000 square feet gross floor area (GFA) on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Sections A and C of this definition do not apply to this provision;

C. Existing buildings with gross floor area exceeding the maximum square footage allowed in 20.203(1) are allowed a one-time expansion of no more than 10% of existing GFA in all zoning districts; or ~~Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

D. Apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Site Plan, Minor.** A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

A. Building(s), both new and additions to existing, where all structures located on the parcel totaling no more than: ~~total less than 5,000 square feet gross floor area (GFA) on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Sections A and C of this definition do not apply to this provision;

C. Existing buildings with gross floor area exceeding the maximum square footage allowed in 20.203(1) are allowed a one-time expansion of no more than 10% of existing GFA in all zoning districts; or ~~Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

D. Apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Major Site Plan.** A plan that follows the major site development process and proposes one or more of the following:

A. A new public or private street or dedication to public use of an existing street;

B. Building(s), both new and additions to existing, where all structures located on the parcel are equal to or total more than: ~~5,000 square feet or more of GFA on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.
- except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;

C. Existing buildings with gross floor area exceeding the maximum square footage allowed in 20.203(1) that have previously been granted a one-time expansion of no more than 10% of existing GFA in all zoning districts as a minor site plan as delineated in Section 20.203; or ~~Addition(s) to existing development of ten percent or more of existing GFA or with additions of 10,000 square feet or more of GFA;~~

D. Apartment or multi-family development of ten or more dwelling units; or

E. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Site Plan, Major.** A plan that follows the major site development process and proposes one or more of the following:

A. A new public or private street or dedication to public use of an existing street;

B. Building(s), both new and additions to existing, where all structures located on the parcel are equal to or total more than: ~~5,000 square feet or more of GFA on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.
- except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;

C. Existing buildings with gross floor area exceeding the maximum square footage allowed in 20.203(1) that have previously been granted a one-time expansion of no more than 10% of existing GFA in all zoning districts as a minor site plan as delineated in Section 20.203; or Addition(s) to existing development of ten percent or more of existing GFA or with additions of 10,000 square feet or more of GFA;

D. Apartment or multi-family development of ten or more dwelling units; or

E. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

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MEMORANDUM

TO: Jefferson County Planning Commission and County Commission  
FROM: Seth Rivard, County Planner  
DATE: January 12, 2012  
SUBJECT: **Option 1 (Staff Recommended)** – Proposed Subdivision Amendment for the Determination of a Minor or Major Site Plan

BACKGROUND

Since June of 2011, Staff has been working on amendments to Articles 20 and 26 of the Subdivision Regulations pertaining to the square footage at which a project is either a major or minor site plan. In conjunction with the Planning Commission, County Commission, and public input, Staff has incorporated those comments and suggestions into the proposed changes.

At the November 17, 2011 County Commission meeting, that body asked Staff to take a further look at the above noted amendments and provide the County Commission with a series of options based on discussions that had occurred over the previous few months.

Currently, any site plan where new and existing building area exceeds 5,000 square feet is processed as a major site plan, which requires multiple additional steps in the process and two public hearings as compared to the minor process, which has no public hearings.

DETAILS OF OPTION 1 – Concept Plan Public Workshop and Administrative Review

The option presented below, and the option recommended by Staff, would allow all site plans below 5,000 square feet gross floor area to process administratively. Between 5,000 square feet and 50,000 square feet, a site plan would have concept plan public hearing and all remaining processes would be administratively reviewed. Site plans that are 50,000 square feet and greater would process as a major site plan.

Staff believes this option would balance the needs of the public for a public workshop at a concept plan stage and the needs of the applicant to proceed more expeditiously through the site development process. This proposed amendment would significantly reduce the length of approval for a site plan that is of considerable size, yet allow the public an opportunity for review and potential input. In this scenario, the applicant would be aware of any concerns on the front end of a project before significant expenditure of resources occurred, rather than concerns that may arise toward the end of a project, where significant investment has occurred.

With site plans below 5,000 square feet gross floor area being strictly administratively approved and site plans in the range of 5,000 to 50,000 only having a concept plan public workshop, most site plans will process under this streamlined process.

Shown below are the sections from the Subdivision and Land Development Regulations with the proposed text amendments to address the previously stated issues shown in blue.

### **Sec. 20.203 Minor Site Development**

*Minor Site Developments* are those proposals that do not require the development of new infrastructure or the extension of existing off-tract infrastructure ~~and where there is no subdivision into separate lots.~~ If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Minor site development proposes one or more of the following:

(1) Building(s), both new and additions to existing, where all structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site; shall process administratively, and building(s), both new and additions to existing, where all structures located on the parcel total more than 5,000 and under 50,000 square feet gross floor area (GFA) on any site shall:

- Process a concept plan with a public workshop and all remaining site plan review processes shall be administratively approved.
- In the event that any condition(s) placed upon as site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.
- Building(s), both new and additions to existing that exceed 50,000 square feet gross floor area at time of this adoption, (insert adoption date), shall be permitted a one-time expansion up to 25,000 square feet gross floor area with a concept plan public workshop.

(2) Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Section 20.203, Sub-Section (1) does not apply to this provision;

(3) Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or

(4) apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this section.

### **Sec. 20.204 Major Site Development**

*Major site developments* are those proposals that require the development of new infrastructure or the extension of off-tract infrastructure or where the proposal does not meet the definition of a minor site development ~~and where there is no subdivision into separate lots.~~ This covers the development of one or more parcels of land where there is no subdivision into separate lots. If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Excluded are developments for the purpose of extraction or harvesting of resources and for roads on agricultural land for the purpose of conducting the agricultural operation. Re-subdivision or adjustments of lot lines are also excluded. Major site development shall adhere to full site plan requirements in all proposals.

### **Division 26.200 Definitions of Terms**

**Minor Site Plan.** A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

A. Building(s), both new and additions to existing, where all structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site; shall process administratively, and building(s),

both new and additions to existing, where all structures located on the parcel total more than 5,000 and less than 50,000 square feet gross floor area (GFA) on any site shall:

- Process a concept plan with a public hearing and all remaining site plan review processes shall be administratively approved.
- In the event that any condition(s) placed upon as site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.
- Building(s), both new and additions to existing that exceed 50,000 square feet gross floor area at time of this adoption, (adoption date), shall be permitted a one-time expansion up to 25,000 square feet gross floor area with a concept plan public hearing.

B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Section A of this definition does not apply to this provision;

~~C. Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

D. Apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Site Plan, Minor.** A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

A. Building(s), both new and additions to existing, where all structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site; shall process administratively, and building(s), both new and additions to existing, where all structures located on the parcel total more than 5,000 and less than 50,000 square feet gross floor area (GFA) on any site shall:

- Process a concept plan with a public hearing and all remaining site plan review processes shall be administratively approved.
- In the event that any condition(s) placed upon as site plan during the concept plan public workshop that cannot be addressed or resolved administratively, such condition(s) placed upon the concept plan at the public workshop shall return to the Planning Commission for resolution.
- Building(s), both new and additions to existing that exceed 50,000 square feet gross floor area at time of this adoption, (adoption date), shall be permitted a one-time expansion up to 25,000 square feet gross floor area with a concept plan public hearing.

B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Section A of this definition does not apply to this provision;

~~C. Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

D. Apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Major Site Plan.** A plan that follows the major site development process and proposes one or more of the following:

A. A new public or private street or dedication to public use of an existing street;

B. Building(s), both new and additions to existing, where all structures located on the parcel are equal to or total more than 50,000 square feet or more of GFA on any site;

- except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;

~~C. Addition(s) to existing development of ten percent or more of existing GFA or with additions of 10,000 square feet, whichever is greater, or more of GFA;~~

D. Apartment or multi-family development of ten or more dwelling units; or

E. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Site Plan, Major.** A plan that follows the major site development process and proposes one or more of the following:

A. A new public or private street or dedication to public use of an existing street;

B. Building(s), both new and additions to existing, where all structures located on the parcel are equal to or total more than 50,000 square feet or more of GFA on any site;

- except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;

~~C. Addition(s) to existing development of ten percent or more of existing GFA or with additions of 10,000 square feet, whichever is greater, or more of GFA;~~

D. Apartment or multi-family development of ten or more dwelling units; or

E. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**JEFFERSON COUNTY, WEST VIRGINIA**  
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MEMORANDUM

TO: Jefferson County Planning Commission and County Commission  
FROM: Seth Rivard, County Planner  
DATE: January 12, 2012  
SUBJECT: **Option 2** – Proposed Subdivision Amendment for the Determination of a Minor or Major Site Plan

BACKGROUND

Since June of 2011, Staff has been working on amendments to Articles 20 and 26 of the Subdivision Regulations pertaining to the square footage at which a project is either a major or minor site plan. In conjunction with the Planning Commission, County Commission, and public input, Staff has incorporated those comments and suggestions into the proposed changes.

At the November 17, 2011 County Commission meeting, that body asked Staff to take a further look at the above noted amendments and provide the County Commission with a series of options based on discussions that had occurred over the previous few months.

Currently, any site plan where new and existing building area exceeds 5,000 square feet is processed as a major site plan, which requires multiple additional steps in the process and two public hearings as compared to the minor process, which has no public hearings.

DETAILS OF OPTION 2 – New Site Development and Additions to Existing Developments Utilize Same Square Footage

The option presented below would allow for incrementally larger site plans classified as a minor based on the Zoning District. The square foot gross floor area numbers presented below are the same as what has been proposed at the November 17, 2011. The change to this amendment is that existing site developments would be permitted a one-time equal size addition as a new site plans are allowed. For example, a new site plan in the Rural/Agricultural District would be permitted to build up to 15,000 square feet gross floor area (GFA) as a minor. An existing site with 20,000 square feet gross floor area (GFA) in the Rural/Agricultural District would be permitted to have an addition of 15,000 square feet gross floor area (GFA) as a minor. Any additional addition to this site would have to process as a major site plan.

If an applicant were to maximize the benefits of a minor process, in the Village and Residential Growth Districts a new site plan of 7,500 square feet gross floor area (GFA) and a subsequent addition of 7,500 square feet gross floor area (GFA) would allow for a 15,000 square feet gross floor area (GFA) building as a minor. In the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts a new site plan of 15,000 square feet gross floor area (GFA) and a subsequent addition of 15,000 square feet gross floor area (GFA) would allow for a 30,000 square feet gross floor area (GFA) building as a minor. In the Industrial/Commercial District a new site plan of 30,000 square feet gross floor area (GFA) and a subsequent addition of 30,000 square feet gross floor area (GFA) would allow for a 60,000 square feet gross floor area (GFA) building as a minor.

### Pros of this Option

It allows applicants who have a vacant site to build a structure much larger than is currently permitted under the current regulations as a minor and allows those with an existing site development to build a one-time addition that an applicant with a vacant site is permitted.

### Cons of this Option

A structure up 30,000 square feet gross floor area (GFA), which is over ½ an acre, can be built in the Rural/Agricultural District with no public input.

Existing sites are permitted a one-time site plan expansion as a minor process, all subsequent expansions would be processed a major.

### Comparison to or how staff preferred option is resolves above noted concerns

The Staff preferred Option 1 would address the concerns of this proposed amendment by allowing for larger structures, for both new and existing developments, with a concept plan public hearing, regardless of zoning district. The applicants and publics needs would be satisfied. The applicant would be less limited in reviewing potential options for new site development and future site expansions. The only district that would allow a larger square footage than the Staff preferred alternative is the Industrial/Commercial District. The amount of Industrial/Commercial District zoning districts is somewhat limited in the County and most of industrial/commercial activity is anticipated to take place in one of the two industrial parks, where site plans are already permitted as a minor process.

Shown below are the sections from the Subdivision and Land Development Regulations with the proposed text amendments to address the previously stated issues shown in blue.

#### **Sec. 20.203 Minor Site Development**

*Minor Site Developments* are those proposals that do not require the development of new infrastructure or the extension of existing off-tract infrastructure ~~and where there is no subdivision into separate lots.~~ If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Minor site development proposes one or more of the following:

(1) New building(s) on a vacant lot, where all structures located on the parcel totaling no more than: ~~total less than 5,000 square feet gross floor area (GFA) on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

(2) Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Section 20.203, Sub-Sections (1) and (3) do not apply to this provision;

(3) Existing buildings, regardless of existing size, shall be entitled to a one-time addition after time of this adoption, (insert adoption date), as a minor process up to: ~~Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.

- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

(4) apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this section.

## **Sec. 20.204 Major Site Development**

*Major site developments* are those proposals that require the development of new infrastructure or the extension of off-tract infrastructure or where the proposal does not meet the definition of a minor site development ~~and where there is no subdivision into separate lots~~. This covers the development of one or more parcels of land where there is no subdivision into separate lots. If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Excluded are developments for the purpose of extraction or harvesting of resources and for roads on agricultural land for the purpose of conducting the agricultural operation. Re-subdivision or adjustments of lot lines are also excluded. Major site development shall adhere to full site plan requirements in all proposals.

### **Division 26.200 Definitions of Terms**

**Minor Site Plan.** A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

A. New building(s) on a vacant lot, where all structures located on the parcel totaling no more than: ~~total less than 5,000 square feet gross floor area (GFA) on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Sections A and C of this definition do not apply to this provision;

C. Existing buildings, regardless of existing size, shall be entitled to a one-time addition after time of this adoption, ~~(insert adoption date)~~, as a minor process up to: ~~Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

D. Apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Site Plan, Minor.** A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

A. New building(s) on a vacant lot, where all structures located on the parcel totaling no more than: ~~total less than 5,000 square feet gross floor area (GFA) on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Sections A and C of this definition do not apply to this provision;

C. Existing buildings, regardless of existing size, shall be entitled to a one-time addition after time of this adoption, (insert adoption date), as a minor process up to: ~~Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

D. Apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Major Site Plan.** A plan that follows the major site development process and proposes one or more of the following:

A. A new public or private street or dedication to public use of an existing street;

B. New building(s) on a vacant lot, where all structures located on the parcel are equal to or total more than: ~~5,000 square feet or more of GFA on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

- except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;

C. Addition(s) to existing development of ~~more than: ten percent or more of existing GFA or with additions of 10,000 square feet or more of GFA;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts;
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts;
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District; or
- Have previously utilized the one-time expansion as permitted under the definition of a Minor Site Plan;

D. Apartment or multi-family development of ten or more dwelling units; or

E. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Site Plan, Major.** A plan that follows the major site development process and proposes one or more of the following:

A. A new public or private street or dedication to public use of an existing street;

B. New building(s) on a vacant lot, where all structures located on the parcel are equal to or total more than: ~~5,000 square feet or more of GFA on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.
- except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;

C. Addition(s) to existing development of ~~more than: ten percent or more of existing GFA or with additions of 10,000 square feet or more of GFA;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts;
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts;
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District; or
- Have previously utilized the one-time expansion as permitted under the definition of a Minor Site Plan;

D. Apartment or multi-family development of ten or more dwelling units; or

E. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

# JEFFERSON COUNTY, WEST VIRGINIA

## Departments of Planning & Zoning

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### MEMORANDUM

TO: Jefferson County Planning Commission and County Commission  
FROM: Seth Rivard, County Planner  
DATE: January 12, 2012  
SUBJECT: **Option 3** – Proposed Subdivision Amendment for the Determination of a Minor or Major Site Plan

#### BACKGROUND

Since June of 2011, Staff has been working on amendments to Articles 20 and 26 of the Subdivision Regulations pertaining to the square footage at which a project is either a major or minor site plan. In conjunction with the Planning Commission, County Commission, and public input, Staff has incorporated those comments and suggestions into the proposed changes.

At the November 17, 2011 County Commission meeting, that body asked Staff to take a further look at the above noted amendments and provide the County Commission with a series of options based on discussions that had occurred over the previous few months.

Currently, any site plan where new and existing building area exceeds 5,000 square feet is processed as a major site plan, which requires multiple additional steps in the process and two public hearings as compared to the minor process, which has no public hearings.

#### DETAILS OF OPTION 3 – 10,000 square foot of building(s) for every 1 acre of property

The option presented below would allow for incrementally larger site plans based on number of acres owned. For every one acre of lot, a 10,000 square feet gross floor area (GFA) structure could be built. Any fraction of an acre shall be proportioned to the allotted square feet gross floor area (GFA). For existing sites where buildings(s), both new and existing, exceeding 10,000 square feet gross floor area (GFA) per 1 acre of land, a one-time addition of 10,000 square feet gross floor area (GFA) is permitted.

#### Pros of this Option

It allows applicants who have a vacant site to build a structure larger than is currently permitted under the regulations as a minor and allows those with an existing site development to build a one-time addition as a minor. All subsequent expansions would be processed a major. The advantage of this proposal is that it is straight forward for applicants to understand and easy to administer.

#### Cons of this Option

A structure up 80,000 square feet gross floor area (GFA), or nearly 2 acres, can be built on 8 acres in any district with no public input.

For existing sites that exceed the proposed square footage of new sites, there is only a one-time site plan expansion permitted of 10,000 square feet gross floor area (GFA).

Comparison to or how staff preferred option is resolves above noted concerns

The Staff preferred Option 1 would address the concerns of this proposed amendment by allowing for larger structures, for both new and existing developments on a smaller lot, with a concept plan public hearing, regardless of zoning district. The applicants and publics needs would be satisfied. Under the preferred options, applicants would not need 1 acre for every 10,000 square feet. In the preferred scenario, an applicant could build a larger structure with less land. The trade off is that there is a Concept Plan Workshop. Additionally the applicant would be less limited in reviewing potential options for new site development and future site expansions.

Shown below are the sections from the Subdivision and Land Development Regulations with the proposed text amendments to address the previously stated issues shown in blue.

**Sec. 20.203 Minor Site Development**

*Minor Site Developments* are those proposals that do not require the development of new infrastructure or the extension of existing off-tract infrastructure ~~and where there is no subdivision into separate lots.~~ If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Minor site development proposes one or more of the following:

- (1) Building(s), both new and additions to existing, shall be permitted up to 10,000 square feet gross floor area (GFA) for every (1) acre of a lot. Any fraction of an acre shall be proportioned to the allotted square feet gross floor area (GFA). Building(s), both new and additions to existing that exceed 10,000 square feet gross floor area per 1 acre at time of this adoption, (insert adoption date), shall be permitted a one-time expansion up to 10,000 square feet gross floor area with a concept plan public workshop. ~~where all structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site;~~
- (2) Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Section 20.203, Sub-Section (1) does not apply to this provision;
- (3) ~~Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~
- (4) apartment or multi-family development of ~~nine~~ eight or less dwelling units.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this section.

**Sec. 20.204 Major Site Development**

*Major site developments* are those proposals that require the development of new infrastructure or the extension of off-tract infrastructure or where the proposal does not meet the definition of a minor site development ~~and where there is no subdivision into separate lots.~~ This covers the development of one or more parcels of land where there is no subdivision into separate lots. If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Excluded are developments for the purpose of extraction or harvesting of resources and for roads on agricultural land for the purpose of conducting the agricultural operation. Re-subdivision or adjustments of lot lines are also excluded. Major site development shall adhere to full site plan requirements in all proposals.

**Division 26.200 Definitions of Terms**

**Minor Site Plan.** A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

A. Building(s), both new and additions to existing, shall be permitted up to 10,000 square feet gross floor area (GFA) for every (1) acre of a lot. Any fraction of an acre shall be proportioned to the allotted square feet gross floor area (GFA). Building(s), both new and additions to existing that exceeds 10,000 square feet gross floor area per 1 acre at time of this adoption, (insert adoption date), shall be permitted a one-time expansion up to 10,000 square feet gross floor area with a concept plan public workshop. ~~where all structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site;~~

B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Section A of this definition does not apply to this provision;

C. ~~Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

D. Apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Site Plan, Minor.** A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

A. Building(s), both new and additions to existing, shall be permitted up to 10,000 square feet gross floor area (GFA) for every (1) acre of a lot. Any fraction of an acre shall be proportioned to allotted square feet gross floor area (GFA). Building(s), both new and additions to existing that exceeds 10,000 square feet gross floor area per 1 acre at time of this adoption, (insert adoption date), shall be permitted a one-time expansion up to 10,000 square feet gross floor area with a concept plan public workshop. ~~where all structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site;~~

B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Section A of this definition does not apply to this provision;

C. ~~Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

D. Apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Major Site Plan.** A plan that follows the major site development process and proposes one or more of the following:

A. A new public or private street or dedication to public use of an existing street;

B. Building(s), both new and additions to existing, over 10,000 square feet gross floor area (GFA) for every (1) acre of a lot or any fraction of an acre over permitted square feet gross floor area (GFA). ~~where all structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site;~~

Except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;

C. Addition(s) to existing development greater than: ~~of ten percent or more of existing GFA or with additions of 10,000 square feet or more of GFA;~~

- 10,000 square foot gross floor area per 1 acre; or
- Have previously utilized the one-time expansion as permitted under the definition of a Minor Site Plan;

D. Apartment or multi-family development of ten or more dwelling units; or

E. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Site Plan, Major.** A plan that follows the major site development process and proposes one or more of the following:

A. A new public or private street or dedication to public use of an existing street;

B. Building(s), both new and additions to existing, over 10,000 square feet gross floor area (GFA) for every (1) acre of a lot or any fraction of an acre over permitted square feet gross floor area (GFA). ~~where all structures located on the parcel total less than 5,000 square feet gross floor area (GFA) on any site;~~

Except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;

C. Addition(s) to existing development greater than: ~~of ten percent or more of existing GFA or with additions of 10,000 square feet or more of GFA;~~

- 10,000 square foot gross floor area per 1 acre; or
- Have previously utilized the one-time expansion as permitted under the definition of a Minor Site Plan;

D. Apartment or multi-family development of ten or more dwelling units; or

E. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

# JEFFERSON COUNTY, WEST VIRGINIA

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### MEMORANDUM

TO: Jefferson County Planning Commission and County Commission  
FROM: Seth Rivard, County Planner  
DATE: January 12, 2012  
SUBJECT: **Option 4** – Proposed Subdivision Amendment for the Determination of a Minor or Major Site Plan

#### BACKGROUND

Since June of 2011, Staff has been working on amendments to Articles 20 and 26 of the Subdivision Regulations pertaining to the square footage at which a project is either a major or minor site plan. In conjunction with the Planning Commission, County Commission, and public input, Staff has incorporated those comments and suggestions into the proposed changes.

At the November 17, 2011 County Commission meeting, that body asked Staff to take a further look at the above noted amendments and provide the County Commission with a series of options based on discussions that had occurred over the previous few months.

Currently, any site plan where new and existing building area exceeds 5,000 square feet is processed as a major site plan, which requires multiple additional steps in the process and two public hearings as compared to the minor process, which has no public hearings.

#### DETAILS OF OPTION 4 – 15,000 square foot addition

The option presented below would allow for one-time addition of 15,000 square feet gross floor area site plans to be classified as a minor. The square foot gross floor area numbers presented below are the same as what has been proposed at the November 17, 2011. The change to this amendment is that existing site developments would be permitted a one-time addition of 15,000 square feet gross floor area site plans to be classified as a minor. For example, a new site plan in the Rural/Agricultural District would be permitted to build up to 15,000 square feet gross floor area (GFA) as a minor. An existing site regardless of size in any district would be permitted to have an addition of 15,000 square feet gross floor area (GFA) as a minor. Any additional addition to this site would have to process as a major site plan.

#### Pros of this Option

It allows applicants who have a vacant site to build a structure much larger than is currently permitted under the regulations as a minor and allows those with an existing site development to build a one-time addition as a minor. The one-time addition is an equal 15,000 square feet gross floor area across all districts for ease of understanding and administration.

#### Cons of this Option

For existing sites that exceed the proposed square footage of new sites, there is only a one-time site plan expansion permitted.

A structure that up 30,000 square feet gross floor area (GFA), or over ½ an acre, can be built in the Rural/Agricultural District with no public input.

Comparison to or how staff preferred option is resolves above noted concerns

The Staff preferred Option 1 would address the concerns of this proposed amendment by allowing for larger structures, for both new and existing developments, with a concept plan public hearing, regardless of zoning district. The applicants and publics needs would be satisfied. The applicant would be less limited in reviewing potential options for new site development and future site expansions.

Shown below are the sections from the Subdivision and Land Development Regulations with the proposed text amendments to address the previously stated issues shown in blue.

**Sec. 20.203 Minor Site Development**

*Minor Site Developments* are those proposals that do not require the development of new infrastructure or the extension of existing off-tract infrastructure ~~and where there is no subdivision into separate lots.~~ If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Minor site development proposes one or more of the following:

(1) New building(s) on a vacant lot, ~~Building(s), both new and additions to existing,~~ where all structures located on the parcel totaling no more than: ~~total less than 5,000 square feet gross floor area (GFA) on any site;~~

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

(2) Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Section 20.203, Sub-Sections (1) and (3) do not apply to this provision;

(3) Existing building(s), regardless of size, are allowed a one-time expansion after time of this adoption, (insert adoption date), of no more than 15,000 square feet GFA in all zoning districts as a minor process; ~~or Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

(4) apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this section.

**Sec. 20.204 Major Site Development**

*Major site developments* are those proposals that require the development of new infrastructure or the extension of off-tract infrastructure or where the proposal does not meet the definition of a minor site development ~~and where there is no subdivision into separate lots.~~ This covers the development of one or more parcels of land where there is no subdivision into separate lots. If the development requires easements for drainage or other purposes, private roads, or parking, and access to public roads is involved that serve one or more land uses, it is a site development. Excluded are developments for the purpose of

extraction or harvesting of resources and for roads on agricultural land for the purpose of conducting the agricultural operation. Re-subdivision or adjustments of lot lines are also excluded. Major site development shall adhere to full site plan requirements in all proposals.

### **Division 26.200 Definitions of Terms**

**Minor Site Plan.** A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

A. New building(s) on a vacant lot, ~~Building(s), both new and additions to existing,~~ where all structures located on the parcel totaling no more than:

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Sections A and C of this definition do not apply to this provision;

C. Existing building(s), regardless of size, are allowed a one-time expansion after time of this adoption, (insert adoption date), of no more than 15,000 square feet GFA in all zoning districts as a minor process; or ~~Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or~~

D. Apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Site Plan, Minor.** A plan that follows the minor site development process and that will not require the development of new infrastructure or the extension of existing off-tract infrastructure, that proposes one or more of the following:

A. New building(s) on a vacant lot, ~~Building(s), both new and additions to existing,~~ where all structures located on the parcel totaling no more than:

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.

B. Building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater. Sub-Sections A and C of this definition do not apply to this provision;

C. Existing building(s), regardless of size, are allowed a one-time expansion after time of this adoption, (insert adoption date), of no more than 15,000 square feet GFA in all zoning districts as a minor process; or Addition(s) to existing development of less than ten percent of existing GFA or additions less than 10,000 square feet GFA, whichever is less; or

D. Apartment or multi-family development of nine ~~eight~~ or less dwelling units.

Minor Site Plans do not include the design, erection or addition to detached single family dwelling units when only one dwelling unit is located on an established lot.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Major Site Plan.** A plan that follows the major site development process and proposes one or more of the following:

A. A new public or private street or dedication to public use of an existing street;

B. New building(s) on a vacant lot, ~~Building(s), both new and additions to existing,~~ where all structures located on the parcel are equal to or total more than: 5,000 square feet or more of GFA on any site;

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.
- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.
- except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;

C. Existing building(s), regardless of size, are allowed a one-time expansion after time of this adoption, (insert adoption date), of no more than 15,000 square feet GFA in all zoning districts as a minor process; or Addition(s) to existing development of ten percent or more of existing GFA or with additions of 10,000 square feet or more of GFA;

D. Apartment or multi-family development of ten or more dwelling units; or

E. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.

**Site Plan, Major.** A plan that follows the major site development process and proposes one or more of the following:

A. A new public or private street or dedication to public use of an existing street;

B. New building(s) on a vacant lot, ~~Building(s), both new and additions to existing,~~ where all structures located on the parcel are equal to or total more than: 5,000 square feet or more of GFA on any site;

- 7,500 square feet gross floor area (GFA) on any site in the Village and Residential Growth Districts.

- 15,000 square feet gross floor area (GFA) on any site in the Rural/Agriculture and Residential/Light Industrial/ Commercial Districts.
- 30,000 square feet gross floor area (GFA) on any site in the Industrial/Commercial District.
- except building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater;

C. Existing building(s), regardless of size, are allowed a one-time expansion after time of this adoption, (insert adoption date), of no more than 15,000 square feet GFA in all zoning districts as a minor process; ~~Addition(s) to existing development of ten percent or more of existing GFA or with additions of 10,000 square feet or more of GFA;~~

D. Apartment or multi-family development of ten or more dwelling units; or

E. A heavy industrial use.

Existing single family structures used as single family structures and existing agricultural structures are not included in the square footage computations noted in this definition.



|                                                                                            |
|--------------------------------------------------------------------------------------------|
| <p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p> |
|--------------------------------------------------------------------------------------------|

**AGENDA REQUEST FORM**

Name: Jennifer Brockman

Department or Entity: Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: January 19, 2012

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

**Subject: Discussion and Approval of a letter of support regarding designation of designated roads in Jefferson County to be a part of a new proposed US Bike Route 11**

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

**The Department of Planning was contacted by Champe Burnley, President of the Virginia Bicycling Federation, requesting that the Department of Planning send a letter of support for their efforts in designating a multi-state bike trail along existing routes to be known as US Bike Route 11. The designation will result in signage being placed along the route and inclusion in promotional materials. The Virginia Bicycling Federation has been working with VDOT on this project. When they contacted WVDOT, staff recommended contacting Jefferson County for this endorsement. It is our understanding that the proposed route will connect the C & O Canal Trail in Maryland through Harpers Ferry to Millville Road, along Bloomery Road to Kabletown Road, through Clarke and Warren Counties in Virginia to Front Royal and then along trails on Federal Lands to eventually connect with North Carolina's Mountains to Sea Trail. The Department of Planning believes that endorsement by the County Commission is more appropriate and is requesting that the County Commission vote to endorse this project. The attached letter is based on a sample provided to us for your use.**

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

**I move to authorize the President to sign the attached letter of support.**

- Attachments:
- **Draft letter of support**

**JEFFERSON COUNTY, WEST VIRGINIA**  
**Department of Planning & Zoning**  
116 East Washington Street, 2<sup>nd</sup> Floor  
P.O. Box 338  
Charles Town, West Virginia 25414

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)  
[zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228

Fax: (304) 728-8126

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January 19, 2012

Mr. John Bolecek  
Statewide Bicycle and Pedestrian Planner, TMPD  
Virginia Department of Transportation  
1401. E. East Broad Street  
Richmond, VA 23219

To Whom It May Concern:

The Jefferson County Commission would like to offer our support for the designation of proposed U.S. Bicycle Route 11 (USBR 11) through our community.

We recognize that bicycle tourism is a growing industry in North America, contributing \$47 billion a year to the economies of communities that provide facilities for such tourists.

We stand to benefit from this opportunity both economically and from the health and environmental related benefits of encouraging bicycle travel in our region.

The U.S. Bicycle Route System is a bicycle based transportation system sponsored by the American Association of State Highway and Transportation Officials (AASHTO). The proposed bike route connects a number of national parks, historic venues and significant tourist destinations and will benefit our citizens and economy.

We endorse having the route mapped and signed, thereby promoting bicycle tourism in our area. Therefore, the Jefferson County Commission hereby expresses its support for USBR 11, and requests that the appropriate officials nominate the route for AASHTO designation as soon as this can be achieved.

Sincerely,

Ms. Patsy Noland, President  
Jefferson County Commission

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

10

### AGENDA REQUEST FORM

Name: Jennifer Maghan

Department or Entity: County Clerk

Estimation of amount of time needed for appointment: \_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: 1/19/2012

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

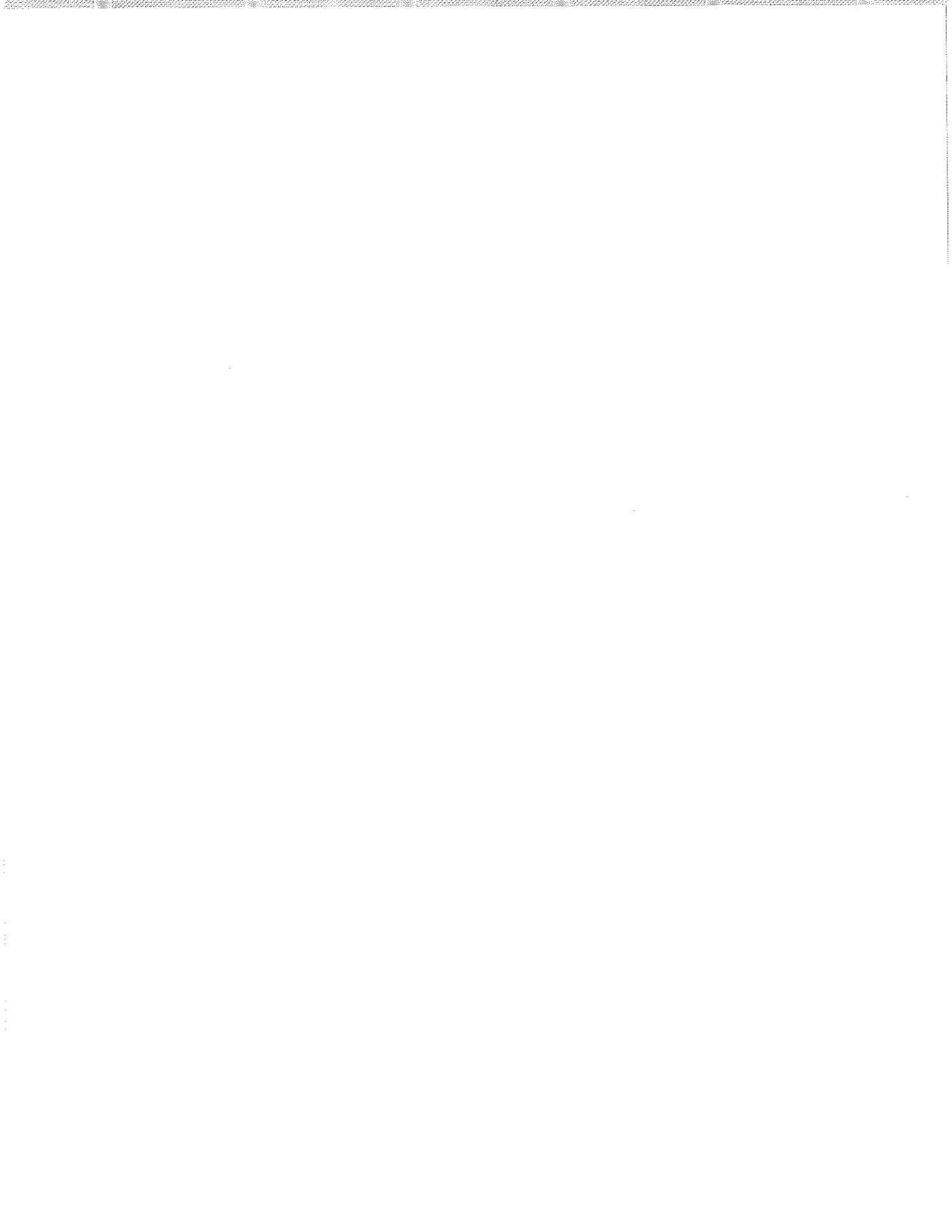
If a specific date is needed, please provide reason for specific date:

Subject: Request to increase Gail Magaha's salary from \$45,100 to \$48,175 as a result of the Classification Compensation Study

Please provide the County Commission with a description of your request or presentation, including any background information: **After completion of the Classification and Compensation Study done in the Office of the County Clerk, this is the recommendation of Don Jacobs, D I J Consulting Company**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **move to increase the salary of Gail Magaha from \$45,100 to \$48,175 as presented**

Attachments:



11

|                                                                                            |
|--------------------------------------------------------------------------------------------|
| <p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p> |
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**AGENDA REQUEST FORM**

Name: Nichelle Hosby

Department or Entity: Commission

Estimation of amount of time needed for appointment: \_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: 1-19-2012

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

Subject: Request for Compensation During Temporary Assignment for Sandy Slusher McDonald from Deputy County Administrator to Interim County Administrator effective January 16, 2012 - Discussion/Action

Please provide the County Commission with a description of your request or presentation, including any background information: With the resignation and departure of Tim Boyde, County Administrator the need to **move Sandy Slusher McDonald from Grade V step C to Grade VIII step A as Interim County Administrator until an individual has been hire to fill the position of County Administrator.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **move to approve Sandy Slusher McDonald from Deputy County Administrator to Interim County Administrator with a change from Grade V, step C to Grade VIII, step A.**

|                                                                                            |
|--------------------------------------------------------------------------------------------|
| <p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p> |
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**AGENDA REQUEST FORM**

Name: Bill Polk, Maintenance Director

Department or Entity: Dept of Maintenance

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: January 19, 2012

Date Requested – 2<sup>nd</sup> Choice: January 26, 2012

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

Subject: **Request for approval of \$50,000 for the completion of the new maintenance building.**

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion by XXX, second by XXX to approve funding in the amount of \$50,000 for the completion of the new maintenance building.**

Attachments:

The County Commission of Jefferson County  
Department of Maintenance  
P.O. Box 250  
Charles Town, WV 25414  
304-728-3355 • 304-728-2519 • 304-728-3376 (f)  
William Polk, Director  
[bpolk@jeffersoncountywv.org](mailto:bpolk@jeffersoncountywv.org)

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TO: Jefferson County Commission

FROM: Bill Polk, Maintenance Director

DATE: January 13, 2012

RE: Agenda request for additional funding for new maintenance building

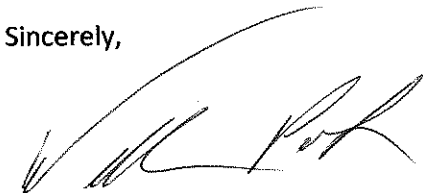
I am requesting additional funding in the amount of \$50,000 to cover the completion of the new maintenance building. Because the building will now have to be accessed by the public for election purposes, the parking lot will need to be paved. This was an unexpected cost that was not figured in the original figures. The joists for the building were also more costly than originally anticipated.

Also, funding was supposed to come from other sources for the new building instead of everything from the original \$70,000. For example, some of the major purchases for the auto mechanic has come out of the original \$70,000. The expenditures for the County Clerk's voter storage have also come out of this fund. The finance department informed us that the funding for the building must all come from the same line number. We have expended approximately \$10,000 for the County Clerk's voter area and approximately \$32,000 for the auto mechanic.

Therefore, with the unexpected costs of the parking lot paving, joist costs and not receiving funding from other sources, we are in need of an additional \$50,000 for completion of the project.

Thank you for your consideration.

Sincerely,



William Polk  
Maintenance Director

## Auto Mechanic - Expenditures

| Invoice Number | Invoice Date | PO Number | Provider                         | Explanation                                               | Amount Paid |
|----------------|--------------|-----------|----------------------------------|-----------------------------------------------------------|-------------|
| 45045          | 8/19/2011    | 53100     | Fisher Auto Parts                | Jump Boxes                                                | \$347.65    |
| 45257          | 8/25/2011    | 53121     | Fisher Auto Parts                | Vehicle Jack                                              | \$460.00    |
| 45386          | 8/29/2011    | 50517     | Fisher Auto Parts                | Vehicle Lift                                              | \$6,950.00  |
| 4805-69012     | 8/31/2011    |           | Home Depot                       | Air lines                                                 | \$1,099.35  |
| 1114884457     | 8/31/2011    |           | AutoZone                         | 4 - 6 Ton Vehicle Stands                                  | \$499.96    |
| 1114885671     | 9/1/2011     |           | AutoZone                         | Engine Stand, Folding Crane, 18 Gallon Oil Drain          | \$789.99    |
| 34464          | 9/13/2011    | 50583     | Snap-On Tools/Mark A. Andrews    | Solus Ultra                                               | \$2,895.00  |
| 0594-9         | 9/14/2011    |           | Sherwin-William                  | Paint Materials                                           | \$3,787.27  |
| 096-046021     | 9/16/2011    |           | Fisher Auto Parts                | Air Compressor                                            | \$2,960.00  |
| 096-046007     | 9/16/2011    |           | Fisher Auto Parts                | 2 Ton Low Clearance Jack                                  | \$419.00    |
| 0618-6         | 9/20/2011    |           | Sherwin-William                  | Paint Materials                                           | \$100.51    |
| 1499-0         | 9/20/2011    |           | Sherwin-William                  | Paint Materials                                           | \$20.30     |
| 4805-69991     | 9/23/2011    |           | Home Depot                       | Air lines                                                 | \$309.32    |
| 096-046426     | 9/27/2011    |           | Fisher Auto Parts                | Air Dryer                                                 | \$1,655.00  |
| 46873          | 10/7/2011    |           | Fisher Auto Parts                | Compressor & Start Up Kit                                 | \$99.99     |
| 4374           | 10/14/2011   | 50594     | BG Tire & Brake Equipment        | Truck Cone Kit for Coats Wheel Balancer                   | \$289.50    |
|                | 10/14/2011   | 50587     | Craigio 1st Choice Heating & Air | Garage Duct Work                                          | \$6,500.00  |
| 630293         | 10/18/2011   |           | NAPA Auto Parts                  | Air Unit                                                  | \$160.99    |
| 630931         | 10/26/2011   |           | NAPA Auto Parts                  | Drainpan                                                  | \$22.90     |
| 631150         | 10/28/2011   |           | NAPA Auto Parts                  | Headlight Aimer, Brake Lining Thickness, Replacement Lens | \$611.95    |
| 096-047761     | 10/31/2011   |           | Fisher Auto Parts                | Battery Charger & Alligator Clip                          | \$35.58     |
| 631265         | 10/31/2011   |           | NAPA Auto Parts                  | Wheel Weight Tool                                         | \$31.59     |



## Maintenance Building - Expenditures

| Invoice Number    | Invoice Date | PO Number | Provider                | Explanation                      | Amount Paid        |
|-------------------|--------------|-----------|-------------------------|----------------------------------|--------------------|
| 5450              | 5/24/2011    | 52831     | Alliance Electric       | Professional Services            | \$413.40           |
| P2015             | 5/24/2011    | 52833     | RCS Security            |                                  | \$4,500.00         |
| 14190             | 7/11/2011    | 53043     | Jefferson Rentals       | Jack Hammer Rental               | \$67.73            |
|                   | 7/19/2011    | 53068     | Blue Ridge Garage Doors | Garage door replacement          | \$3,315.00         |
|                   | 7/19/2011    | 53070     | Long Fence              | Fence Installation               | \$2,322.00         |
| P2105 P2068       | 7/19/2011    | 53069     | RCS Security            | Setting up security system       | \$8,450.20         |
| 14862             | 8/16/2011    | 53108     | Jefferson Rentals       | Excavator rental                 | \$325.95           |
| 5489              | 8/29/2011    | 53123     | Alliance Electric       | Professional Services            | \$103.35           |
| P2167 P2168 P2161 | 8/29/2011    | 53118     | RCS Security            | Security services                | \$966.00           |
|                   | 9/2/2011     | 53135     | 84 Lumber               | Materials & Supplies             | \$3,713.41         |
| 5492              | 9/2/2011     | 53133     | Alliance Electric       | Electrical Work                  | \$3,944.35         |
|                   | 9/12/2011    | 50510     | Jefferson Rentals       | Equipment Rental                 | \$1,184.80         |
|                   | 9/19/2011    | 50520     | 84 Lumber               | Trusses                          | \$5,250.00         |
| P2204             | 9/19/2011    | 50522     | RCS Security            | Cameras                          | \$4,468.25         |
|                   | 10/7/2011    | 50577     | 84 Lumber               | Materials & Supplies             | \$2,721.54         |
|                   | 10/7/2011    | 53127     | Capital Tri-State       | Electrical Supplies              | \$651.84           |
|                   | 10/13/2011   | 50586     | Kubic Construction      | Contracted Services              | \$1,026.76         |
|                   | 10/14/2011   | 50587     | Craigo                  | Duct work installation in garage | \$6,500.00         |
|                   | 10/14/2011   | 50588     | Craigo                  | HVAC in Conference Room          | \$4,900.00         |
|                   | 10/18/2011   | 48067     | Sherwin Williams        | Paint supplies                   | \$3,908.08         |
| 1114029563        | 12/8/2011    |           | Autozone                | Waste oil furnace                | \$6,000.00         |
|                   |              |           |                         | <b>Total Spent</b>               | <b>\$64,732.66</b> |



**JEFFERSON COUNTY**

**Personnel Requisition**

Department Name Sheriff Date 1-19-2012 Date Needed \_\_\_\_\_

Job Title Part-time Deputy Salary \_\_\_\_\_ Criminal History Check  Yes  No

Suggested Recruitment Source(s) \_\_\_\_\_

Applicants Interviewed By \_\_\_\_\_ Position Reports To Sheriff Sharkey or Lt. Hansen

Minimum Education Required \_\_\_\_\_

Minimum Experience Required \_\_\_\_\_

Job Duties Fill in vacancies created by military activations

**Budget Information**

Addition  Replacement  Explain or For Whom any deputy off on military assignment

Position Budgeted  Yes  No Proposed Salary \_\_\_\_\_ Date of Hire \_\_\_\_\_

Is Position: Full-Time  Regular Part-Time  On-Call Occasional  Temporary

Safety/Security \_\_\_\_\_ Hours Per Week \_\_\_\_\_

**Approvals**

Elected Official Approval \_\_\_\_\_ Date \_\_\_\_\_

Department Head Approval \_\_\_\_\_ Date \_\_\_\_\_

County Commission Approval \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

|                                                                                            |
|--------------------------------------------------------------------------------------------|
| <p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p> |
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**AGENDA REQUEST FORM**

Name: Patsy Noland

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: January 19, 2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

**Subject:**

Discuss the possibility of outsourcing the county's IT system or growing our current system in-house.

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

The current IT system in Jefferson County is in need of either adding additional staff to the existing staff with substantial cost to do so or to outsource the county's IT system to an external vendor. I suggest the following:

1. Solicit a request for proposals for the implementation of an IT System.
2. Create an IT User Review Committee of 3 people from Jefferson County elected offices and one unbiased person outside of Jefferson County government with knowledge and an understanding of the needs of county government to lead the IT User Review Committee to assist the committee in the review process. The IT User Review Committee shall review the process and make recommendations to the county commission.
3. Timelines for reporting the findings of the IT User Review Committee to the commission shall coincide with budget deliberations for the 2013 budget.

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

I move that the county commission solicit a request for proposals for Jefferson County IT system and that a committee of three employees representatives of county elected officials and one unbiased person outside Jefferson County government be appointed to sit on the committee to lead the committee and assist in the review process and that the committee report their findings and recommendations to the county commission for consideration during the 2013 budget deliberations.



Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

## AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Departments of Planning and Zoning

Estimation of amount of time needed for appointment: for packet for information only unless appointment requested by CC

Date Requested – 1<sup>st</sup> Choice: 1/19/12

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

Subject: **Second Quarterly Report of the FY 12 Work Plan for the Departments of Planning and Zoning and the Planning Commission**

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

**In October 2011, the County Commission voted that all Boards and Commissions created under the Jefferson County Commission should provide quarterly reports to the Commission on activities accomplished and pending during the previous quarter. As the Departments of Planning and Zoning currently submit quarterly reports that reflect efforts made to tasks in the current fiscal year's work plan to the Planning Commission which are then forwarded to the County Commission, the attached is a combined quarterly report from the Planning Commission and the Departments, including a cover sheet in the format recommended by the County Commission and the spreadsheet format adopted by the Planning Commission.**

**For your reference, the Departments of Planning and Zoning's FY 2012 Work Plan is also attached.**

**If the County Commission has any questions or would like staff to attend a meeting to provide more detail, please let us know.**

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

N/A

Attachments:

- 1) **Planning & Zoning 2<sup>nd</sup> Quarterly Report FY 2012 with cover sheet**
- 2) **Departments of Planning and Zoning's FY 2012 Work Plan (revised 5/24/11)**

**JEFFERSON COUNTY, WEST VIRGINIA**  
**Department of Planning & Zoning**  
116 East Washington Street, 2<sup>nd</sup> Floor  
P.O. Box 338  
Charles Town, West Virginia 25414

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)  
[zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

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

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**MEMORANDUM**

**TO: Jefferson County Commission**  
**FROM: Jennifer M. Brockman, AICP, Director, Planning and Zoning  
and the Jefferson County Planning Commission**  
**DATE: January 19, 2012**  
**RE: Planning Commission 2<sup>nd</sup> Quarter FY 11-12 Update Report**

\*\*\*\*\*

1. Projects Undertaken:

a. Zoning Map Amendments:

- Hott – CC Public Hearing 10/6/11 – No Action taken
- Corum – CC Public Hearing 12/8/11 – Denied
- Gibson – PC Public Hearing 11/8/11 – referred to CC

b. Conditional Use Permits/Neighborhood Compatibility Meetings:

- Bakerton Laundry – NCM held; CUP Public Hearing 1/19/12

c. Zoning Text Amendments:

- Amendments to Article 4A regarding Home Occupations and Cottage Industries -- Approved by CC with edits 11/3/11
- Amendment to Article 12 regarding procedure for processing Zoning Map and Text amendments -- Approved by CC 11/10/11

d. Subdivision Regulation Text Amendments:

- Amendments to Articles 20 & 26 regarding the maximum square footage requirements for minor site plans in various zoning districts – follow up to CC Public Hearing (held 9/11) 10/6/11, 11/3/11 & 11/10/11 – referred to staff for additional alternatives – slated for 1/19/12 CC meeting for reconsideration
- Amendments to Article 24 combining Submission & Completeness Reviews for Site Plans and Plats – follow up to CC Public Hearing (held 9/11) 11/3/11 -- approved with edits

e. Long Range Planning:

- US 340 East Gateway Corridor Plan -- Attended Joint meeting with HF NPS and Trail Blazers 10/18/11; MetroQuest Phase 2 open 10/7/11 - 11/11/11; Public Meeting #4 to choose preferred alternative 12/6/11 (KOA); drafting text and finalizing maps and working with HEPMPO consultants
- Urban Tree Canopy Plan – Approved by County Commission 11/3/11

2. Projects Completed (see above for details):

- a. Corum Rezoning
- b. Zoning Text Amendments – Articles 4A and 12
- c. Subdivision Text Amendments – Article 24
- d. Urban Tree Canopy Plan Adoption
- e. Approval of Major Site Plans or Subdivisions:
  - Jefferson Asphalt Site Plan

3. Proposed Projects/Underway:

a. Zoning Text Amendments:

- Possible amendments related to provisions for recreation land uses throughout the County -- kick-off roundtable discussion 10/21/11 and follow up outreach to industry and public
- Proposal to create additional zoning categories for commercial and industrial uses to better reflect appropriate uses in appropriate locations – initiated research and draft text proposals

b. Long Range Planning:

- US 340 East Gateway Plan -- Upcoming Public Workshop (5th public meeting) – Thursday, January 19, 2012, 7 -9 pm, Charles Town Library Basement Meeting Room; Joint PC/CC Meeting tentatively early March 2012

4. Items Requiring Commission Attention:

- a. Follow up to Shepherdstown Urban Growth Boundary Request
- b. Joint PC/CC Meeting regarding the US 340 East Gateway Corridor Plan in early March, 2012

**2nd Quarter Report -- FY 2012 Work Plan County Commission (October - December 2011)**

| PRIORITY | PROJECTS                                                                                        | TIME FRAMES from FY 11-12 Work Plan | Status or Number Completed (July 11 - Sept. 11)                               | Status or Number Completed (Oct. 11 - Dec. 11)                                                                                                                                                         | Outstanding Tasks                                                                      | REQUIRED RESOURCES/STAFF | REQUIRED HEARINGS                                                                       | ANTICIPATED RESULTS |
|----------|-------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|--------------------------|-----------------------------------------------------------------------------------------|---------------------|
|          | Day to Day Customer Service                                                                     | on-going                            | 196                                                                           | 149                                                                                                                                                                                                    |                                                                                        |                          |                                                                                         |                     |
|          | Walk in Customers - general information, zoning requests, process questions                     |                                     | 26                                                                            | 25                                                                                                                                                                                                     |                                                                                        |                          |                                                                                         |                     |
|          | Information Request Forms                                                                       |                                     | 6                                                                             | 6 issued;<br>1 denied                                                                                                                                                                                  | 5 pending                                                                              |                          |                                                                                         |                     |
|          | Zoning Certificates Issued                                                                      |                                     | 471                                                                           | 469                                                                                                                                                                                                    |                                                                                        |                          |                                                                                         |                     |
|          | Call-in customers - general info, zoning, questions                                             |                                     | 803                                                                           | 874                                                                                                                                                                                                    |                                                                                        |                          |                                                                                         |                     |
|          | E-mail to general planning/zoning mailboxes (note: individuals receive over 100 per month each) |                                     |                                                                               |                                                                                                                                                                                                        |                                                                                        |                          |                                                                                         |                     |
|          | Day to Day Development Review Responsibilities:                                                 | on-going                            |                                                                               |                                                                                                                                                                                                        |                                                                                        |                          |                                                                                         |                     |
|          | Minor Site Plans                                                                                |                                     | 1                                                                             | 3                                                                                                                                                                                                      |                                                                                        |                          |                                                                                         |                     |
|          | Limited Site Plan                                                                               |                                     | 1                                                                             | 0                                                                                                                                                                                                      |                                                                                        |                          |                                                                                         |                     |
|          | Major Site Plans, including Concept Plans                                                       |                                     | 4                                                                             | 1                                                                                                                                                                                                      |                                                                                        |                          |                                                                                         |                     |
|          | Merger Deceds, Lot Line Adjustments                                                             |                                     | 5                                                                             | 7                                                                                                                                                                                                      |                                                                                        |                          |                                                                                         |                     |
|          | Conservation Easement Review                                                                    |                                     |                                                                               | 7                                                                                                                                                                                                      |                                                                                        |                          |                                                                                         |                     |
|          | Minor Subdivision Plats                                                                         |                                     | 3                                                                             | 3                                                                                                                                                                                                      |                                                                                        |                          |                                                                                         |                     |
|          | Major Subdivision Plats (Concept, Preliminary, Final)                                           |                                     | 0                                                                             | 1                                                                                                                                                                                                      |                                                                                        |                          |                                                                                         |                     |
|          | Conditional Use Permits/Neighborhood Compatibility Meetings                                     |                                     | 0                                                                             | 1 CUP/1 NCM                                                                                                                                                                                            | CUP to be acted upon by BZA 1/19/12                                                    |                          |                                                                                         |                     |
|          | Zoning Variances (requirements, dimensional variances, CUP Meetings)                            |                                     | 11                                                                            | 5                                                                                                                                                                                                      |                                                                                        |                          |                                                                                         |                     |
|          | Time extensions                                                                                 |                                     | 2                                                                             | 1                                                                                                                                                                                                      |                                                                                        |                          |                                                                                         |                     |
|          | Subdivision Waivers including requests related to time frames or requirements                   |                                     | 6                                                                             | 8                                                                                                                                                                                                      |                                                                                        |                          |                                                                                         |                     |
|          | Pre-proposal Conferences                                                                        |                                     |                                                                               |                                                                                                                                                                                                        |                                                                                        |                          |                                                                                         |                     |
|          | Zoning Map Amendments (Rezoning)                                                                |                                     | 3 new (Sanderson Approved by CC 6/30/11)                                      |                                                                                                                                                                                                        |                                                                                        |                          | Gibson CC Public Hearing 1/5/12; action by CC 1/12/12; possible action on Hott rezoning | SR, SB, JMB         |
|          | Staff to Planning Commission meetings, including staff reports and presentations                | on-going                            | 4 Regular Meetings<br>6 staff report related to land development applications | 2 Regular Meetings;<br>9 staff reports related to land development applications;<br>Amendments to By-laws approved by CC 10/6/11                                                                       |                                                                                        |                          |                                                                                         |                     |
|          | Staff to Board of Zoning Appeals meetings, including staff reports and presentations            | on-going                            | 3 BZA meetings<br>11 staff reports for land development applications          | 2 BZA meetings<br>5 staff reports for land development applications                                                                                                                                    | CUP to be acted upon by BZA 1/19/12                                                    |                          |                                                                                         |                     |
|          | Staff Training -- new skills, planning and zoning related functions                             | on-going                            | None this Quarter                                                             | Seth Rivard and Steve Barney -- Land Use and Zoning Law Litigation (11/2/11); Dawn Childs - ArcGIS Desktop I; GIS Workflows and Analysis and ArcGIS Desktop II; Tools and Functionality (12/5-12/9/11) | April - new PC member training;<br>APA National Conference (April 2012) - Steve Barney |                          |                                                                                         |                     |

**2nd Quarter Report – FY 2012 Work Plan County Commission (October - December 2011)**

| PRIORITY        | PROJECTS                                                                                                                                                                                                                                                                          | TIME FRAMES<br>from FY 11-12<br>Work Plan | Status or Number Completed (July<br>11 – Sept. 11)                                                                                                                                                                                                                             | Status or Number Completed (Oct.<br>11 – Dec. 11)                                                                                                                                                                                                                                                                                        | Outstanding Tasks                                                                                                                                                   | REQUIRED<br>RESOURCES/STAFF | REQUIRED HEARINGS | ANTICIPATED<br>RESULTS |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------|------------------------|
|                 | Various non-PC and non-BZA Meetings including participation in County Commission; other agencies such as WAC, JCDA, Health Department, PSD, HEPMPO TAC, WIP II Work Group; other Region 9 Meetings as requested; and follow up meetings with applicants and their representatives | on-going                                  | JB - 126 meetings attended;<br>SR - 69 meetings attended;<br>SB - 84 meetings attended                                                                                                                                                                                         | JB - 100 meetings attended;<br>SR - 67 meetings attended;<br>SB - 72 meetings attended                                                                                                                                                                                                                                                   |                                                                                                                                                                     |                             |                   |                        |
| Special Project | Proposed Subdivision Regulations Amendments                                                                                                                                                                                                                                       |                                           | Proposed Am to Articles 20 & 26 re: Add'l minor site plan sq. footage (PC vote 7/26/11; CC 8/18/11; CC PH 9/15/11); Proposed Am to Article 24 combining Submission & Completeness Reviews for Site Plans and Plats (PC PH 7/12/11; PC vote 7/12/11; CC 8/18/11; CC PH 9/15/11) | Proposed Am to Articles 20 & 26 re: Add'l minor site plan sq. footage (CC PH follow up 10/6/11; add'l follow up work session 11/3/11 & 11/10/11; requested add'l alternatives); Proposed Am to Article 24 combining Submission & Completeness Reviews for Site Plans and Plats (CC Workshop 11/3/11; approved with edits by CC, 11/3/11) | Proposed Am to Articles 20 & 26 re: Add'l minor site plan sq. footage (new alternatives to PC 1/10/12; to CC 1/19/12)                                               | SR, SB, JB                  | possibly          |                        |
| Special Project | Proposed Zoning Ordinance Amendments                                                                                                                                                                                                                                              |                                           | Policy Neutral Am. Approved by CC 7/7/11; Am to Article 4A Home Occ./Cottage Ind (PC vote 7/26/11; CC 8/18/11; CC PH 9/15/11); Am to Article 12 (PC PH and vote 7/12/11; CC 8/18/11; PC PH 9/15/11)                                                                            | Am to Article 4A Home Occ./Cottage Ind (Approved by CC with edits 11/3/11); Am to Article 12 (Approved by CC 11/10/11); Kick-off Roundtable Discussion with recreation providers 10/21/11 and follow up meeting with industry 12/20/11; drafting new Commercial Zoning categories for PC review and action at January meeting            | Possible new ordinance language related to Recreation Uses (3/12); Public Workshop/input into proposed new commercial zoning categories (2/12)                      | SR, SB, JB                  | possibly          |                        |
| Special Project | 340 Corridor East Gateway Study                                                                                                                                                                                                                                                   | Spring 2011 - January 2012                | 6/16/11 meeting summary and follow up; preparation for and follow up to 3rd Public Meeting 9/17/11 meeting, including development of 3 land use alternatives based on public input and Traffic Analysis Zones for data analysis; Metro Quest Phase 2 preparation               | Joint meeting with HF NPS and Trail Blazers 10/18/11; MetroQuest Phase 2 open 10/7/11 - 11/11/11; Public Meeting #4 to choose preferred alternative 12/6/11 (KOA); drafting text and finalizing maps and working with HEPMPO consultants                                                                                                 | Next Public Workshop (5th public meeting) – Thursday, January 19, 2012, 7 -9 pm, Charles Town Library Basement Meeting Room; Joint PC/CC Meeting tentatively 3/1/12 | SR, SB, JB                  |                   |                        |
| Special Project | 340 Corridor South Study                                                                                                                                                                                                                                                          | Spring 2012 - Winter 2013                 | No Work this quarter                                                                                                                                                                                                                                                           | No Work this quarter                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                     |                             |                   |                        |

**2nd Quarter Report -- FY 2012 Work Plan County Commission (October - December 2011)**

| PRIORITY        | PROJECTS                                                                             | TIME FRAMES from FY 11-12 Work Plan               | Status or Number Completed (July 11 - Sept. 11)                                                                                                                                                                                                                | Status or Number Completed (Oct. 11 - Dec. 11)                                                                                          | Outstanding Tasks | REQUIRED RESOURCES/STAFF | REQUIRED HEARINGS | ANTICIPATED RESULTS |
|-----------------|--------------------------------------------------------------------------------------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------------|-------------------|---------------------|
| Special Project | 2014 Comprehensive Plan                                                              | Fall 2012 - Spring 2014 (18 month); adoption 2014 | No Work this quarter                                                                                                                                                                                                                                           | No Work this quarter                                                                                                                    |                   |                          |                   |                     |
| Special Project | Urban Tree Canopy Plan Adoption                                                      |                                                   | Urban Tree Canopy Draft Plan & Goals Meetings; Shepherdstown (8/18/11), Bolivar (9/6/11); County PC PH (7/26/11)                                                                                                                                               | Approved and adopted by County Commission after Public Hearing 11/3/11                                                                  | completed         | JB                       |                   |                     |
| Special Project | Urban Growth Boundaries                                                              |                                                   | Shepherdstown UGB recommended to CC 9/15/11                                                                                                                                                                                                                    | drafted letter on behalf of CC to Shepherdstown requesting more information for CC signature                                            |                   | JB                       |                   |                     |
| Special Project | Participation in WIP II Meetings held by DEP and follow up Chesapeake Bay activities |                                                   | WIP II Developed Lands Work Group 8/3/11; Ches. Bay WIP II Summit 8/30/11; speaker at 6th Annual Chesapeake Bay Forum 9/30/11                                                                                                                                  | monthly conference calls                                                                                                                |                   | JB                       |                   |                     |
| Special Project | Review and Potential Implementation of Region 9 Model Stormwater Regulations         |                                                   | WIP II meetings (above)                                                                                                                                                                                                                                        | coordinating with County Engineer in effort to apply for grant to facilitate the incorporation of these regulations in local ordinances |                   | JB, SR, engineering      |                   |                     |
| Special Project | Summer intern hired to initiate data analysis                                        |                                                   | Summer Intern worked May through mid-Sept 2011; researched existing conditions data, 2010 Census data, community facilities data, etc in preparation for 2014 Comp Plan Update; also assisted with TAZs and land use alternatives for US 340 East Gateway Plan | no further action at this time                                                                                                          |                   |                          |                   |                     |

**JEFFERSON COUNTY WV**  
**DEPARTMENTS OF PLANNING AND ZONING**  
**FY 2012 WORK PLAN (revised 5/24/11)**

**MISSION STATEMENT**

The mission of the Departments of Planning and Zoning is to provide a healthy, pleasant environment for those who live, work and visit Jefferson County, by blending the unique natural and built resources of our community with quality, sustainable development that ensures responsible and sound growth.

We are a knowledgeable, respectful, dedicated staff who welcome community based problem solving and public/private cooperation that assists the community in implementing standards which create a positive impact and achieves its ultimate vision.

**ACCOMPLISHMENTS FY 11 (July 2010 – May 2011)**

- Adoption of comprehensive 'policy neutral' amendments to the 2008 Subdivision Regulations (approved August 2010);
- Development of Amendments to Wireless Telecommunications Section of 1988 Zoning Ordinance – recommended to County Commission for adoption (approved 3/10/11);
- Initiation of 'policy neutral' amendments to the 1988 Zoning Ordinance (scheduled for hearing 6/9/11);
- Development of an accurate and up-to-date Zoning Map (in conjunction with GIS and Assessor staff) and regular update policy (Approved January 2011);
- Successful implementation of a National Fish and Wildlife Foundation grant through an extensive outreach effort with broad public input from mountain residents resulting in a visioning document for the Blue Ridge Mountain (Final Documents presented to County Commission December 2010);
- Initiation of a US 340 Corridor-East Gateway Plan, including the formation of a Technical Advisory Committee in preparation for a public kick-off meeting in the Spring 2011 (held 3/24/11);
- Successfully obtained an Urban Tree Canopy Grant in cooperation with Charles Town and Ranson, the Division of Forestry, the GIS staff, and the Cacapon Institute to be completed by May 2011;
- Ensured open and effective communication between the County Commission and Planning Commission; between the County and the Cities; between the County and various County and Regional planning, economic development, and environmental groups, including, but limited to, the Region 9 Model Stormwater Regulation Steering Committee Meetings and the quarterly HEPMPO Technical Advisory Committee meetings;
- Provided excellent and timely professional support to the Planning Commission (PC) and the Board of Zoning Appeals (BZA), including the development of more professional and thorough staff reports and presentations at the PC and BZA meetings and numerous special PC projects, including, but not limited to Old Standard Quarry research and follow up, research related to noise agreements related to Summit Point Raceway, proposed Federal Land Rezoning along US 340, follow up with all active development projects regarding changes in state law;
- Developed an well developed work plan, including regular quarterly reports on the FY 11 work plan;
- Staff development and training to include staff participation the Regional GIS Conference, the Regional Development in Karst Communities Conference, the Green Infrastructure Conference, numerous Smart Code Webinars hosted by Ranson, National APA Conference, Tri-State Regional Planning Conference;
- Actively participated in the monthly Region 9 Model Stormwater Regulation Steering Committee Meetings and quarterly HEPMPO Technical Advisory Committee meetings;
- Developed numerous iterations of a land development fee schedule at the direction of the Planning Commission and County Commission for possible implementation (to be voted upon 6/2/11).

**CUSTOMERS SERVED -- Calendar Year 2010**

Customers of the Departments include the County Commission, Planning Commission, Board of Zoning Appeals, the development community and the citizens of the County. These customers are served in many ways, including some of the following:

Planning Commission (PC):

22 meetings (including 21 Public Hearings), 3 special meetings, 10 Citizen Outreach Meetings, 4 workshops,

|                                                 |                                                                                 |
|-------------------------------------------------|---------------------------------------------------------------------------------|
|                                                 | 10 PC Subcommittee Meetings, 14 meetings regard PC items with County Commission |
| Board of Zoning Appeals (BZA):                  | 11 meetings (including 28 actionable items)                                     |
| Walk-in Customers                               | Average: 40/month                                                               |
| Call-in Customers (to main Department line)     | Average: 165/month                                                              |
| E-mail Customers (to Department mail boxes)     | Average: 61/month                                                               |
| Information Request Forms (IRFs):               | 158                                                                             |
| Pre-Proposal Conferences (PPCs):                | 42                                                                              |
| Projects Reviewed:                              | 106                                                                             |
| Regional/Cross Jurisdictional Outreach Meetings | 89                                                                              |

## GOALS FY 12

- Develop a well managed citizen participation effort which utilizes community based problem solving and public/private cooperation in the development of a Corridor Plan for the US 340 Corridor-East Gateway Plan (time frame: 4/11 – 1/12);
- Complete efforts to draft potential amendments for the 1988 Zoning Ordinance and 2010 Subdivision Regulations with key stakeholder involvement throughout Fiscal Year (ongoing - 6/12);
- Initiate, in cooperation with the local state delegates and senators, potential amendments to WV Code 8A to help streamline development review process (Summer 2011)
- Initiate an analysis of 2010 Census Data for Jefferson County, in particular as it relates to the data needs of the 2014 Comprehensive Plan Update (utilizing a summer intern Summer 2011);
- Participate, in cooperation with the Department of Engineering in the DEP's WIP II Plan for the Chesapeake Bay Watershed, including a determination as to the best method of locally implementing the Model Stormwater Regulations (Summer – Winter 2011);
- Work cooperatively with County's Municipalities in their on-going planning efforts (on-going);
- Initiate a comprehensive analysis of the build out potential for the County as a whole under current zoning and approval process (possible contracted service);
- Work with GIS Department to finalize draft Major and Minor Subdivision Map and to develop a policy for regular update and maintenance of this Map;
- Develop a process to streamline the approval of Economic Development opportunities within the County through an analysis of current regulations and processes and working cooperatively with the development community;
- Initiate and Implement Digitization and Document Management System in cooperation with the Engineering, Building and GIS Departments;
- Provide Excellent Customer Service with a timely response to questions and requests (on-going);
- Provide thorough and responsive support of Planning Commission, Board of Zoning Appeals and County Commission (on-going);
- Facilitate Pre-proposal Conferences (PPCs) which enable citizens with proposals to understand the regulations and processes and which encourage problem solving and public/private cooperation (on-going); and
- Provide thorough and timely Development Review for all plats and plans submitted to our Departments (on-going).

### Possible Additional Tasks

- Initiate, in cooperation with the WV DOH, a citizen based planning effort for the development of a corridor plan for the US 340 Corridor South between Charles Town and the southern Virginia line (Spring – Winter 2012);
- Continue to provide support to the Blue Ridge Mountain Community through assistance to a proposed citizen's committee and possible follow through with a grant if awarded;
- Support for on-going Chesapeake Bay Tree Grants and programs

## Information

On January 26, 2012 the following interviews and appointments will be held before the County Commission:

- Jefferson County Board of Zoning and Appeals
- Berkeley /Jefferson Criminal Community Justice Board
- Eastern Panhandle Transit Authority Board
- Water Advisory Committee



# Berkeley County Council



400 WEST STEPHEN STREET, SUITE 201  
MARTINSBURG, WEST VIRGINIA 25401  
PHONE (304) 264-1923

THE COUNCIL

WILLIAM L. STUBBLEFIELD, PHD  
ANTHONY J. "TONY" PETRUCCI  
DOUGLAS E. COPENHAVER, JR.  
ELAINE C. MAUCK, M.A.  
JIM WHITACRE

[www.berkeleywv.org](http://www.berkeleywv.org)

DEBORAH HAMMOND  
COUNTY ADMINISTRATOR

January 5, 2011

Congresswoman Shelley Moore Capito  
300 Foxcroft Avenue Suite 102  
Martinsburg, WV 25401

Re: Importance of Metropolitan Planning Organizations

Dear Congresswoman Capito:

Recently the Senate passed Bill 1813, Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) which will replace TEA-21 transportation legislation. The House has not yet drafted it's version of the transportation re-authorization, but is expected to do so in late January or early February. It is important that the proposed re-authorization addresses the critical infrastructure needs while preserving the integrity of the transportation decision making process. The Metropolitan Planning Organizations (MPOs) are an essential part of the decision making process.

The Senate Bill (MAP-21) proposes to dissolve the Metropolitan Planning Organizations (MPOs) serving areas with populations under 200,000. These MPOs and the associated planning activities are critical to provide a local voice in the transportation decision making process. The elimination of this local voice would shift more power into the hands of State agencies which have less of an understanding of the needs of the local metropolitan areas. States agencies would determine priorities on a statewide basis with limited opportunity for local involvement. For example, in Maryland it would eliminate all of the MPOs with the exception of Baltimore and Washington, D.C. and in West Virginia; it would eliminate all of the existing MPOs. This runs counter to returning government to the people.

We as the Berkeley County Council are writing to encourage your support for the retention of the existing MPOs under the 200,000 population threshold. We would encourage you to support language in the final Transportation Bill that maintains the integrity of the decision making process by preserving the local voice through the existing MPOs.

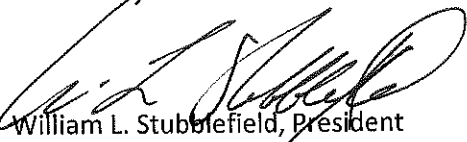
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JAN 10 2012


Jefferson County Commission

Thank you for working to approve transportation legislation that addresses the country's infrastructure needs and preserves the integrity of the decision making process.


Sincerely,



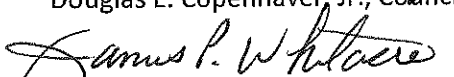
William L. Stubblefield, President



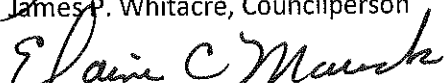
Anthony J. Petrucci, Vice President



Douglas E. Copenhaver, Jr., Councilperson



James P. Whitacre, Councilperson



Elaine C. Mauck, Councilperson

Cc: Lyn Widmyer, Chairperson - HEPMPO  
Robert Gordon, Director - HEPMPO



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ELAINE C. MAUCK, M.A.  
JIM WHITACRE

January 5, 2011

Senator Joe Manchin  
217 West King Street Room 238  
Martinsburg, WV 25401

Re: Importance of Metropolitan Planning Organizations

Dear Senator Manchin:

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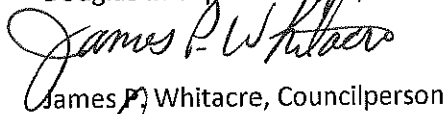
William L. Stubblefield, President



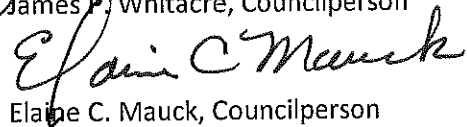
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Douglas E. Copenhagen Jr., Councilperson



James P. Whitacre, Councilperson



Elaine C. Mauck, Councilperson

Cc: Lyn Widmyer, Chairperson - HEPMPO  
Robert Gordon, Director - HEPMPO



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DEBORAH HAMMOND  
COUNTY ADMINISTRATOR

January 5, 2011

Senator Jay Rockefeller  
217 West King Street Suite 307  
Martinsburg, WV 25401-3211

Re: Importance of Metropolitan Planning Organizations

Dear Senator Rockefeller:

Recently the Senate passed Bill 1813, Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) which will replace TEA-21 transportation legislation. The House has not yet drafted it's version of the transportation re-authorization, but is expected to do so in late January or early February. It is important that the proposed re-authorization addresses the critical infrastructure needs while preserving the integrity of the transportation decision making process. The Metropolitan Planning Organizations (MPOs) are an essential part of the decision making process.

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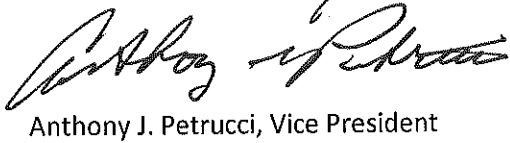
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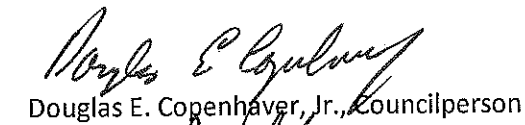
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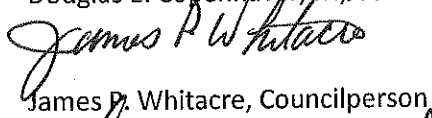
William E. Stubblefield, President



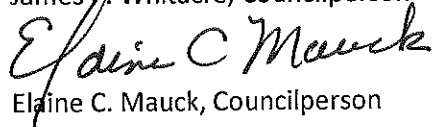
Anthony J. Petrucci, Vice President



Douglas E. Copenhaver, Jr., Councilperson



James P. Whitacre, Councilperson



Elaine C. Mauck, Councilperson

Cc: Lyn Widmyer, Chairperson - HEPMPO  
Robert Gordon, Director - HEPMPO



**William H. Gordon Associates, Inc.**

301 North Mildred Street, Suite 1

Charles Town, WV 25414

304-725-8456 Phone

304-728-0117 Fax

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January 6, 2012

Ms. Jennifer Brockman, AICP, Director  
Jefferson County Planning & Zoning  
PO Box 338  
Charles Town, WV 25414

Re: Proposed Recreational Zone – Jefferson County, WV

Dear Ms. Brockman:

It is my understanding that the Planning Commission is examining opportunities to modify the Zoning Ordinance to permit well designed commercial uses that focus on recreational/eco-tourism business. These uses are important to the local economy; bringing visitors and spending that benefit our community. Engaging young and old in healthy outdoor activities should be recognized as priority for our County.

Jefferson County has struggled in the past with the permitted uses in various zoning categories. The inclusive nature of the zones makes it difficult to predict what type of growth will occur in a specific zone. Strategically adding some new zoning categories, amending existing zones or inserting mechanisms for special exception uses into the ordinance will enhance land planning in Jefferson County. The ordinance should allow recreational business to become stewards of the river areas and develop plans that protect the resource and use it for the benefit of the County.

I will close with a few thoughts on what I see on our rivers and natural areas:

- A young couple getting away from the big city and discovering nature through river rafting;
- A elementary student fishing on the Potomac River from a public pier;
- Summer camps that teach about nature and encourage healthy living;
- Enjoying a river view while eating lunch;
- Camping along the Shenandoah River;
- Connecting Jefferson County residents to our natural assets instead of walling them off.

I hope the Planning Commission will support the efforts to plan for commercial recreational opportunities in Jefferson County.

Sincerely,

Mark Dyck, CLA, LEED AP  
Senior Vice President / Director, Charles Town Office

**RECEIVED**

JAN 10 2012

CC: Steve Barney, Zoning Administrator  
Patsy Noland, County Commission President  
President, Jefferson County Planning Commission

**Jefferson County Commission**

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Community Alternatives to Violence  
891 Auto Parts Place Box 136  
Martinsburg, WV 25403  
304-262-4424  
866-332-2906 fax [www.commav.org](http://www.commav.org)



December 2011

To all our friends and supporters,

As 2011 draws to a close, we would like to share with you just a few examples of what inspires us to continue our work to end family violence.

Enrollment in CAV's 32-week intervention program is again approaching an all-time high of 70 men and women. Does this mean that family violence is increasing? Not necessarily. We believe heightened community awareness of the importance of intervening with the abuser is the answer.

Thanks to the belief by the West Virginia Coalition Against Domestic Violence that abusers must be targeted for intervention services, increased opportunities for training CAV volunteers again became available in 2011.

A new approved intervention curriculum targeting Respectful Relationships continues to be used with increased participation by clients. Videos to accompany this are being added, and we hope to purchase an entire set in early 2012.

Finally, a heartfelt thank you goes to you, for your volunteer and financial contributions. This community "giving back" was more critical than ever this year, as more of our participants cannot afford the required class fees.

In 2012, our expectations are high with plans to reach employers and schools from the publication of a collection of student artwork and essays entitled "It's A Wonderful World"- -what a world would be like without violence. As one middle school student put it: "This is where I would like to live!"

If you are moved to partner with us to end family violence, please visit us at [www.commav.org](http://www.commav.org).

Sincerely,

*Carolyn Zdziera*

Carolyn Zdziera  
Executive Director

January 10, 2012

Dear Commissioners,

As a 45 year resident and land owner in Jefferson County, I wish to express that I am opposed to any further commercial zoning extending beyond the National Park Service located on Bakerton Rd. Further, I would like to see the Rt. 340 Corridor study completed in its entirety before further commercial/recreational zoning uses and amendments are permitted in the detailed area.

Thank You,



Wendy Whitehair-Lochner

1599 Knott Rd.

Shepherdstown, WV 25443

(304)876-36809

(304)283-0553

**RECEIVED**

JAN 10 2012

Jefferson County Commission

January 3, 2012

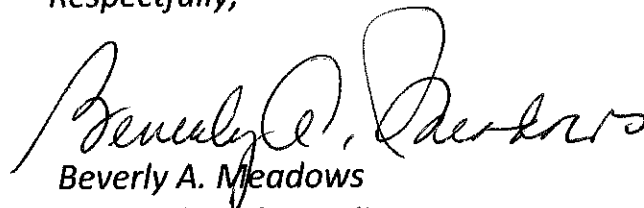
Ms. Patsy Noland, President  
Jefferson County Commission  
P. O. Box 250  
Charles Town, WV 25414

Re: Proposed Amendments to Jefferson County  
Zoning and Land Use Ordinances  
& Extension of the 340 Corridor

Dear Ms. Noland:

As a concerned citizen of Jefferson County (home owner, tax payer, registered voter), I hereby make of record that I am strongly opposed to extending the 340 corridor and to any zoning and land use development amendment that would permit commercial recreational users to operate in residential areas and/or on residentially zoned land.

Respectfully,



Beverly A. Meadows  
448 McShane's Landing Lane  
Shepherdstown, WV 25443  
304-876-2149  
meadowsonriver@aol.com

RECEIVED

JAN 10 2012

Jefferson County Commission

**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 on Wednesday, February 1<sup>st</sup>, 2012, at 1:30 p.m., for the purpose of reviewing and equalizing assessments returned by the Assessor of Jefferson County for the tax year 2012.

The Commission will continue to sit as a Board of Review and Equalization on Thursday, February 2<sup>nd</sup>, 2012, at 1:30 p.m., Tuesday, February 7<sup>th</sup>, 2012, at 1:30 p.m., Thursday, February 9<sup>th</sup>, 2012, at 1:30 p.m., and thereafter as deemed necessary.

Persons wishing to appear before the Commission should apply to the Assessor no later than Friday, February 10<sup>th</sup>, 2012, at noon, in order to complete the proper forms and to schedule a hearing date prior to the planned final date of Thursday, February 16<sup>th</sup>, 2012.

Given under my hand this 5<sup>th</sup> day of January, 2012.

/s/  
\_\_\_\_\_  
JENNIFER MAGHAN, COUNTY CLERK  
JEFFERSON COUNTY COMMISSION



## **MEDIA ADVISORY/PRESS RELEASE**

### **FOR IMMEDIATE RELEASE**

**Contacts:** Ed Hannon, Deputy Director  
Jefferson County Emergency Services Agency (JCESA)  
Co-Chair, PR Committee, Jefferson County Fire and EMS Fee  
540-931-1451 (c)

Ed Smith, Fire Chief (Retired)  
Independent Fire Company  
Co-Chair, PR Committee, Jefferson County Fire and EMS Fee  
304-279-2938

### **\*\*\*PUBLIC NOTICE\*\*\***

## **COMMUNITY INFORMATION MEETINGS**

**Jefferson County, WV**—You are invited to join representatives of the Jefferson County Commission, Jefferson County Emergency Services Agency (JCESA) and your local fire companies for several information sharing meetings on the proposed Jefferson County Fire and EMS Fee.

There will be a brief presentation and an opportunity for you to ask questions.

The meetings are scheduled as follows:

- |                  |                                                                                               |
|------------------|-----------------------------------------------------------------------------------------------|
| January 9, 2012  | Shepherdstown Fire Department—7:00 p.m.<br>8052 Shepherdstown Pike, Shepherdstown, WV         |
| January 19, 2012 | Blue Ridge Mountain Volunteer Fire Company—7:00 p.m.<br>181 Keyes Gap Road, Harpers Ferry, WV |
| January 25, 2012 | Independent Fire Company—7:00 p.m.<br>200 West 2 <sup>nd</sup> Avenue, Ranson, WV             |
| January 26, 2012 | Friendship Fire Company—7:00 p.m.<br>1050 West Washington St., Harpers Ferry, WV              |

The Jefferson County Commission will hold a public hearing on the proposed Fire and EMS Fee—no date has been set for the public hearing at this time. We will let the community know as soon as a date has been confirmed.

Thank you for your long-standing and ongoing support of the Jefferson County Fire and EMS services. We look forward to seeing you at the community information meetings.

###

**WEST VIRGINIA LOTTERY  
WEEKLY SETTLEMENT FOR CHARLES TOWN**

| Week Ending Date                                       | Week Ending<br>January 7, 2012 |
|--------------------------------------------------------|--------------------------------|
| <b>To be Deposited on:</b>                             | January 13, 2012               |
| Amount Played                                          | 91,890,848.04                  |
| Amount Won                                             | 82,994,503.09                  |
| Amount Promo                                           | 225,801.00                     |
| MWAP Contribution                                      | <u>5,798.72</u>                |
| <b>Adjusted Gross Terminal Revenue</b>                 | <b><u>8,664,745.23</u></b>     |
| Administrative Costs @ 4%                              | 0.00                           |
| Excess Lottery Fund @ 4%                               | 346,589.81                     |
| <b>Net Terminal Revenue</b>                            | <b><u>8,318,155.42</u></b>     |
| Surcharge @ 10%                                        | 831,815.53                     |
| State Share Excess @ 58%                               | 482,453.01                     |
| Track Share of Capital Reinvestment @ 42%              | 349,362.52                     |
| <i>Track Share of Capital Reinvestment @ 42% - 96%</i> | \$ 335,388.02                  |
| <i>Track Share of Capital Reinvestment @ 42% - 4%</i>  | \$ 13,974.50                   |
| <b>Adjusted Net Terminal Revenue</b>                   | <b><u>7,486,339.89</u></b>     |
| Racetrack @ 46.50% / 42%                               | 3,144,262.75                   |
| Lottery Fund @ 30% / 0%                                | 0.00                           |
| Excess Lottery Fund @ 0% / 41%                         | 3,069,399.36                   |
| Race Track Purses @ 7% / 14% / 8%                      | 598,907.19                     |
| Workers' Compensation Debt Reduction @ 7% / 0%         | 0.00                           |
| Employee Pension Fund @ 1% / .5%                       | 37,431.70                      |
| Greyhound Development @ .75%                           | 56,147.55                      |
| Thoroughbred Development @ .75%                        | 56,147.55                      |
| Racing Commission @ 1%                                 | 74,863.40                      |
| County/Municipality @ 2%                               | 149,726.80                     |
| <b>3% Funds:</b>                                       |                                |
| Tourism Promotion Fund @ 1.375%                        | 102,937.17                     |
| Development Office Promotion Fund @ .375%              | 28,073.77                      |
| Research Challenge Fund @ .5%                          | 37,431.70                      |
| Capitol Renovation and Improvement Fund @ .6875%       | 51,468.59                      |
| 2004 Capitol Complex Parking Garage Fund @ .0625%      | 4,678.96                       |
| <b>1% Funds:</b>                                       |                                |
| State Capitol Complex Parking Garage @ 1%              | 0.00                           |
| Cultural Facilities and Capitol Resources @ .5%        | 0.00                           |
| Capitol Dome and Capitol Improvements @ .5% / 1%       | <u>74,863.40</u>               |
|                                                        | <b><u>7,486,339.89</u></b>     |

**WEST VIRGINIA LOTTERY**  
**First Benchmark**  
**Charles Town**  
**County / City Split**  
**Fiscal Year 2012**

Charles Town  
1999 Net Terminal Revenue \$ 45,603,174  
Benchmark Goal @ 2% \$ 912,063.48

| DATE                                  | 2% OF<br>ADJ. NET<br>REVENUE | TO<br>JEFFERSON<br>COUNTY | TO<br>FIVE<br>CITIES   | BOLIVAR<br>8.19%     | CHARLES<br>TOWN<br>41.20% | HARPERS<br>FERRY<br>2.24% | RANSON<br>34.78%     | SHEPHERDS<br>TOWN<br>13.59% |
|---------------------------------------|------------------------------|---------------------------|------------------------|----------------------|---------------------------|---------------------------|----------------------|-----------------------------|
| 2 days ending:<br>7/1/2011 - 7/2/2011 | \$ 69,824.12                 | \$ 69,824.12              | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| Week Ending:                          |                              |                           |                        |                      |                           |                           |                      |                             |
| 07/09/11                              | \$ 171,717.28                | \$ 171,717.28             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 07/16/11                              | \$ 143,019.52                | \$ 143,019.52             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 07/23/11                              | \$ 146,508.00                | \$ 146,508.00             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 07/30/11                              | \$ 144,510.28                | \$ 144,510.28             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 08/06/11                              | \$ 151,495.28                | \$ 151,495.28             | \$ -                   | \$ -                 | \$ -                      | \$ -                      | \$ -                 | \$ -                        |
| 08/13/11                              | \$ 149,711.80                | \$ 117,350.38             | \$ 32,361.42           | \$ 2,650.40          | \$ 13,332.90              | \$ 724.90                 | \$ 11,255.30         | \$ 4,397.92                 |
| 08/20/11                              | \$ 143,228.24                | \$ 71,614.12              | \$ 71,614.12           | \$ 5,865.20          | \$ 29,505.01              | \$ 1,604.16               | \$ 24,907.39         | \$ 9,732.36                 |
| 08/27/11                              | \$ 126,864.28                | \$ 63,432.14              | \$ 63,432.14           | \$ 5,195.09          | \$ 26,134.04              | \$ 1,420.88               | \$ 22,061.70         | \$ 8,620.43                 |
| 09/03/11                              | \$ 161,675.52                | \$ 80,837.76              | \$ 80,837.76           | \$ 6,620.61          | \$ 33,305.16              | \$ 1,810.77               | \$ 28,115.37         | \$ 10,985.85                |
| 09/10/11                              | \$ 169,691.60                | \$ 84,845.80              | \$ 84,845.80           | \$ 6,948.87          | \$ 34,956.47              | \$ 1,900.55               | \$ 29,509.37         | \$ 11,530.54                |
| 09/17/11                              | \$ 133,497.24                | \$ 66,748.62              | \$ 66,748.62           | \$ 5,466.71          | \$ 27,500.43              | \$ 1,495.17               | \$ 23,215.17         | \$ 9,071.14                 |
| 09/24/11                              | \$ 137,859.60                | \$ 68,929.80              | \$ 68,929.80           | \$ 5,645.35          | \$ 28,399.08              | \$ 1,544.03               | \$ 23,973.78         | \$ 9,367.56                 |
| 10/01/11                              | \$ 137,743.28                | \$ 68,871.64              | \$ 68,871.64           | \$ 5,640.59          | \$ 28,375.12              | \$ 1,542.72               | \$ 23,953.55         | \$ 9,359.66                 |
| 10/08/11                              | \$ 141,733.80                | \$ 70,866.90              | \$ 70,866.90           | \$ 5,804.00          | \$ 29,197.16              | \$ 1,587.42               | \$ 24,647.51         | \$ 9,630.81                 |
| 10/15/11                              | \$ 150,525.32                | \$ 75,262.66              | \$ 75,262.66           | \$ 6,164.01          | \$ 31,008.22              | \$ 1,685.88               | \$ 26,176.35         | \$ 10,228.20                |
| 10/22/11                              | \$ 137,515.44                | \$ 68,757.72              | \$ 68,757.72           | \$ 5,631.26          | \$ 28,328.18              | \$ 1,540.17               | \$ 23,913.94         | \$ 9,344.17                 |
| 10/29/11                              | \$ 121,015.96                | \$ 60,507.98              | \$ 60,507.98           | \$ 4,955.60          | \$ 24,929.29              | \$ 1,355.38               | \$ 21,044.68         | \$ 8,223.03                 |
| 11/05/11                              | \$ 141,347.76                | \$ 70,673.88              | \$ 70,673.88           | \$ 5,788.19          | \$ 29,117.64              | \$ 1,583.09               | \$ 24,580.38         | \$ 9,604.58                 |
| 11/12/11                              | \$ 135,254.20                | \$ 67,627.10              | \$ 67,627.10           | \$ 5,538.66          | \$ 27,862.36              | \$ 1,514.85               | \$ 23,520.71         | \$ 9,190.52                 |
| 11/19/11                              | \$ 121,381.20                | \$ 60,690.60              | \$ 60,690.60           | \$ 4,970.56          | \$ 25,004.53              | \$ 1,359.47               | \$ 21,108.19         | \$ 8,247.85                 |
| 11/26/11                              | \$ 148,281.08                | \$ 74,140.54              | \$ 74,140.54           | \$ 6,072.11          | \$ 30,545.90              | \$ 1,660.75               | \$ 25,786.08         | \$ 10,075.70                |
| 12/03/11                              | \$ 118,859.88                | \$ 59,429.94              | \$ 59,429.94           | \$ 4,867.31          | \$ 24,485.14              | \$ 1,331.23               | \$ 20,669.73         | \$ 8,076.53                 |
| 12/10/11                              | \$ 102,790.88                | \$ 51,395.44              | \$ 51,395.44           | \$ 4,209.29          | \$ 21,174.92              | \$ 1,151.26               | \$ 17,875.33         | \$ 6,984.64                 |
| 12/17/11                              | \$ 111,962.64                | \$ 55,981.32              | \$ 55,981.32           | \$ 4,584.87          | \$ 23,064.31              | \$ 1,253.98               | \$ 19,470.30         | \$ 7,607.86                 |
| 12/24/11                              | \$ 108,497.24                | \$ 54,248.62              | \$ 54,248.62           | \$ 4,442.96          | \$ 22,350.43              | \$ 1,215.17               | \$ 18,867.67         | \$ 7,372.39                 |
| 12/31/11                              | \$ 189,322.00                | \$ 94,661.00              | \$ 94,661.00           | \$ 7,752.74          | \$ 39,000.32              | \$ 2,120.41               | \$ 32,923.10         | \$ 12,864.43                |
| 01/07/12                              | \$ 149,726.80                | \$ 74,863.40              | \$ 74,863.40           | \$ 6,131.31          | \$ 30,843.72              | \$ 1,676.94               | \$ 26,037.49         | \$ 10,173.94                |
| <b>Subtotal</b>                       | <b>\$ 3,865,560.24</b>       | <b>\$ 2,388,811.84</b>    | <b>\$ 1,476,748.40</b> | <b>\$ 120,945.69</b> | <b>\$ 608,420.33</b>      | <b>\$ 33,079.18</b>       | <b>\$ 513,613.09</b> | <b>\$ 200,690.11</b>        |

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

## VIDEO LOTTERY REPORT

FY 2009

| Date       | Amount     |
|------------|------------|
| 7/5/2008 * | 169,912.56 |
| 7/12/2008  | 176,592.38 |
| 7/19/2008  | 160,344.08 |
| 7/26/2008  | 162,982.74 |
| 8/2/2008   | 178,171.04 |
| 8/9/2008   | 123,538.04 |
| 8/16/2008  | 82,482.89  |
| 8/23/2008  | 76,426.18  |
| 8/30/2008  | 89,459.86  |
| 9/6/2008   | 91,644.46  |
| 9/13/2008  | 79,729.93  |
| 9/20/2008  | 71,269.36  |
| 9/27/2008  | 79,735.73  |
| 10/4/2008  | 75,186.22  |
| 10/11/2008 | 77,139.04  |
| 10/18/2008 | 80,668.26  |
| 10/25/2008 | 64,379.44  |
| 11/1/2008  | 68,352.42  |
| 11/8/2008  | 70,823.02  |
| 11/15/2008 | 65,565.50  |
| 11/22/2008 | 63,883.80  |
| 11/29/2008 | 69,850.12  |
| 12/6/2008  | 55,696.68  |
| 12/13/2008 | 60,178.04  |
| 12/20/2008 | 52,189.19  |
| 12/27/2008 | 72,205.91  |
| 1/3/2009   | 96,504.65  |
| 1/10/2009  | 53,286.62  |

FY 2010

| Date       | Amount     |
|------------|------------|
| 7/4/2009 * | 128,262.42 |
| 7/11/2009  | 168,815.08 |
| 7/18/2009  | 160,652.98 |
| 7/25/2009  | 158,869.08 |
| 8/1/2009   | 174,493.08 |
| 8/8/2009   | 138,408.80 |
| 8/15/2009  | 81,222.14  |
| 8/22/2009  | 76,260.31  |
| 8/29/2009  | 80,472.92  |
| 9/5/2009   | 80,798.15  |
| 9/12/2009  | 86,286.92  |
| 9/19/2009  | 70,010.15  |
| 9/26/2009  | 69,316.87  |
| 10/3/2009  | 72,286.04  |
| 10/10/2009 | 69,650.63  |
| 10/17/2009 | 73,560.21  |
| 10/24/2009 | 67,581.66  |
| 10/31/2009 | 64,528.30  |
| 11/7/2009  | 63,741.59  |
| 11/14/2009 | 65,959.64  |
| 11/21/2009 | 59,547.05  |
| 11/28/2009 | 72,399.98  |
| 12/5/2009  | 51,006.51  |
| 12/12/2009 | 52,460.58  |
| 12/19/2009 | 32,834.39  |
| 12/26/2009 | 53,406.34  |
| 1/2/2010   | 92,980.40  |
| 1/9/2010   | 55,020.46  |

FY 2011

| Date       | Amount     |
|------------|------------|
| 7/3/2010   | 115,402.58 |
| 7/10/2010  | 205,731.64 |
| 7/17/2010  | 161,386.76 |
| 7/24/2010  | 160,368.28 |
| 7/31/2010  | 157,802.08 |
| 8/7/2010   | 136,494.98 |
| 8/14/2010  | 78,376.68  |
| 8/21/2010  | 76,199.02  |
| 8/28/2010  | 72,460.03  |
| 9/4/2010   | 76,362.84  |
| 9/11/2010  | 82,969.36  |
| 9/18/2010  | 67,638.78  |
| 9/25/2010  | 70,435.06  |
| 10/2/2010  | 71,013.86  |
| 10/9/2010  | 69,311.50  |
| 10/16/2010 | 75,234.62  |
| 10/23/2010 | 70,290.80  |
| 10/30/2010 | 65,615.04  |
| 11/6/2010  | 61,337.62  |
| 11/13/2010 | 64,595.28  |
| 11/20/2010 | 56,010.08  |
| 11/27/2010 | 71,170.90  |
| 12/4/2010  | 53,215.08  |
| 12/11/2010 | 46,944.00  |
| 12/18/2010 | 42,076.76  |
| 12/25/2010 | 50,450.28  |
| 1/1/2011   | 85,152.12  |
| 1/8/2011   | 54,301.30  |

FY 2012

| Date       | Amount     |
|------------|------------|
| 7/1-2/2011 | 69,824.12  |
| 7/9/2011   | 171,717.28 |
| 7/16/2011  | 143,019.52 |
| 7/23/2011  | 146,508.00 |
| 7/30/2011  | 144,510.28 |
| 8/6/2011   | 151,495.28 |
| 8/13/2011  | 117,350.38 |
| 8/20/2011  | 71,614.12  |
| 8/27/2011  | 63,432.14  |
| 9/3/2011   | 80,837.76  |
| 9/10/2011  | 84,845.80  |
| 9/17/2011  | 66,748.62  |
| 9/24/2011  | 68,929.80  |
| 10/1/2011  | 68,871.64  |
| 10/8/2011  | 70,866.90  |
| 10/15/2011 | 75,262.66  |
| 10/22/2011 | 68,757.72  |
| 10/29/2011 | 60,507.98  |
| 11/5/2011  | 70,673.88  |
| 11/12/2011 | 67,627.10  |
| 11/19/2011 | 60,690.60  |
| 11/26/2011 | 74,140.54  |
| 12/3/2011  | 59,429.94  |
| 12/10/2011 | 51,395.44  |
| 12/17/2011 | 55,981.32  |
| 12/24/2011 | 54,248.62  |
| 12/31/2011 | 94,661.00  |
| 1/7/2012   | 74,863.40  |

|               |           |           |                   |                   |                   |
|---------------|-----------|-----------|-------------------|-------------------|-------------------|
| 1/17/2009     | 56,068.87 | 1/16/2010 | 60,551.28         | 1/15/2011         | 54,005.90         |
| 1/24/2009     | 71,474.63 | 1/23/2010 | 69,943.53         | 1/22/2011         | 60,924.74         |
| 1/31/2009     | 61,089.80 | 1/30/2010 | 48,527.75         | 1/29/2011         | 48,036.94         |
| 2/7/2009      | 83,539.63 | 2/6/2010  | 37,155.14         | 2/5/2011          | 60,777.44         |
| 2/14/2009     | 76,054.44 | 2/13/2010 | 44,334.00         | 2/12/2011         | 67,471.84         |
| 2/21/2009     | 91,838.41 | 2/20/2010 | 76,946.12         | 2/19/2011         | 72,018.54         |
| 2/28/2009     | 80,806.88 | 2/27/2010 | 72,024.40         | 2/26/2011         | 75,544.02         |
| 3/7/2009      | 48,837.13 | 3/6/2010  | 76,936.85         | 3/5/2011          | 74,535.34         |
| 3/14/2009     | 96,025.39 | 3/13/2010 | 71,007.37         | 3/12/2011         | 66,979.48         |
| 3/21/2009     | 79,002.82 | 3/20/2010 | 74,335.38         | 3/19/2011         | 73,113.26         |
| 3/28/2009     | 79,250.83 | 3/27/2010 | 69,941.88         | 3/26/2011         | 68,490.80         |
| 4/4/2009      | 75,968.30 | 4/3/2010  | 70,636.28         | 4/2/2011          | 70,846.58         |
| 4/11/2009     | 75,964.94 | 4/10/2010 | 69,692.79         | 4/9/2011          | 67,076.78         |
| 4/18/2009     | 80,598.22 | 4/17/2010 | 69,335.92         | 4/16/2011         | 64,698.56         |
| 4/25/2009     | 75,571.46 | 4/24/2010 | 68,714.11         | 4/23/2011         | 67,674.14         |
| 5/2/2009      | 73,957.05 | 5/1/2010  | 68,799.06         | 4/30/2011         | 66,807.50         |
| 5/9/2009      | 76,697.22 | 5/8/2010  | 67,403.54         | 5/7/2011          | 66,379.74         |
| 5/16/2009     | 71,925.70 | 5/15/2010 | 70,186.32         | 5/14/2011         | 66,699.76         |
| 5/23/2009     | 81,395.43 | 5/22/2010 | 64,695.71         | 5/21/2011         | 63,210.44         |
| 5/30/2009     | 82,161.55 | 5/29/2010 | 67,157.40         | 5/28/2011         | 64,724.06         |
| 6/6/2009      | 74,895.74 | 6/5/2010  | 77,371.80         | 6/4/2011          | 74,952.34         |
| 6/13/2009     | 67,327.23 | 6/12/2010 | 66,106.29         | 6/11/2011         | 62,203.12         |
| 6/20/2009     | 75,500.53 | 6/19/2010 | 64,888.48         | 6/18/2011         | 61,200.76         |
| 6/27/2009     | 67,354.10 | 6/26/2010 | 63,950.29         | 6/25/2011         | 65,470.44         |
| 6/30/2009 *** | 32,059.58 | 6/30/2010 | 29,667.19         | 6/30/2011         | 34,351.16         |
| <b>TOTALS</b> |           |           | <b>4403564.04</b> | <b>4041141.56</b> | <b>4016541.01</b> |
|               |           |           |                   |                   | <b>2388811.84</b> |

Table Game Revenue  
 FY 2011

| Date              | Amount     |
|-------------------|------------|
| July/August, 2010 | 154,185.68 |
| September, 2010   | 94,247.84  |
| October, 2010     | 105,903.60 |
| November, 2010    | 108,717.67 |
| December, 2010    | 118,721.11 |
| January, 2011     | 106,189.21 |
| February, 2011    | 105,776.45 |
| March, 2011       | 120,927.10 |
| April, 2011       | 130,654.61 |
| May, 2011         | 130,492.02 |
| June, 2011        | 121,576.41 |
| July, 2011        | 141,718.01 |
| August, 2011      | 137,473.92 |
| September, 2011   | 110,375.25 |
| October, 2011     | 124,273.94 |
| November, 2011    | 121,118.87 |
|                   | 1932351.69 |