AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, OCTOBER 4, 2012
9:30 A.M.
County Commission Meeting Room
located at the Old Charles Town Library
200 E. Washington Street, Charles Town, WV

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. Angie Banks, Assessor
   - Exonerations

2. 10:00 a.m. Peter Corum, Morgan Grove Market
   - Appeal of Planning and Zoning staff decisions (Request to amend ordinance to allow appeals) - Discussion/Action

3. 10:15 a.m. Bill Polk, Director of Maintenance
   - Approval of 10th Cycle Courthouse Improvement Grant Application with the Courthouse Facilities Improvement Authority - Discussion/Action

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

5. 10:45 a.m. Interviews and Appointments to the following Board and Commission:
   Board of Health - One unexpired term ending June 30, 2017 - Discussion/Action

6. 11:00 a.m. Lyn Fields, Deputy Probate Clerk
   - Approval of estates since last quarterly meeting that need to be closed because of tax implications/distribution requirements - Discussion/Action

7. 11:15 a.m. David Camilletti, Esq.
   - Petition to set a Public Hearing for Closing Unused Road, Streets & Travel Ways - Martin and Brenda Lookingbill - Discussion/Action

NEW BUSINESS:

8. Approval of Grant Contract and Resolution for Fisherman's Hall Building renovations in the amount of $3,000 - Discussion/Action

9. Approval of Grant Contract and Resolution for CHEERS School Family, Inc. in the amount of $2,000 - Discussion/Action

10. Approval of Grant Contract and Resolution for the Jefferson County Convention and Visitors Bureau for the Harpers Ferry Welcome Center in the amount of $5,000 - Discussion/Action

11. Approval of Grant Contract and Resolution for the Alliance for Youth in the amount of $50,000 - Discussion/Action

12. Legal Update - Pending Litigation - Possible Executive Session §6-9A-4 - Discussion/Action

FINANCIAL DIRECTOR REPORTS

- Approval of Budget Revision #8 - Discussion/Action
- Update on Budget Analysis - General County Fund ending August 31st, 2012 - Discussion

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

~~~~~~~~~~ EVENING SESSION ~~~~~~~~~~

13. 7:00 p.m. Public Hearing on the US 340 Corridor East Gateway Plan - Discussion.

14. **ADJOURN**

DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY WRITTEN REPORTS

- Jefferson County Emergency Services Agency

CORRESPONDENCE:

Notice of County Commission regular meeting schedule change to the first and third Thursday of every month effective December 1st, 2012.

Notice County Commission Offices will be closed Monday, October 8th, 2012 in observation of Columbus Day.

National Association of Counties Prescription Drug Discount Card Program results received for the

month of August 2012 and the Participation and Membership Benefits Report.

Fall addition of the Impact Newsletter received from Hospice of the Panhandle, Inc.

Letter received from the Public Service Commission of West Virginia concerning disbursement of Wireless E-911 Subscriber Fees in the amount of $193,937.39.

Weekly Settlement for Hollywood Casinos at Charles Town Races and Slot received for weeks ending September 22nd, 2012 received from the West Virginia Lottery.

Letter received from Jefferson County Historic Landmarks Commission regarding properties designated as historic landmarks.

Letter received from Earl L. Jackson, Jr. regarding WV Code and location of county offices.

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

Minutes
Jefferson County Commission
Thursday, September 27, 2012

A meeting of the Jefferson County Commission was held on Thursday, September 27, 2012 in the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Patricia Noland, Dale Manuel, Lyn Widmyer, Frances Morgan and Walt Pellish. Also present were Debbie Keyser, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the September 27, 2012 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Manuel led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the Minutes of the September 20, 2012 regular meeting as amended. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Manuel to approve Purchase Orders in the amount of $37,352.16 being P. O. Nos. 50146, 49891, 49869, 49785, 49817, 50143, 50144, and 50147. Motion seconded by Ms. Widmyer and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve the accounts payable for September 27, 2012 in the amount of $433,919.75. Motion seconded by Mr. Pellish and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
068243	PAYROLL	AMERICAN FAMILY LIFE ICU		$ -	$ 3,876.36	$ 3,876.36
068244	712	AT&T/GA		$ -	$ 260.16	$ 260.16
068245	425	ALLIANCE ELECTRIC LLC	50104	$ 900.00	$ -	$ 900.00
068246	700	BRUCES 24 WRECKER SERVIC	49644	$ 309.28	$ -	$ 309.28
068247	425	BATTERY MART	50144	$ 79.50	$ -	$ 79.50
068248	425	B-K OFFICE SUPPLY INC	50137	$ 585.41	$ -	$ 585.41
068248	439	B-K OFFICE SUPPLY INC	49958	$ 665.78	$ -	$ 665.78
068249	PAYROLL	BUREAU F/CHILD SUPPORT		$ -	$ 49.85	$ 49.85
068250	PAYROLL	BUREAU F/CHILD SPPRT ENF		$ -	$ 212.31	$ 212.31
068251	PAYROLL	BUREAU OF CHILD SUPPORT		$ -	$ 461.54	$ 461.54
068252	PAYROLL	VA DEPT OF TAXATION		$ -	$ 1,230.81	$ 1,230.81
068253	402	COMPLETE SYSTEM SUPPORT	49971	$ 12,238.00	$ -	$ 12,238.00
068254	425	CDW-GOVERNMENT INC	50138	$ 125.49	$ -	$ 125.49
068255	PAYROLL	CHILD SUPPORT ENFORCE AG		$ -	$ 27.69	$ 27.69
068256	439	CHRISTINE CHALMERS		$ -	$ 12.78	$ 12.78

068257	440	CHOICE STAFFING, INC.		$ -	$ 1,377.00	$ 1,377.00
068258	PAYROLL	COLONIAL LIFE		$ -	$ 1,070.52	$ 1,070.52
068259	405	DELL MARKETING LP	50033	$ 1,099.38	$ -	$ 1,099.38
068260	425	DAYCON	50108	$ 918.71	$ -	$ 918.71
068261	425	DEHAVEN BERKELEY SPRINGS		$ -	$ 58.70	$ 58.70
068262	PAYROLL	DIVERSIFIED COLLECTION		$ -	$ 154.83	$ 154.83
068263	433	D & S CONSTRUCTION	50858	$ 2,365.50	$ -	$ 2,365.50
068264	PAYROLL	HIGHMARK INC		$ -	$ 615.60	$ 615.60
068265	401	EXPRESSWAY OFFICE SOLUTN		$ -	$ 124.13	$ 124.13
068266	401	FEDEX		$ -	$ 24.90	$ 24.90
068266	700	FEDEX		$ -	$ 103.94	$ 103.94
068267	700	GALLS,AN ARAMARK CO	49654	$ 2,836.65	$ -	$ 2,836.65
068268	716	HILLSIDE VETERINARY HOSP	51162	$ 179.71	$ -	$ 179.71
068269	424	HASLER INC.	50073	$ 321.00	$ -	$ 321.00
068270	412	MICHAEL HARMAN		$ -	$ 305.34	$ 305.34
068271	425	HERITAGE ROOFING, INC.	50142	$ 94.10	$ -	$ 94.10
068272	700	INTERNATIONAL POLYGRAPH	49647	$ 600.00	$ -	$ 600.00
068273	PAYROLL	ING NATIONAL TRUST		$ -	$ 1,635.00	$ 1,635.00
068274	712	DR ROBERT JONES		$ -	$ 1,000.00	$ 1,000.00
068275	PAYROLL	JEFFERSON SECURITY BANK		$ -	$ 4,175.48	$ 4,175.48
068275	PAYROLL	JEFFERSON SECURITY BANK		$ -	$ 40.00	$ 40.00
068276	GRANT	JC BLACK HISTORY		$ -	$ 1,540.00	$ 1,540.00
068277	440	JOSEPH KENT		$ -	$ 147.50	$ 147.50
068278	700	LAW ENFORCEMENT EQUIP CO	49642	$ 130.00	$ -	$ 130.00
068279	405	MATTHEW BENDER & CO	50039	$ 66.89	$ -	$ 66.89
068279	700	MATTHEW BENDER & CO	49643	$ 318.01	$ -	$ 318.01
068280	406	MONROE SYS FOR BUSINESS	49853	$ 53.14	$ -	$ 53.14
068281	402	MR PRINT	49978	$ 111.96	$ -	$ 111.96
068282	700	MIDWEST RADAR & EQUIPMEN	49648	$ 900.00	$ -	$ 900.00
068283	PAYROLL	COMPTROLLER OF MARYLAND		$ -	$ 782.56	$ 782.56
068284	711	BARBARA J. MILLER		$ -	$ 133.76	$ 133.76
068284	711	BARBARA J. MILLER		$ -	$ 82.80	$ 82.80
068285	711	TERRI MEHLING		$ -	$ 82.80	$ 82.80
068286	PAYROLL	HELEN M. MORRIS, TRUSTEE		$ -	$ 150.00	$ 150.00
068287	401	NAT'L ASSN OF COUNTIES		$ -	$ 839.00	$ 839.00
068288	425	NEOPOST MIDATLANTIC		$ -	$ 484.74	$ 484.74
068289	PAYROLL	NATIONWIDE RETIREMENT		$ -	$ 774.00	$ 774.00
068290	404	PIFER OFFICE SUPPLY, INC	52082	$ 62.08	$ -	$ 62.08
068291	424	POTOMAC EDISON/OH		$ -	$ 3,176.63	$ 3,176.63
068291	425	POTOMAC EDISON/OH		$ -	$ 15,763.80	$ 15,763.80

068292	716	REVIVAL ANIMAL HEALTH	51160	$ 1,139.68	$ -	$ 1,139.68
068293	700	JOHN E. REID & ASSOC	49651	$ 1,680.00	$ -	$ 1,680.00
068294	424	RECYCLING EQUIPMENT CORP	50105	$ 7,850.00	$ -	$ 7,850.00
068295	700	SOFTWARE SYSTEMS, INC	49639	$ 239.00	$ -	$ 239.00
068295	716	SOFTWARE SYSTEMS, INC	49639	$ 111.68	$ -	$ 111.68
068296	404	SPECIALTY BUS SUPPLIES	52080	$ 809.19	$ -	$ 809.19
068297	PAYROLL	STATE DPT O/TAX & REVENU		$ -	$ 34.37	$ 34.37
068297	PAYROLL	STATE DPT O/TAX & REVENU		$ -	$ 103.40	$ 103.40
068297	PAYROLL	STATE DPT O/TAX & REVENU		$ -	$ 29,332.74	$ 29,332.74
068298	704	ST/WV REGIONAL JAIL &	50063	$ 102,040.80	$ -	$ 102,040.80
068299	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ 20.26	$ 20.26
068299	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ 72.63	$ 72.63
068299	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ (41.14)	$ (41.14)
068299	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ 85.26	$ 85.26
068299	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ 23.78	$ 23.78
068299	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ 9,724.84	$ 9,724.84
068299	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ (147.48)	$ (147.48)
068299	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ 34,875.09	$ 34,875.09
068300	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ 39,530.19	$ 39,530.19
068300	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ (350.35)	$ (350.35)
068300	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ 70.43	$ 70.43
068300	PAYROLL	SHERIFF OF JEFFERSON CO		$ -	$ 118.84	$ 118.84
068301	PAYROLL	WV DEPUTY SHRF RETIREMEN		$ -	$ 9,541.91	$ 9,541.91
068301	PAYROLL	WV DEPUTY SHRF RETIREMEN		$ -	$ 14,593.46	$ 14,593.46
068302	PAYROLL	DONITA SCOTT		$ -	$ 72.64	$ 72.64
068303	700	ROBERT S. SELL		$ -	$ 178.50	$ 178.50
068304	700	TPS TOWN POLICE SUPPLY	49645	$ 549.00	$ -	$ 549.00
068305	716	TEVA	49640	$ 351.00	$ -	$ 351.00
068306	700	3 PIGS TRAINING SOLUTION	49652	$ 100.00	$ -	$ 100.00
068307	403	VITAL SIGNS	49890	$ 450.00	$ -	$ 450.00
068308	716	VALLEY PET CEMETERY	51161	$ 810.00	$ -	$ 810.00
068309	405	WEST PAYMENT CENTER	49635	$ 2,005.86	$ -	$ 2,005.86
068310	PAYROLL	WV PUB EMP RETIRE SYS		$ -	$ 130.22	$ 130.22
068310	PAYROLL	WV PUB EMP RETIRE SYS		$ -	$ 101,576.02	$ 101,576.02
068311	700	WV SHERIFFS ASSOCIATION	49649	$ 1,600.00	$ -	$ 1,600.00
068312	405	WV STATE BAR	50038	$ 600.00	$ -	$ 600.00
068313	700	WEST VIRGINIA UNIFORM-52	49653	$ 305.96	$ -	$ 305.96
068314	PAYROLL	WV CPRB/LOAN DIVISION		$ -	$ 133.20	$ 133.20
068315	412	WPS,INC	50028	$ 199.65	$ -	$ 199.65
068316	700	WV SIGNAL & LIGHT, INC.	49650	$ 7,664.00	$ -	$ 7,664.00

TOTAL						$ 433,919.75
TOTAL				$ 153,466.41	$ 280,453.34	$ 433,919.75

PUBLIC COMMENT:

Jennifer Myers, Director, Jefferson County Parks and Recreation, introduced the new Community Center Manager, Tim Lykins.

David Tabb gave his comments regarding Jefferson County Emergency Management and Homeland Security.

Peter Corum expressed his concern regarding Planning and Zoning's request to hire a 2-year temporary full-time employee on the FY2014 Comprehensive Plan.

PRESENTATIONS:

1. **Angela Banks, Assessor, presented the following exoneration for approval:**

NOTICE OF EXONERATION:

Angela Banks, County Assessor, requested exoneration for RG Contracting & Construction in the amount of $165.40. Motion by Ms. Morgan to approve the exoneration of $165.40 for Ticket No. 316197. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket No.	Amount
RG Contracting & Construction	Shepherdstown	Personal Property	316197	$165.40

PRESENTATIONS :

- **Lt. Tom Hansen requested approval to hire a replacement Crossing Guard for Shepherdstown Elementary School.**

  Motion by Mr. Pellish to authorize Lt. Tom Hansen to hire Heather Sue Henry Maddex as a replacement Crossing Guard for Shepherdstown Elementary School. Motion seconded by Ms. Widmyer and unanimously approved.

- **Teresa Hendricks requested approval to hire a Tax Deputy.**

  Motion by Ms. Morgan to authorize Teresa Hendricks to hire Rebeka L. Turner as a Tax Deputy. Motion seconded by Mr. Pellish and unanimously approved.

UNFINISHED BUSINESS:

2. **Review and Revisions to the Agenda Policy (Debbie Keyser):**

Motion by Mr. Pellish to approve the Agenda Policy as amended, subject to approval of revisions. Motion seconded by Mr. Manuel and unanimously approved.

NEW BUSINESS:

3. **Discussion regarding changing the County Commission meeting days from every Thursday to every first and third Thursday. (PN)**

   Motion by Mr. Pellish to approve changing the Commission meeting days from every Thursday to every first and third Thursday, with the understanding that the second and fourth Thursdays may be used to discuss more comprehensive issues, if necessary, with the change being implemented on December 1, 2012. Motion seconded by Mr. Manuel and carried 3 to 2 with Ms. Morgan and Ms. Widmyer voting "no."

4. **Debbie Keyser requested approval to advertise for a replacement Administrative Assistant in the County Commission Office.**

   Motion by Mr. Pellish to approve and authorize Ms. Keyser to advertise for a replacement Administrative Assistant for the County Commission Office and to contract with an employment agency, if needed, to utilize temporary help approximately two days a week until a replacement is found. Motion seconded by Ms. Noland and unanimously approved.

PRESENTATIONS continued:

Item No. 7 on the Agenda, Mary Newlin of the Juvenile Drug Court's request for $1,500 for the nutritional program was removed from the Agenda.

5. **Jennifer Maghan, County Clerk, requested approval of the FY2012 Jefferson County Financial Statement for publication.**

   Motion by Ms. Morgan to approve the publication of the FY2012 Jefferson County Financial Statement by the County Clerk. Motion seconded by Mr. Manuel and unanimously approved.

6. **Jennifer Brockman, Director of Planning and Zoning, requested approval to hire a 2-year full-time temporary Comprehensive Plan Planner and approve a budget revision for FY2013 to support this position.**

   Motion by Ms. Morgan to authorize Ms. Brockman to hire a 2-year full-time temporary Comprehensive Plan Planner. Motion seconded by Ms. Widmyer and unanimously approved.

The Commission took a 10 minute break at 10:45 a.m.
The Commission reconvened its regular meeting at 10:50 a.m.

FINANCIAL DIRECTOR'S REPORT:

- **Request for approval of Budget Revision #7.**

  Motion by Mr. Manuel to approve Budget Revision #7, budget revision for the temporary Comprehensive Plan Planner as presented by Paul Shroyer. Motion seconded by Ms. Widmyer and unanimously approved.

PRESENTATIONS continued:

7. **Members of the Sheridan Unit Owners Association, Inc. stated their concerns about the status of the unfinished subdivision work in connection with the existing bond agreement between Sheridan LLC and the County Commission of Jefferson County dated September 22, 2003.**

   Sheridan Unit Owners, Eula Odom, President of the Homeowners Association, Roger Goodwin, Chief County Engineer and Stephanie Grove, Assistant Prosecuting Attorney discussed the problem.

   Motion by Ms. Widmyer that it is the consensus of the County Commission that the front streets in the Sheridan Subdivision should be paved before winter, and in order to achieve that the homeowners in Sheridan should sign a statement stating they concur with using bond money to update and repair their streets, and they release the County of liability. Motion seconded

by Ms. Morgan.

Mr. Pellish amended the motion to add that no work will be implemented until legal counsel has an opportunity to do further research, i.e. what liabilities the County Commission could incur, and receive Commission approval before work is completed. Amended motion unanimously approved.

8. **Ed Hannon and Doug Pittinger of the Jefferson County Emergency Services Agency updated the Commission on the status of the hiring process for three positions in the Emergency Services Agency. They will offer positions to two EMS candidates this week.**

COUNTY ADMINISTRATOR REPORTS:

County Administrator Debbie Keyser:

- Ms. Keyser reminded the Commissioners to review and edit the Policy Booklet distributed to them.
- Attended a Telephone Committee meeting.
- Attended a meeting conducted by Bill Polk, Maintenance Director, at the Maintenance Facility.

COUNTY COMMISSION REPORTS:

Commissioner Widmyer:

- Attended a WV DOH meeting regarding US Rt. 340 South alignment.
- Attended an Eastern Panhandle Trailblazers' meeting.

Commissioner Manuel:

- Attended a WV DOH meeting regarding US Rt. 340 South alignment.
- Participated at Shepherd University with the League of Women Voters to register college students to vote.
- Will participate in the "Meet and Greet the Commissioners" this evening at Skipper's.
- Reminded the Commission about the Mountain Heritage Festival this weekend.

Commissioner Pellish:

- Attended the Patriot's Path Golf outing with Bill Polk.

Commissioner Morgan:

- Participated in two Workforce in Government conference calls.
- Attended a choral concert in Shepherdstown.
- Attended a Healthier Jefferson County meeting.
- Attended a WV DOH meeting regarding US Rt. 340 South alignment.
- Attended the Good Shepherd Interfaith Volunteer Caregivers' picnic.
- Will attend a public workshop regarding US Rt. 340 gateway this evening.

Commissioner Noland:

- Attended the Charles Town Heritage Festival.
- Attended a WV DOH meeting regarding US Rt. 340 South alignment.
- Attended a Personnel Committee meeting.
- Will participate in the "Meet and Greet the Commissioners" this evening at Skipper's.
- Announced the upcoming annual 4-H Clubs' food fight – the 4-Hers collect food for those in need.

Motion by Mr. Pellish to convene an Executive Session regarding retiree health care by authority of WV Code §6-9A-4. Motion seconded by Mr. Manuel. The Commission took a 10 minute break and following the break

convened the Executive Session. Upon conclusion of the Executive Session, there being no further business, the regular meeting was adjourned until Thursday next, October 4, 2012 at 9:30 a.m.

PATRICIA A. NOLAND, PRESIDENT

PURCHASE ORDERS TO BE APPROVED

October 4, 2012

DEPARTMENT	PURCHASE ORDER	AMOUNT	VENDOR	DESCRIPTION
CENTRAL GARAGE	50152	$ 273.10	Donald B. Rice Tire Co.	Tires
CIRCUIT CLERK	49893	$ 202.50	GFI Software	Fax maker maint. Renewal
EMERGENCY COMMUNICATION	49803	$ 185.00	BK Office Supply	Erogonomic Chair w/ arms
OTHER BUILDINGS	50149	$ 1,800.00	Alliance Electric	Mason Bldg - lowered emergecy lights, wires, install lights EMS &911 - Install heater & panels
	50151	$ 309.28	Recycling Equipment Corp	Bale Ties
	50154	$ 64,795.00	Minghinis	Replace roof
	50155	$ 2,203.00	BK Offie Supplies	(3) 5 drawer file cabinets
PLANNING & ZONING	49959	$ 271.70	BK Office Suppling, Inc	Appt. Books, Calendars
PROSECUTING ATTORNEY	50040	$ 1,072.07	Dell Marketing, LP	Desktop Computer
VARIOUS	50157	$ 3,423.60	RCS Security	Install DVR's & Cameras
GRAND TOTAL		**$ 74,535.25**	Printed at 11:15 a.m. on 10/1/12	

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

AGENDA REQUEST FORM

Name: **Angie Banks**

Department or Entity: **Assessor**

Estimation of amount of time needed for appointment: **5 minutes**

Date Requested – 1st Choice: **10/4/12**

Date Requested – 2nd Choice:

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

Subject: **Exonerations**

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:

2

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

RECEIVED
SEP 20 2012
Jefferson County Commission

AGENDA REQUEST FORM

Name: **Peter Corum**

Department or Entity: Morgan's Grove Market

Estimation of amount of time needed for appointment: Ten Minutes

Date Requested – 1st Choice: October 4, 2012

Date Requested – 2nd Choice:

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

Subject: Appeal of Planning and zoning staff decisions

Please provide the County Commission with a description of your request or presentation, including any background information: We will be requesting that the County Commission create "A board of subdivision and land development appeals **". Jefferson County ordinance has the provision for dealing with Zoning administrative decision appeals through the BZA prior to requiring an applicant filing with Circuit Court on administrative decisions. This same process should be available to deal with Planning and Land use administrative decisions. That can be accomplished by amending section:** Division 24.400 Appeals of the County Land Use ordinance. The section should have full text replaced with WV Code section:

§8A-5-10. Appeal process.
(a) An appeal may be made by an aggrieved person from any decision or ruling of the planning commission to:

(1) The circuit court, pursuant to the provisions of article nine of this chapter; or

(2) A board of subdivision and land development appeals, if the governing body has established a board of subdivision and land development appeals by ordinance.

(b) Within thirty days after the date of the denial, the petition, specifying the grounds of the appeal in writing, must be filed with:

(1) The circuit court of the county in which the affected land or the major portion of the affected land is located; or

(2) The board of subdivision and land development appeals that has jurisdiction over the affected land.

(§8A-5-10. Appeal process.)

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): 1. Motion to create by ordinance a "board of subdivision and land development appeals". 2. Ammend Jefferson County Subdivision and Land Use Ordinance to include replacement of language in section Division 24.400 Appeals of the County Land Use ordinance **with:**

(a) An appeal may be made by an aggrieved person from any decision or ruling of the planning commission to:

(1) The circuit court, pursuant to the provisions of article nine of this chapter; or

(2) A board of subdivision and land development appeals, if the governing body has established a board of subdivision and land development appeals by ordinance.

(b) Within thirty days after the date of the denial, the petition, specifying the grounds of the appeal in writing, must be filed with:

(1) The circuit court of the county in which the affected land or the major portion of the affected land is located; or

(2) The board of subdivision and land development appeals that has jurisdiction over the affected land.

Attachments:

304-283-2467 (c)

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

3

AGENDA REQUEST FORM

Name: **Bill Polk**

Department or Entity: **Maintenance Department**

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

Date Requested – 1st Choice: **October 4, 2012**

Date Requested – 2nd Choice:

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

Subject: **Approval of 10th Cycle Courthouse Improvement Grant Application with the Courthouse Facilities Improvement Authority**

Please provide the County Commission with a description of your request or presentation, including any background information: **This grant will provide funding for renovations to the Jefferson County Courthouse. This is an 80/20 grant with the maximum CFIA contribution of $100,000.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Move to approve the 10th Cycle courthouse improvement grant application through the Courthouse Facilities Improvement Authority.**

Attachments:

West Virginia Courthouse Facilities Improvement Authority

2012 – 10th Grant Cycle

WVCFIA

Application for Funding Assistance

Application Postmark Deadline: October 5, 2012

Contact Information:
Melissa Garretson Smith, Executive Director
2003 Quarrier Street, Charleston, WV 25311
Telephone (304) 558-5435
Facsimile (304) 558-9174
Email: melissa.smith@wvcfia.com
www.cfia.wv.gov

Tab I. County Contact Information and Category Selection

1. County Applicant: Please list county name, complete mailing address, and general telephone number for county applicant.

   Jefferson County Commission
   P.O. Box 250
   Charles Town, WV 25414
   304-728-3284

2. Project Director: Name, mailing address, email address and telephone number of individual responsible for the daily implementation of the project. This person **cannot** also be listed as the Authorized Official or the Fiscal Director.

   William Polk
   Maintenance Director
   128 Industrial Blvd.
   Kearneysville, WV 25430

   bpolk@jeffersoncountywv.org
   304-728-3355

3. Fiscal Director: Name, mailing address, email address and telephone number of the individual responsible for the financial records of the project. This person **cannot** also be listed as the Project Director or the Authorized Official.

   Jennifer Maghan
   Jefferson County Clerk
   P.O. Box 208
   Charles Town, WV 25414

   jmaghan@jeffersoncountywv.org
   304-728-3215

4. Authorized Official: Name, mailing address, email address and telephone number of County Commission President. This is the individual who would be authorized to enter into a contractual agreement.

   Patricia Noland
   President
   P.O. Box 250
   Charles Town, WV 25414

   pnoland@jeffersoncountywv.org
   304-728-3284

5. Federal Employer's Identification Number (F. E. I. N. #):

   55-6000333

6. Are you applying for grant funds that will be applied to the main courthouse building?
   [X] Yes
   [ ] No, please

7. Provide a brief description of your construction project in the space below:

   Jefferson County proposes to use CFIA grant funds for exterior improvements to the Jefferson County Courthouse. The exterior improvements include scraping and painting the exterior of the Courthouse and to also repair failing woodwork and brick.

8. Applicants May Only Apply for Funding under one Category. Please place an X in the box next to the category for which you are requesting funding assistance.

Project Categories:

[ ] Life Safety
[ ] Structural Improvements
[ ] Roofing
[ ] Electrical / Data
[X] Exterior Improvements
[ ] Interior Improvements
[ ] Mechanical (HVAC/Plumbing)
[ ] Doors and Windows
[ ] Accessibility
[ ] New Construction / Space

Tab II and Tab III should be consistent with the category that you have indicated above.

Category 5: Exterior Improvements

Types of Projects:

Veneer (Brick, Stone, Masonry, Wood Trim, etc.) Repair and/or Replacement, Painting, Staining, Cleaning, Masonry Re-pointing, Repair and/or Replacement of Sidewalks, Stairs, Railing, Retaining Walls, Canopies, Signage, Plazas, Memorials, Clocks, Bell Towers, Weather Barriers, Subsurface Drainage System, or other Exterior Improvements.

Tab II: Define the Project

- Is the project occurring at the main courthouse facility? If not, please describe the facility.

  Yes

- Is the current exterior system/component or site element original to the facility?

  We believe that it is but, a paint study is currently in the process to determine the original paint, color, dates and number of coats.

- Describe the exterior system/component or site element that requires improvement. Describe in detail the cause(s) of the problem, if known. Provide photos of existing conditions.

  The paint currently on the Courthouse is failing. This paint failure is causing excessive water penetration. (CD attached with photos)

- Please describe the scope of the current exterior problem. Please document the project with photographs and attach them to the application.

  A CD is attached with photos showing the failing paint, brick and woodwork on the exterior of the Courthouse.

- Has the exterior system/component been tested for hazardous materials (i.e. lead paint, asbestos)?

  The Courthouse has tested positive for lead paint. A full paint study is currently being performed and will determine if there are any other hazardous materials present in the current paint.

- Does the current condition of the exterior system/component or site element create a security problem? If yes, please document the security issues.

  There are no security problems with the current condition of the Courthouse exterior paint at this time.

- Does the current condition of the exterior system/component or site element create a safety hazard? If yes, please document the hazard.

  The failing woodwork has a potential of becoming loose and falling. Falling woodwork could potentially strike a member of the public. There are also flaking paint chips which could pose a safety issue. The paint on the exterior of the Courthouse has tested positive for lead. A child could possibly pick up a paint chip and put it in their mouth.

- Are there maintenance issues with the current exterior system/component or site element? If yes, please describe the issues.

  Yes. There are failing bricks and woodwork that need to be replaced.

- Will additional maintenance be required for the proposed improvements? If yes, please describe the extent.

  Monthly inspections will be performed on the exterior of the Courthouse.

- Building Improvement only:
  - Is the current exterior system/component causing damage to other building systems (interior finishes, building structure, etc.)? If yes, please describe and document the damage.

    No

  - Is the current exterior system well-insulated?

    No

  - Does the current exterior system prevent water infiltration? If no, please describe and document the damage.

    No. Due to the cracks and flaking of the paint on the exterior of the Courthouse, moisture is permeating the bricks causing damage.

Tab III: Describe the Proposed Improvements

- Please describe the proposed improvements.

  Jefferson County proposes to scrape and paint the exterior of the Courthouse. The failing brick and woodwork on the exterior of the Courthouse will also be repaired.

- Please provide information about the exterior system/component or site element that will be used in the project. If possible please provide product data and/or architectural and engineering drawings of the proposed improvements.

  Jefferson County is in the process of having a paint analysis performed on the current paint on the Jefferson County Courthouse. Upon completion of the study, we will receive a report of the paint analysis. We should be able to determine the best approach for the process in which we will scrape and paint the Courthouse. (A copy of the proposed paint analysis is attached)

Susan L. Buck, Ph. D.
Conservator and Paint Analyst
303 Griffin Avenue
Williamsburg, VA 23185
paintchips@juno.com

August 31, 2012

Mr. Bill Polk
Director of Maintenance
Jefferson County Commission
128 Industrial Boulevard
Kearneysville, WV 25430

Dear Bill,

Thank you for contacting me about undertaking paint analysis to better understand the accumulations of coatings remaining on the brickwork on different elevations of the Jefferson County Courthouse in Charlestown, West Virginia. I examined the photographs that you sent me and I can understand your concern about the flaking and delaminating paints in areas that have had moisture problems. In other areas the deep red exterior paints appear to be quite well adhered. It is likely that there were a variety of paint types applied to the brick over time, including traditional limewashes, oil-based paints and more recent alkyd resin and/"latex" paints. It is possible that some of the degraded early paints, or incompatible later paints, are contributing to the flaking problems in some areas.

Comparative cross-section analysis will help identify the paints on different areas of the exterior brickwork, and will provide the information necessary to make decisions about appropriate methods to partially or completely remove the existing paints in certain areas before repainting. I understand your concern about the sometimes aggressive approaches used for lead paint abatement, and cross-section microscopy paint analysis is the first step in making informed decisions about which areas require complete paint removal and which areas might be left mostly intact before repainting. As we discussed, all the paints would have to be removed from the brick and mortar if traditional limewash is to be applied to the brickwork, and this could cause potential damage to the softer early bricks.

The first stage in an architectural paint analysis project is investigation of the painted surfaces at the site, using a scalpel to create small (1/4-inch across) openings so the coating sequences can be examined at 30X with a portable monocular microscope. Samples of paint with brick and mortar substrates will be removed from the most

promising areas with a scalpel and placed in baggies for transport. All sample locations will be photographed and recorded.

I can work with samples that are as small as approximately 1/8-inch in size with a few attached brick or mortar flakes, to ensure the full paint chronology is obtained for each area. I will cast the samples in polyester resin and examine them in cross-section at 40X, 100X, 200X and 400X magnifications in reflected visible and ultraviolet light using a Nikon Eclipse 80i digital microscope.

All the cross-section samples will be photographed and the images saved in digital format. Biological fluorochrome stains will be used to characterize the organic binding media components (oils, proteins, carbohydrates) of the individual paint \ layers found in the cross-section samples.

Additionally, the original paint will be color-matched with a Minolta Chromameter CR-241 colorimeter/microscope and the colors recorded in the Munsell and CIE Lab color systems. A swatch of the closest commercial paint match will be provided for replication of the earliest paint. At the conclusion of the project you will receive a report describing the procedures and the results of the analysis, with labeled photomicrographs. I will also provide you with an electronic copy of the report in PDF format.

Please do not hesitate to give me a call if you have any questions or need more information.

Sincerely,

Susan L. Buck, Ph.D.

Tab IV. Project Budget Information

Please attach an overall budget for the proposed improvements. Include testing, design fees, demolition costs, construction costs, and a project contingency in the budget.

1. Provide an estimated total cost of the proposed modification:

   $150,000

2. The amount of funding assistance requested and the specific uses of the funding:

   $100,000
   The funds will be used to scrape and paint the exterior of the Courthouse. The brickwork and woodwork on the exterior of the Courthouse will also be repaired.

Tab V. Historical Significance

Please provide proof that SHPO has been contacted regarding your potential project. Provide a letter from SHPO, name of a contact person at SHPO or a general statement that explains your communication with SHPO. Please attach a description of how the proposed project will impact the historic characteristics of the courthouse facility and how the project will either maintain or enhance the historic characteristics.

The proposed project will impact the historic characteristics of the Jefferson County Courthouse in a positive manner. By repairing the brickwork, woodwork and repainting, we will be enhancing the historic characteristics of the Courthouse. The painting, brickwork and woodwork will be done in a manner that will not only be aesthetically pleasing when completed, but will also maintain and enhance the Courthouse's historic qualities.

Laura Kuhn

From: Pierce, Susan M <Susan.M.Pierce@wv.gov>
Sent: Monday, September 24, 2012 3:12 PM
To: 'Laura Kuhn'
Cc: 'melissa.smith@wvcfia.com'
Subject: RE: CFIA Grant Application Letter

Dear Ms. Kuhn,

Please accept this email as acknowledgement of receipt of your letter of your intent to apply for the 10th Cycle of Courthouse Facilities Improvement Authority Grants. Should you be awarded, you will need to submit additional information for review. Please see the following. http://www.wvculture.org/shpo/sect106projchecklist.pdf If you have any questions, please don't hesitate to contact my office.

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer
West Virginia Division of Culture and History
1900 Kanawha Boulevard East
Charleston, WV 25305

(304) 558-0240 ext. 158

From: Laura Kuhn [mailto:lkuhn@jeffersoncountywv.org]
Sent: Monday, September 24, 2012 2:35 PM
To: Pierce, Susan M
Subject: CFIA Grant Application Letter

Ms. Pierce:

Attached is a letter informing SHPO of the Jefferson County Commission's intent to apply for the 10th Cycle CFIA grant for improvements to the Jefferson County Courthouse. The CFIA requires that SHPO be contacted as part of the grant application process.

Thank you,
Laura Kuhn

~~~~~~~~~~~~~~~~~~~~

Laura Kuhn
Administrative Assistant
Jefferson County Commission
Maintenance Department
304-728-3355
Lkuhn@jeffersoncountywv.org
~~~~~~~~~~~~~~~~~~~~

The County Commission of Jefferson County
Department of Maintenance
128 Industrial Blvd.
Kearneysville, WV 25430
304-728-3355 • 304-728-2519 • 304-728-3376 (f)
William Polk, Director
bpolk@jeffersoncountywv.org

September 24, 2012

Susan M. Pierce
Deputy State Historic Preservation Officer
WV State Historic Preservation Office
Division of Culture & History
1900 Kanawha Blvd., East
The Culture Center
Charleston, WV 25305

RE: 10th Cycle CFIA Grant – Jefferson County Courthouse

Dear Ms. Pierce:

The County Commission of Jefferson County is in the process of applying for the 10th cycle of courthouse improvement grants through the West Virginia Courthouse Facilities Improvement Authority. One of the requirements when applying for this grant is to contact the State Historic Preservation Office regarding our potential project.

If approved, Jefferson County proposes to use the grant funds to scrape and paint the exterior of the Courthouse and to also repair failing woodwork and brick.

Thank you for your consideration.

Sincerely,

William Polk
Director of Maintenance

JEFFERSON COUNTY COMMISSION

124 East Washington Street, P.O. Box 250, Charles Town, WV 25414
Phone: (304) 728-3284 - Fax: (304) 725-7916
Web: www.jeffersoncountywv.org

PRESIDENT
Patsy Noland

VICE PRESIDENT
Dale Manuel

COMMISSIONER
Frances Morgan

COMMISSIONER
Walt Pellish

COMMISSIONER
Lyn Widmyer

RESOLUTION

The County Commission of Jefferson County met on Thursday, October 4, 2012, with a quorum present and passed the following resolution.

Be it resolved, that the County Commission of Jefferson County hereby authorizes Patricia Noland, Commission President of the County Commission of Jefferson County, to act on its behalf to enter into a contractual agreement with the West Virginia Courthouse Facilities Improvement Authority to receive and administer funds pursuant to provisions of the West Virginia Courthouse Facilities Improvement Fund program.

Signed: _____

Jennifer Maghan
County Clerk

Signature Page

Provide the name and signature of the Authorized Official (County Commission President) and the names, signatures, official positions (of elected officials) whose areas of responsibility are affected by the requested improvements. For clarification purposes, the signatures could be those of the Circuit Judge, Sheriff, Circuit Clerk, Assessor, County Clerk, Magistrate, Family Court Judge, Prosecuting Attorney, or any combination depending on the improvements anticipated.

_____

Patricia Noland, County Commission President

_____

Jennifer Maghan, County Clerk

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

5

AGENDA REQUEST FORM

Name: **Nichelle Hosby**

Department or Entity: **Commission**

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: **8/23/12**

Date Requested – 2nd Choice: _____

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

Subject: Interviews and Appointments to the following Board and Commission
- Board of Health - one unexpired term ending June 30, 2017
- ~~Planning Commission - one unexpired term ending March 31, 2014~~

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):

RECEIVED
SEP 06 2012
Jefferson County Commission

Attachments:

West Virginia Legislature
2ND SESSION OF THE 80TH LEGISLATURE

WEST VIRGINIA CODE

§16-2-7. Appointment to and composition of county boards of health; qualifications; number of appointees.
A county board of health is composed of five members selected and appointed by vote of the county commission. Each member appointed to the county board of health shall be a resident of the county. No more than two members who reside in the same magisterial district may be appointed and no more than two members may be appointed who are personally licensed or certified in, engaged in, or actively participating in the same business, profession or occupation. No more than three members of a county board of health may belong to the same political party.

Note: WV Code updated with legislation passed through the 2011 4th Special Session

Interviews for Appointment

Name	Board	Attending
Joseph Osterman	Board of Health	Yes
Robert Johnson	Board of Health	Yes
Robert Shefner	Board of Health	Yes

Board of Health Summary

There is currently one vacant position needing to be filled on the Board of Health. This is for an unexpired term ending June 30, 2017.

This board has a state code requirement that does not allow more than two persons per district to serve. There can also be no more than three persons from the same party affiliation.

Currently the demographics are as such:

Name	Party	District
Thomas Trumble	Democrat	Shepherdstown
Mark Shields	Republican	Shepherdstown
Rosamond A. Rutledge-Burns	No-Party	Harpers Ferry
Willis Nowell, Jr.	Democrat	Kabletown
VACANT		
Commissioner Pellish	N/A	N/A

Current interested applicants are as such:

Robert Johnson	Democrat	Harpers Ferry
Joseph Osterman	Independent	Kabletown
Robert Shefner	Democrat	Charles Town

BOARD OF HEALTH

Thomas Trumble
2576 Warm Springs Road
Shenandoah Junction, WV 25442
304-876-2161
ttrumble@frontiernet.net
Democrat - Shepherdstown District
5 years 06/30/2016

Vacant (unexpired)
5 years 06/30/2017

Willis E. Nowell, Jr.
389 Shenandoah River Drive
Harpers Ferry, WV 25425-604
h: 304-725-2440
willis-nowell@shannondale.org
Democrat - Kabletown
5 years 06/30/2013

Rosamond A. Rutledge-Burns
307 Wildlife Way
Harpers Ferry, WV 25425
h: 304-728-1160 w: 301-975-5819
No-Party - Harpers Ferry
5 years 06/30/2014

Mark A. Shields
82 Foster Circle
Shenandoah Junction, WV 25442
w: 301-827-6173
Republican - Shepherdstown
5 years 06/30/2015

Walt Pellish - Commission Liaison

§16-2-7

Kabletown District
Per Wendy E. on 8/14/12 @ 12:20 pm

August 10, 2012

RECEIVED

AUG 14 2012

Jefferson County Commission

County Commission of Jefferson County, West Virginia
P.O. Box 250
Charles Town, WV 25414

Dear Sir:

I am writing to express my interest in serving on the Jefferson County Board of Health. It is my understanding that a current vacancy exists that will be filled on 23 August 2012.

My professional career for the past 40 years has been dedicated to various aspects of medicine and medical research and development. I have served in the following positions:

Assistant Professor of Microbiology, University of Maryland School of Medicine, Baltimore, Maryland

Taught medical students and graduate students principles of infectious diseases, and agent - host immunological interactions, as well as molecular and cellular aspects of pathogenesis of disease. My research program investigated the molecular nature of viral and rickettsial interactions with host cells.

Chief, Department of Rickettsial Diseases, Walter Reed Army Institute of Research, Washington, DC

Managed a large research group addressing biochemical analysis of rickettsial organisms, and identification of macromolecules to serve as vaccine candidates. Investigated the role of humoral and cellular immunity in protection against Rocky Mountain Spotted Fever and Scrub Typhus.

Scientific Advisor and Director of Programs, Naval Medical Research and Development Command, Bethesda, Maryland

Management and programmatic planning for a broad, multi-disciplinary effort encompassing submarine and diving medicine, aviation medicine, human performance, fleet health care systems, infectious diseases, fleet occupational health, oral and dental health, and electromagnetic radiation.

Chief Scientist and Special Assistant for Biotechnology, Army Medical Research and Development Command, Frederick, Maryland

Provided analytical judgment and programmatic and fiscal recommendations for a broad spectrum of biomedical activities to include: infectious diseases; combat casualty

care; medical chemical defense; medical biological defense; and environmental and weapon systems hazards.

Director of Environmental and Life Sciences, Office of the Secretary of Defense, Pentagon, Washington, DC

Provided oversight and policy guidance for pertinent programs in Army, Navy, Air Force and Defense Agencies. Coordinated programs were developed in six key areas, to include: basic and clinical medical sciences with a focus on infectious diseases and traumatic injury; training and personnel systems; environmental quality with a focus on the effect of military operations on ecosystems; and biotechnology with a focus on the utilization of new bioengineered materials in military uniforms.

Senior Vice President, Henry M. Jackson Foundation for the Advancement of Military Medicine, Washington, DC

Primary responsibility for administration and management of major clinical programs in breast diseases ($13M/year), prostate diseases ($5M/year), coronary diseases ($5M/year), and gynecological diseases ($6M/year). Additional clinical programs included nursing telehealth ($3M/year), children's hospice ($1M/year), regional anesthesiology ($4M/year), and traumatic brain injury ($3M/year). Programs were accomplished concurrently in major military medical centers and rural primary healthcare centers. Another aspect of my responsibilities was to interact with Members of Congress and their staffs to influence legislation important to programs supported by the Foundation.

My educational experience is shown below:

Bachelor of Arts (B.A.) – University of Maryland, College Park, MD (History/Science)
Doctor of Philosophy (Ph.D.) – University of Maryland School of Medicine, Baltimore, MD (Microbiology/Organic Chemistry)
---------- Industrial College of the Armed Forces, Washington DC (Resource Management)

Significant Awards are shown below:

Letter of Commendation from Commanding General, Provisional Marine Brigade, for duties as U.S.M.C. Long-Range Patrol Leader in Beirut, Lebanon
Outstanding Graduate, Industrial College of the Armed Forces
Meritorious Civilian Service Award, Department of Navy
Presidential Award as Meritorious Senior Executive, Office of the Secretary of Defense
Secretary of Defense Medal for Meritorious Civilian Service, Office of the Secretary of Defense
Joint Meritorious Award, Chairman, Joint Chiefs of Staff, Pentagon
Publication of over 50 scientific articles in medical and scientific peer-reviewed journals

I would also like to mention that I previously served successfully as the Vice Chairman of the Jefferson County Board of Health from August 2008 to June 2011.

Please let me know if additional information is required to complete my application for the vacancy on the Jefferson County Board of Health.

Joseph V. Osterman, Ph.D.

United States Senior Executive Service (Retired)
98 Locust Knoll Drive
Charles Town, West Virginia 25414
304-725-1874
josterman@citlink.net

Harpers Ferry

ROBERT M. JOHNSON, DDS, MPH
P.O. BOX 689
HARPERS FERRY, WV 25425
304-671-7363
docbob639@yahoo.com

August 13, 2012

RECEIVED

AUG 14 2012

Jefferson County Commission

Michelle Adams Hosby
Executive Assistant
Jefferson County Commission
124 E. Washington Street
P.O. Box 250
Charles Town, WV 25414

Dear Ms. Hosby:

Since the most recent selectee for the Jefferson County Board of Health was not eligible to be seated on the Board, I am requesting consideration again to return to the Board.

In the current era of potential terrorist activity, it is advisable that Boards of Health appointees must be well trained in public health and medical readiness. I have extensive public health education, years of experience in the field, up-to-date medical readiness training, and above all a committed passion to ensure that the citizens of Jefferson County have access to the best possible public health care and information this county can provide.

I thank the Commission for the opportunity to be reconsidered.

Sincerely,

Robert M. Johnson, DDS, MPH

Nichelle Hosby

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Friday, September 14, 2012 12:26 PM
To: 'Nichelle Hosby'
Subject: FW: Health Board Membership

Charles Town District

From: Robert Shefner [mailto:bobjccm@gmail.com]
Sent: Thursday, September 13, 2012 5:53 PM
To: Sandy McDonald
Subject: Health Board Membership

September 13, 2012

Jefferson County Commission

Dear Commissioners,

I am requesting that I be considered for membership on the Board of Health. It has been clear to me in the 18 months since coming to Community Ministries, that we are very much involved in the health and "well-being" of our Jefferson County neighbors. It, thus, seems appropriate to connect with the Board of Health and the Health Department in a real and meaningful way and to work more closely towards common ends.

Thank you for your consideration of this request, and I am available to provide any additional information that you might need.

Sincerely,

Robert L. Shefner
Executive Director
Jefferson County Community Ministries
238 W. Washington Street
Charles Town, WV 25414
304-725-3186
Fax - 304-724-6380

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

6e

AGENDA REQUEST FORM

Name: **Lynn Fields**

Department or Entity: **Probate Office**

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

Date Requested – 1st Choice: **October 4th, 2012**

Date Requested – 2nd Choice:

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

Subject: **Approval of estates since last quarterly meeting that need to be closed because of tax implications/distribution requirements**

Please provide the County Commission with a description of your request or presentation, including any background information: **We have requests from an attorney, a fiduciary commissioner and the Bank of Charles Town for a special session of the commission to close estates that did not meet the deadline for the last quarterly meeting, but that need to be closed before the next scheduled quarterly meeting.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To approve/close estates put before the commission.**

Attachments: **Copies of the accountings/waivers to be approved/closed.**

Rec'd 8/17/12

BCT
One Financial Center
Trust • Investment Management Since 1871

www.mybct.com

August 16, 2012

S. Andrew Arnold, Esquire
Fiduciary Commissioner
208 North Georg Street
Charles Town, WV 25414

Re: Estate of Mildred Olga Valentine

Dear Mr. Arnold:

I have enclosed the First and Final Accounting for the Estate of Mildred O. Valentine, as well as our check #181694 in the amount of $215 representing your final fees as Fiduciary Commissioner.

We respectfully request a special hearing by the County Commission as Mrs. Valentine died on January 17, 2010 and the Bank of Charles Town was not appointed Administrator until July 21, 2011. One of the beneficiaries is an elderly lady and we would like to make distribution to her as soon as possible.

Please do not hesitate to call me at 304-728-2435 if you have any questions concerning the information provided.

Sincerely,

Deborah A. Watts

Deborah A. Watts
Trust Officer

Enclosure

A
B
ARNOLD & BAILEY
ATTORNEYS AT LAW

S. Andrew Arnold, Esq. PARTNER
Gregory A. Bailey, Esq. PARTNER
Christopher P. Stroech, Esq. ATTORNEY

208 N. George Street
Charles Town, WV 25414
T 304 725 2002 F 304 725 0282

8530 Shepherdstown Pike
The Hoxton Financial Building
Shepherdstown, WV 25443

September 11, 2012

Jefferson County Probate Office
Attn: Karen Olden or Lynn Fields
P.O. Box 208
Charles Town, WV 25414

Re: Estate of Mildred Olga Valentine

Dear Karen or Lynn:

Please find enclosed the Fiduciary Commissioner's Report for your review, the original First and Final Accounting, a copy of the ads ran in the Spirit of Jefferson Advocate along with the letter from BCT requesting a hearing in this matter.

Thank you for your time and attention in this matter.

Sincerely,

Kristine Zirkle, for
S. Andrew Arnold, Esq.,
Fiduciary Commissioner

Enclosure.

PRINTED ON 100% POST CONSUMER FIBER PAPER

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: **Mildred Olga Valentine,** Deceased

Your undersigned Fiduciary Commissioner respectfully reports unto said Commission that Bank of Charles Town, Administrator for the Estate of Mildred Olga Valentine, Deceased, has laid before him a statement showing all funds received by said Administrator, a First and Final Accounting, and has produced proper vouchers covering all disbursements made by said Administrator during this period of accounting, and your Commissioner having examined the accounts of said Administrator and found them to be correct, and your Commissioner returns hereinafter a settlement of the account of said fiduciary.

Your Commissioner further reports and does certify that he has included the name of said Administrator in the list of fiduciaries whose accounts are before him for settlement which list was published for two successive weeks, August 29, 2012 and September 5, 2012 in the Spirit of Jefferson-Farmer Advocate prior to the next regular term of this Commission.

I hereby certify that this report has remained in my office for ten (10) days since its completion for inspection and exceptions thereto and that no exceptions having been field thereto, it is hereby filed for the record.

Dated: 9/10/12

S. Andrew Arnold, Esquire
Fiduciary Commissioner

Certificate of Publication

JEFFERSON PUBLISHING COMPANY, INC., Publisher
SPIRIT OF JEFFERSON ADVOCATE

Charles Town, W. Va. August 29 20 12

I hereby certify that the annexed Fiduciary Notice

in the case of Est. of Mildred Olga Valentine

has been published once a week for two successive weeks, in the Spirit of Jefferson Advocate, a newspaper published in Charles Town, Jefferson County, West Virginia, in the issues of

August 29 & September 5, 20 12,

as required by law.

Editor/Manager, Spirit of Jefferson Advocate

State of West Virginia
County of Jefferson
Personally appeared before me, Craig See, Editor/Manager of the Spirit of Jefferson Advocate, and made oath that the above certificate is true and correct.

Cara D. Young
Notary Public

Commission expires

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
CARA D. YOUNG
JEFFERSON PUBLISHING CO., INC.
P.O. BOX 966
CHARLES TOWN, WV 25414
My Commission Expires January 27, 2019

FROM (TUE) SEP 11 2012 8:37/ST. 8:37/No. 8303476376 P 2

P.O. Drawer 40 • Charles Town, WV 25414
Phone 304/728-2435 • Fax 304/728-2487

BCT
Bank of Charles Town

Trust & Financial Services

July 01, 2011 To August 15, 2012

Account Name : Estate of Mildred O. Valentine

Account No : 10-02515

Court Accounting

	Principal	Income
Beginning Balance	**$ 0.00**	**$ 0.00**
RECEIPTS-SCHEDULE A	137,060.01	6,721.12
DISBURSEMENTS-SCHEDULE B	-169,828.02	-9,321.39
DIVIDENDS-SCHEDULE C	0.00	0.00
INTEREST-SCHEDULE D	0.00	20,509.77
FEES-SCHEDULE E	0.00	0.00
PURCHASES-SCHEDULE F	-522,863.39	0.00
SALES-SCHEDULE G	537,722.09	0.00
RECEIVED FREE-SCHEDULE H	0.00	0.00
DELIVERED FREE-SCHEDULE I	0.00	0.00
INFORMATION ENTRIES-SCHEDULE J	0.00	0.00
Closing Balance	**-$ 17,909.31**	**$ 17,909.50**

THE ESTATE OF JULIA K. WANNAN, DEC'D

ADMINISTRATOR'S REPORT [1]

August 23, 2012

ASSETS

Lots 13 and 14, Section 8-L, Shannondale Subdivision, Kabletown District, Jefferson County, West Virginia.	$ 12,000.00

DISTRIBUTIONS

Lots 13 and 14, Section 8-L, Shannondale Subdivision to Judy J. Rein, Charles W. Wannan, III, and Jane W. Edwards, as tenants in common, as per Last Will and Testament	$ 12,000.00

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to-wit:

I, Henry W. Morrow, Jr., administrator, c.t.a., of the estate of Julia K. Wannan, deceased, do hereby certify that all claims against the estate for expenses of administration, taxes and debts of the decedent known and presented to me have been paid in full and that the foregoing report represents a true and accurate accounting of the assets and distributions occurring during the course of administration of said estate.

Given under my hand this 23rd day of August, 2012.

HENRY W. MORROW, JR., Administrator

The foregoing was taken, subscribed and sworn to before me by the said HENRY W. MORROW, JR., this 23rd day of August, 2012

AFFIX NOTARIAL SEAL

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KATRINA ANN BLOOMER
178 MORNINGSIDE DRIVE
KEARNEYSVILLE, WV 25430
My commission expires October 23, 2016

Katrina Ann Bloomer
NOTARY PUBLIC
My Commission Expires: October 23, 2016

[1] Administration of this estate was limited to ancillary administration relating to the West Virginia real estate. The decedent died a resident of Montgomery County, Maryland, where the primary administration occurred.

JUNE K. JOVANELLY
Fiduciary Commissioner
923 South Samuel St.
Charles Town, WV 25414

TO THE HONORABLE THE COUNTY COURT OF JEFFERSON COUNTY, IN THE STATE OF WEST VIRGINIA:

The undersigned Fiduciary Commissioner respectfully reports that heretofore the estate of Patricia A Kidwiler was by order referred to him for the determination of assets, proof of debts and claims, and for all other purposes in like case provided by law; that your Commissioner fixed upon the 30th of June 2012 as the time, and at his office in Charles Town, West Virginia, as the place, for the execution of the requirements of said order of reference, and published notice thereof in the manner and for the time required by law, in the Spirit of Jefferson a newspaper of general circulation published in Jefferson County, West Virginia; that no debts were proved before your Commissioner, that on the 23 day of August 2012 William J. Zappacosta, Executor of said estate, laid his accounts before your Commissioner for final settlement, together with a statement of all assets coming into his hands or properly chargeable to him and all disbursements, together with the cancelled checks, receipts and vouchers therefor; that said settlement was completed on said date and the parties were notified; that your Commissioner published notice thereof in the Spirit of Jefferson in the manner and for the time required by law, and held said settlement in his office 10 days for objections and exceptions, and none having been taken thereto files the same for record.

Your Commissioner attaches hereto, as part of this report, an itemized statement of receipts and disbursements, as follows:

June K Jovanelly

Estate of PATRICIA A. KIDWILER, deceased

FIRST AND FINAL ACCOUNT

RECEIPTS (Probate Assets according to Appraisal AND additional income or advancement)

List Assets Here:	Amount:
1. Real Estate or any interest therein	$
2. Tangible personal property of every kind	$ 19,700
3. Government bonds and securities	$
4. Shares of corporate stock	$ 96,100
5. Money, certs. of deposit, notes, accounts	$
6. All other assets not mentioned	$
7. Additional Income (if any)	$
8.	$
9.	$
10. Advancement (if any)	$
TOTAL RECEIPTS	$ 115,800

DISBURSEMENTS (Bills paid from assets listed above)

1. Jefferson County Clerk (qualification fee)	$
2. Jefferson County Clerk (record Apr.)	$
3.	$
4.	$
5. EXECUTOR PAID ALL DUE BILLS	$ -0-
6.	$
7.	$
8.	$
9.	$
10. Jefferson County Clerk (final account fee)	$11.00
TOTAL DISBURSEMENTS	$ -0-

Balance available for distribution: $ 115,800

(Continued on next page)

Estate of PATRICIA A KIDWILER, **deceased**

DISTRIBUTION

1.	JAMES (BUB) LUCAS (PER will)	$ 5,000.00
2.	JANET & Jim GARRISON (PER will)	$ 5,000.00
3.	CRISTIE LEE ZAPPACOSTA (PER will)	$ 5,000.00
4.	ANNE MARIE ZAPPACOSTA (PER will)	$ 5,000.00
5.	PETE & SHIRLEY SNYDER (PER will)	$ 5,000.00
6.	JULIA GARRISON (PER WILL)	$ 1,000.00
7.	GABRIELLE GARRISON (PER will)	$ 1,000.00
8	DOMINIC DECOSTA (PER will)	$ 1,000.00
9.	William J. ZAPPACOSTA (PER WILL)	$ 87,800.00
10.		$

TOTAL DISTRIBUTION $ 115,800.00

I hereby certify that the foregoing accounting is true and accurate to the best of my knowledge and belief.

Submitted this 24 day of July, 2012.

William J. Zappacosta
Personal Representative

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
JUDITH E. BIAFORE
4 SANDS DRIVE
FAIRMONT, WV 26554
My commission expires February 17, 2018

Judith E. Biafore 7/24/17
Notary Public Date

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

AGENDA REQUEST FORM

Name: **Lynn Fields**

Department or Entity: **Probate Office**

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

Date Requested – 1st Choice: **October 4th, 2012**

Date Requested – 2nd Choice:

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

Subject: **Approval of estates since last quarterly meeting that need to be closed because of tax implications/distribution requirements**

Please provide the County Commission with a description of your request or presentation, including any background information: **We have requests from an attorney, a fiduciary commissioner and the Bank of Charles Town for a special session of the commission to close estates that did not meet the deadline for the last quarterly meeting, but that need to be closed before the next scheduled quarterly meeting.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To approve/close estates put before the commission.**

Attachments: **Copies of the accountings/waivers to be approved/closed.**

Rec'd 8/17/12

BCT
One Financial Center
Trust • Investment Management Since 1871

www.mybct.com

August 16, 2012

S. Andrew Arnold, Esquire
Fiduciary Commissioner
208 North Georg Street
Charles Town, WV 25414

Re: Estate of Mildred Olga Valentine

Dear Mr. Arnold:

I have enclosed the First and Final Accounting for the Estate of Mildred O. Valentine, as well as our check #181694 in the amount of $215 representing your final fees as Fiduciary Commissioner.

We respectfully request a special hearing by the County Commission as Mrs. Valentine died on January 17, 2010 and the Bank of Charles Town was not appointed Administrator until July 21, 2011. One of the beneficiaries is an elderly lady and we would like to make distribution to her as soon as possible.

Please do not hesitate to call me at 304-728-2435 if you have any questions concerning the information provided.

Sincerely,

Deborah A. Watts

Deborah A. Watts
Trust Officer

Enclosure

A
B
ARNOLD & BAILEY
ATTORNEYS AT LAW

S. Andrew Arnold, Esq. PARTNER
Gregory A. Bailey, Esq. PARTNER
Christopher P. Stroech, Esq. ATTORNEY

208 N. George Street
Charles Town, WV 25414
T 304 725 2002 F 304 725 0282

8530 Shepherdstown Pike
The Hoxton Financial Building
Shepherdstown, WV 25443

September 11, 2012

Jefferson County Probate Office
Attn: Karen Olden or Lynn Fields
P.O. Box 208
Charles Town, WV 25414

Re: Estate of Mildred Olga Valentine

Dear Karen or Lynn:

Please find enclosed the Fiduciary Commissioner's Report for your review, the original First and Final Accounting, a copy of the ads ran in the Spirit of Jefferson Advocate along with the letter from BCT requesting a hearing in this matter.

Thank you for your time and attention in this matter.

Sincerely,

Kristine Zirkle, for
S. Andrew Arnold, Esq.,
Fiduciary Commissioner

Enclosure.

PRINTED ON 100% POST CONSUMER FIBER PAPER

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: **Mildred Olga Valentine,** Deceased

Your undersigned Fiduciary Commissioner respectfully reports unto said Commission that Bank of Charles Town, Administrator for the Estate of Mildred Olga Valentine, Deceased, has laid before him a statement showing all funds received by said Administrator, a First and Final Accounting, and has produced proper vouchers covering all disbursements made by said Administrator during this period of accounting, and your Commissioner having examined the accounts of said Administrator and found them to be correct, and your Commissioner returns hereinafter a settlement of the account of said fiduciary.

Your Commissioner further reports and does certify that he has included the name of said Administrator in the list of fiduciaries whose accounts are before him for settlement which list was published for two successive weeks, August 29, 2012 and September 5, 2012 in the Spirit of Jefferson-Farmer Advocate prior to the next regular term of this Commission.

I hereby certify that this report has remained in my office for ten (10) days since its completion for inspection and exceptions thereto and that no exceptions having been field thereto, it is hereby filed for the record.

Dated: 9/10/12

S. Andrew Arnold, Esquire
Fiduciary Commissioner

Certificate of Publication

JEFFERSON PUBLISHING COMPANY, INC., Publisher
SPIRIT OF JEFFERSON ADVOCATE

Charles Town, W. Va. August 29 20 12

I hereby certify that the annexed Fiduciary Notice

in the case of Est. of Mildred Olga Valentine

has been published once a week for two successive weeks, in the Spirit of Jefferson Advocate, a newspaper published in Charles Town, Jefferson County, West Virginia, in the issues of August 29 & September 5, 20 12,

as required by law.

Editor/Manager, Spirit of Jefferson Advocate

State of West Virginia
County of Jefferson
Personally appeared before me, Craig See, Editor/Manager of the Spirit of Jefferson Advocate, and made oath that the above certificate is true and correct.

Cara D. Young
Notary Public

Commission expires

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
CARA D. YOUNG
JEFFERSON PUBLISHING CO., INC.
P.O. BOX 966
CHARLES TOWN, WV 25414
My Commission Expires January 27, 2019

FROM (TUE) SEP 11 2012 8:37/ST. 8:37/No. 8303476376 P 2

P.O. Drawer 40 • Charles Town, WV 25414
Phone 304/728-2435 • Fax 304/728-2487

BCT
Bank of Charles Town

Trust & Financial Services

July 01, 2011 To August 15, 2012

Account Name : Estate of Mildred O. Valentine

Account No : 10-02515

Court Accounting

	Principal	Income
Beginning Balance	**$ 0.00**	**$ 0.00**
RECEIPTS-SCHEDULE A	137,060.01	6,721.12
DISBURSEMENTS-SCHEDULE B	-169,828.02	-9,321.39
DIVIDENDS-SCHEDULE C	0.00	0.00
INTEREST-SCHEDULE D	0.00	20,509.77
FEES-SCHEDULE E	0.00	0.00
PURCHASES-SCHEDULE F	-522,863.39	0.00
SALES-SCHEDULE G	537,722.09	0.00
RECEIVED FREE-SCHEDULE H	0.00	0.00
DELIVERED FREE-SCHEDULE I	0.00	0.00
INFORMATION ENTRIES-SCHEDULE J	0.00	0.00
Closing Balance	**-$ 17,909.31**	**$ 17,909.50**

THE ESTATE OF JULIA K. WANNAN, DEC'D

ADMINISTRATOR'S REPORT [1]

August 23, 2012

ASSETS

Lots 13 and 14, Section 8-L, Shannondale Subdivision, Kabletown District, Jefferson County, West Virginia.	$ 12,000.00

DISTRIBUTIONS

Lots 13 and 14, Section 8-L, Shannondale Subdivision to Judy J. Rein, Charles W. Wannan, III, and Jane W. Edwards, as tenants in common, as per Last Will and Testament	$ 12,000.00

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to-wit:

I, Henry W. Morrow, Jr., administrator, c.t.a., of the estate of Julia K. Wannan, deceased, do hereby certify that all claims against the estate for expenses of administration, taxes and debts of the decedent known and presented to me have been paid in full and that the foregoing report represents a true and accurate accounting of the assets and distributions occurring during the course of administration of said estate.

Given under my hand this 23rd day of August, 2012.

HENRY W. MORROW, JR., Administrator

The foregoing was taken, subscribed and sworn to before me by the said HENRY W. MORROW, JR., this 23rd day of August, 2012

AFFIX NOTARIAL SEAL

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KATRINA ANN BLOOMER
178 MORNINGSIDE DRIVE
KEARNEYSVILLE, WV 25430
My commission expires October 23, 2016

Katrina Ann Bloomer
NOTARY PUBLIC
My Commission Expires: October 23, 2016

[1] Administration of this estate was limited to ancillary administration relating to the West Virginia real estate. The decedent died a resident of Montgomery County, Maryland, where the primary administration occurred.

JUNE K. JOVANELLY
Fiduciary Commissioner
923 South Samuel St.
Charles Town, WV 25414

TO THE HONORABLE THE COUNTY COURT OF JEFFERSON COUNTY, IN THE STATE OF WEST VIRGINIA:

The undersigned Fiduciary Commissioner respectfully reports that heretofore the estate of PATRICIA A KIDWILER was by order referred to him for the determination of assets, proof of debts and claims, and for all other purposes in like case provided by law; that your Commissioner fixed upon the 30th of JUNE 2012 as the time, and at his office in Charles Town, West Virginia, as the place, for the execution of the requirements of said order of reference, and published notice thereof in the manner and for the time required by law, in the SPIRIT OF JEFFERSON a newspaper of general circulation published in Jefferson County, West Virginia; that no debts were proved before your Commissioner, that on the 23 day of AUGUST 2012 WILLIAM J. ZAPPACOSTA, EXECUTOR of said estate, laid his accounts before your Commissioner for final settlement, together with a statement of all assets coming into his hands or properly chargeable to him and all disbursements, together with the cancelled checks, receipts and vouchers therefor; that said settlement was completed on said date and the parties were notified; that your Commissioner published notice thereof in the SPIRIT OF JEFFERSON in the manner and for the time required by law, and held said settlement in his office 10 days for objections and exceptions, and none having been taken thereto files the same for record.

Your Commissioner attaches hereto, as part of this report, an itemized statement of receipts and disbursements, as follows:

June K Jovanelly

Estate of PATRICIA A. KIDWILER, deceased

FIRST AND FINAL ACCOUNT

RECEIPTS (Probate Assets according to Appraisal AND additional income or advancement)

List Assets Here:	Amount:
1. Real Estate or any interest therein	$
2. Tangible personal property of every kind	$ 19,700
3. Government bonds and securities	$
4. Shares of corporate stock	$ 96,100
5. Money, certs. of deposit, notes, accounts	$
6. All other assets not mentioned	$
7. Additional Income (if any)	$
8.	$
9.	$
10. Advancement (if any)	$
TOTAL RECEIPTS	$ 115,800

DISBURSEMENTS (Bills paid from assets listed above)

1. Jefferson County Clerk (qualification fee)	$
2. Jefferson County Clerk (record Apr.)	$
3.	$
4.	$
5. EXECUTOR PAID ALL DUE BILLS	$ -0-
6.	$
7.	$
8.	$
9.	$
10. Jefferson County Clerk (final account fee)	$11.00
TOTAL DISBURSEMENTS	$ -0-

Balance available for distribution: $ 115,800

(Continued on next page)

Estate of PATRICIA A KIDWILER, **deceased**

DISTRIBUTION

1.	JAMES (BUB) LUCAS (PER WILL)	$ 5,000.00
2.	JANET & JIM GARRISON (PER WILL)	$ 5,000.00
3.	CRISTIE LEE ZAPPACOSTA (PER WILL)	$ 5,000.00
4.	ANNE MARIE ZAPPACOSTA (PER WILL)	$ 5,000.00
5.	PETE & SHIRLEY SNYDER (PER WILL)	$ 5,000.00
6.	JULIA GARRISON (PER WILL)	$ 1,000.00
7.	GABRIELLE GARRISON (PER WILL)	$ 1,000.00
8	DOMINIC DECOSTA (PER WILL)	$ 1,000.00
9.	WILLIAM J. ZAPPACOSTA (PER WILL)	$87,800.00
10.		$

TOTAL DISTRIBUTION $ 115,800.00

I hereby certify that the foregoing accounting is true and accurate to the best of my knowledge and belief.

Submitted this 24 day of July, 2012.

William J Zappacosta
Personal Representative

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
JUDITH E. BIAFORE
4 SANDS DRIVE
FAIRMONT, WV 26554
My commission expires February 17, 2018

Judith E. Biafore 7/24/17
Notary Public Date

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

AGENDA REQUEST FORM

Name: **Lynn Fields**

Department or Entity: **Probate Office**

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

Date Requested – 1st Choice: **October 4th, 2012**

Date Requested – 2nd Choice:

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

Subject: **Approval of estates since last quarterly meeting that need to be closed because of tax implications/distribution requirements**

Please provide the County Commission with a description of your request or presentation, including any background information: **We have requests from an attorney, a fiduciary commissioner and the Bank of Charles Town for a special session of the commission to close estates that did not meet the deadline for the last quarterly meeting, but that need to be closed before the next scheduled quarterly meeting.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To approve/close estates put before the commission.**

Attachments: **Copies of the accountings/waivers to be approved/closed.**

Rec'd 8/17/12

BCT
One Financial Center
Trust • Investment Management Since 1871

www.mybct.com

August 16, 2012

S. Andrew Arnold, Esquire
Fiduciary Commissioner
208 North Georg Street
Charles Town, WV 25414

Re: Estate of Mildred Olga Valentine

Dear Mr. Arnold:

I have enclosed the First and Final Accounting for the Estate of Mildred O. Valentine, as well as our check #181694 in the amount of $215 representing your final fees as Fiduciary Commissioner.

We respectfully request a special hearing by the County Commission as Mrs. Valentine died on January 17, 2010 and the Bank of Charles Town was not appointed Administrator until July 21, 2011. One of the beneficiaries is an elderly lady and we would like to make distribution to her as soon as possible.

Please do not hesitate to call me at 304-728-2435 if you have any questions concerning the information provided.

Sincerely,

Deborah A. Watts

Deborah A. Watts
Trust Officer

Enclosure

A
B
ARNOLD & BAILEY
ATTORNEYS AT LAW

S. Andrew Arnold, Esq. PARTNER
Gregory A. Bailey, Esq. PARTNER
Christopher P. Stroech, Esq. ATTORNEY

208 N. George Street
Charles Town, WV 25414
T 304 725 2002 F 304 725 0282

8530 Shepherdstown Pike
The Hoxton Financial Building
Shepherdstown, WV 25443

September 11, 2012

Jefferson County Probate Office
Attn: Karen Olden or Lynn Fields
P.O. Box 208
Charles Town, WV 25414

Re: Estate of Mildred Olga Valentine

Dear Karen or Lynn:

Please find enclosed the Fiduciary Commissioner's Report for your review, the original First and Final Accounting, a copy of the ads ran in the Spirit of Jefferson Advocate along with the letter from BCT requesting a hearing in this matter.

Thank you for your time and attention in this matter.

Sincerely,

Kristine Zirkle, for
S. Andrew Arnold, Esq.,
Fiduciary Commissioner

Enclosure.

PRINTED ON 100% POST CONSUMER FIBER PAPER

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: **Mildred Olga Valentine,** Deceased

Your undersigned Fiduciary Commissioner respectfully reports unto said Commission that Bank of Charles Town, Administrator for the Estate of Mildred Olga Valentine, Deceased, has laid before him a statement showing all funds received by said Administrator, a First and Final Accounting, and has produced proper vouchers covering all disbursements made by said Administrator during this period of accounting, and your Commissioner having examined the accounts of said Administrator and found them to be correct, and your Commissioner returns hereinafter a settlement of the account of said fiduciary.

Your Commissioner further reports and does certify that he has included the name of said Administrator in the list of fiduciaries whose accounts are before him for settlement which list was published for two successive weeks, August 29, 2012 and September 5, 2012 in the Spirit of Jefferson-Farmer Advocate prior to the next regular term of this Commission.

I hereby certify that this report has remained in my office for ten (10) days since its completion for inspection and exceptions thereto and that no exceptions having been field thereto, it is hereby filed for the record.

S. Andrew Arnold, Esquire
Fiduciary Commissioner

Dated: 9/10/12

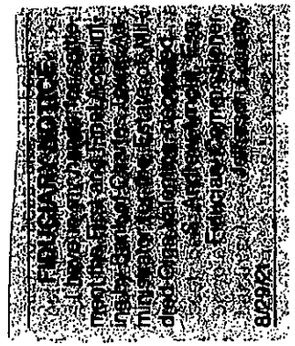
Certificate of Publication

JEFFERSON PUBLISHING COMPANY, INC., Publisher
SPIRIT OF JEFFERSON ADVOCATE

Charles Town, W. Va. August 29 20 12

I hereby certify that the annexed Fiduciary Notice

in the case of Est. of Mildred Olga Valentine



has been published once a week for two successive weeks, in the Spirit of Jefferson Advocate, a newspaper published in Charles Town, Jefferson County, West Virginia, in the issues of August 29 & September 5, 20 12, as required by law.

Editor/Manager, Spirit of Jefferson Advocate

State of West Virginia
County of Jefferson
Personally appeared before me, Craig See, Editor/Manager of the Spirit of Jefferson Advocate, and made oath that the above certificate is true and correct.

Commission expires

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
CARA D. YOUNG
JEFFERSON PUBLISHING CO., INC.
P.O. BOX 966
CHARLES TOWN, WV 25414
My Commission Expires January 27, 2019

Cara D. Young
Notary Public

FROM (TUE) SEP 11 2012 9:37/ST. 9:37/No. 9303478378 P 2

P.O. Drawer 40 • Charles Town, WV 25414
Phone 304/728-2435 • Fax 304/728-2487

BCT
Bank of Charles Town

Trust & Financial Services

TO:

CLERK OF JEFFERSON COUNTY
JEFFERSON COUNTY, WEST VIRGINIA

FIRST & FINAL ACCOUNTING

THE ESTATE OF MILDRED OLGA VALENTINE

JULY 1, 2011 THROUGH AUGUST 15, 2012

BANK OF CHARLES TOWN, ADMINISTRATOR

P.O. Drawer 40 • Charles Town, WV 25414
Phone 304/728-2435 • Fax 304/728-2487

BCT
Bank of Charles Town

Trust & Financial Services

July 01, 2011 To August 15, 2012

Account Name : Estate of Mildred O. Valentine

Account No : 10-02515

Court Accounting

	Principal	Income
Beginning Balance	**$ 0.00**	**$ 0.00**
RECEIPTS-SCHEDULE A	137,060.01	6,721.12
DISBURSEMENTS-SCHEDULE B	-169,828.02	-9,321.39
DIVIDENDS-SCHEDULE C	0.00	0.00
INTEREST-SCHEDULE D	0.00	20,509.77
FEES-SCHEDULE E	0.00	0.00
PURCHASES-SCHEDULE F	-522,863.39	0.00
SALES-SCHEDULE G	537,722.09	0.00
RECEIVED FREE-SCHEDULE H	0.00	0.00
DELIVERED FREE-SCHEDULE I	0.00	0.00
INFORMATION ENTRIES-SCHEDULE J	0.00	0.00
Closing Balance	**-$ 17,909.31**	**$ 17,909.50**

THE ESTATE OF JULIA K. WANNAN, DEC'D

ADMINISTRATOR'S REPORT [1]

August 23, 2012

ASSETS

Lots 13 and 14, Section 8-L, Shannondale Subdivision, Kabletown District, Jefferson County, West Virginia.	$ 12,000.00

DISTRIBUTIONS

Lots 13 and 14, Section 8-L, Shannondale Subdivision to Judy J. Rein, Charles W. Wannan, III, and Jane W. Edwards, as tenants in common, as per Last Will and Testament	$ 12,000.00

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to-wit:

I, Henry W. Morrow, Jr., administrator, c.t.a., of the estate of Julia K. Wannan, deceased, do hereby certify that all claims against the estate for expenses of administration, taxes and debts of the decedent known and presented to me have been paid in full and that the foregoing report represents a true and accurate accounting of the assets and distributions occurring during the course of administration of said estate.

Given under my hand this 23rd day of August, 2012.

HENRY W. MORROW, JR., Administrator

The foregoing was taken, subscribed and sworn to before me by the said HENRY W. MORROW, JR., this 23rd day of August, 2012

AFFIX NOTARIAL SEAL

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KATRINA ANN BLOOMER
178 MORNINGSIDE DRIVE
KEARNEYSVILLE, WV 25430
My commission expires October 23, 2016

Katrina Ann Bloomer
NOTARY PUBLIC
My Commission Expires: October 23, 2016

[1] Administration of this estate was limited to ancillary administration relating to the West Virginia real estate. The decedent died a resident of Montgomery County, Maryland, where the primary administration occurred.

JUNE K. JOVANELLY
Fiduciary Commissioner
923 South Samuel St.
Charles Town, WV 25414

TO THE HONORABLE THE COUNTY COURT OF JEFFERSON COUNTY, IN THE STATE OF WEST VIRGINIA:

The undersigned Fiduciary Commissioner respectfully reports that heretofore the estate of PATRICIA A KIDWILER was by order referred to him for the determination of assets, proof of debts and claims, and for all other purposes in like case provided by law; that your Commissioner fixed upon the 30th of JUNE 2012 as the time, and at his office in Charles Town, West Virginia, as the place, for the execution of the requirements of said order of reference, and published notice thereof in the manner and for the time required by law, in the SPIRIT OF JEFFERSON a newspaper of general circulation published in Jefferson County, West Virginia; that no debts were proved before your Commissioner, that on the 23 day of AUGUST 2012 WILLIAM J. ZAPPACOSTA, EXECUTOR of said estate, laid his accounts before your Commissioner for final settlement, together with a statement of all assets coming into his hands or properly chargeable to him and all disbursements, together with the cancelled checks, receipts and vouchers therefor; that said settlement was completed on said date and the parties were notified; that your Commissioner published notice thereof in the SPIRIT OF JEFFERSON in the manner and for the time required by law, and held said settlement in his office 10 days for objections and exceptions, and none having been taken thereto files the same for record.

Your Commissioner attaches hereto, as part of this report, an itemized statement of receipts and disbursements, as follows:

June K Jovanelly

Estate of PATRICIA A. KIDWILER, deceased

FIRST AND FINAL ACCOUNT

RECEIPTS (Probate Assets according to Appraisal AND additional income or advancement)

List Assets Here:	Amount:
1. Real Estate or any interest therein	$
2. Tangible personal property of every kind	$ 19,700
3. Government bonds and securities	$
4. Shares of corporate stock	$ 96,100
5. Money, certs. of deposit, notes, accounts	$
6. All other assets not mentioned	$
7. Additional Income (if any)	$
8.	$
9.	$
10. Advancement (if any)	$
TOTAL RECEIPTS	$ 115,800

DISBURSEMENTS (Bills paid from assets listed above)

1. Jefferson County Clerk (qualification fee)	$
2. Jefferson County Clerk (record Apr.)	$
3.	$
4.	$
5. EXECUTOR PAID ALL DUE BILLS	$ -0-
6.	$
7.	$
8.	$
9.	$
10. Jefferson County Clerk (final account fee)	$11.00
TOTAL DISBURSEMENTS	$ -0-

Balance available for distribution: $ 115,800

(Continued on next page)

Estate of PATRICIA A KIDWILER, **deceased**

DISTRIBUTION

1.	JAMES (BUB) LUCAS (PER WILL)	$ 5,000.00
2.	JANET & Jim GARRISON (PER WILL)	$ 5,000.00
3.	CRISTIE LEE ZAPPACOSTA (PER WILL)	$ 5,000.00
4.	ANNE MARIE ZAPPACOSTA (PER WILL)	$ 5,000.00
5.	PETE & SHIRLEY SNYDER (PER WILL)	$ 5,000.00
6.	JULIA GARRISON (PER WILL)	$ 1,000.00
7.	GABRIELLE GARRISON (PER WILL)	$ 1,000.00
8	DOMINIC DECOSTA (PER WILL)	$ 1,000.00
9.	William J. ZAPPACOSTA (PER WILL)	$ 87,800.00
10.		$

TOTAL DISTRIBUTION $ 115,800.00

I hereby certify that the foregoing accounting is true and accurate to the best of my knowledge and belief.

Submitted this 24 day of July, 2012.

William J. Zappacosta
Personal Representative

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
JUDITH E. BIAFORE
4 SANDS DRIVE
FAIRMONT, WV 26554
My commission expires February 17, 2018

Judith E. Biafore 7/24/17
Notary Public Date

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: **Lynn Fields**

Department or Entity: **Probate Office**

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

Date Requested – 1st Choice: **October 4th, 2012**

Date Requested – 2nd Choice:

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

Subject: **Approval of estates since last quarterly meeting that need to be closed because of tax implications/distribution requirements**

Please provide the County Commission with a description of your request or presentation, including any background information: **We have requests from an attorney, a fiduciary commissioner and the Bank of Charles Town for a special session of the commission to close estates that did not meet the deadline for the last quarterly meeting, but that need to be closed before the next scheduled quarterly meeting.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To approve/close estates put before the commission.**

Attachments: **Copies of the accountings/waivers to be approved/closed.**

Rec'd 8/17/12

BCT
One Financial Center
Trust • Investment Management Since 1871

www.mybct.com

August 16, 2012

S. Andrew Arnold, Esquire
Fiduciary Commissioner
208 North Georg Street
Charles Town, WV 25414

Re: Estate of Mildred Olga Valentine

Dear Mr. Arnold:

I have enclosed the First and Final Accounting for the Estate of Mildred O. Valentine, as well as our check #181694 in the amount of $215 representing your final fees as Fiduciary Commissioner.

We respectfully request a special hearing by the County Commission as Mrs. Valentine died on January 17, 2010 and the Bank of Charles Town was not appointed Administrator until July 21, 2011. One of the beneficiaries is an elderly lady and we would like to make distribution to her as soon as possible.

Please do not hesitate to call me at 304-728-2435 if you have any questions concerning the information provided.

Sincerely,

Deborah A. Watts

Deborah A. Watts
Trust Officer

Enclosure

A
B
ARNOLD & BAILEY
ATTORNEYS AT LAW

S. Andrew Arnold, Esq. PARTNER
Gregory A. Bailey, Esq. PARTNER
Christopher P. Stroech, Esq. ATTORNEY

208 N. George Street
Charles Town, WV 25414
T 304 725 2002 F 304 725 0282

8530 Shepherdstown Pike
The Hoxton Financial Building
Shepherdstown, WV 25443

September 11, 2012

Jefferson County Probate Office
Attn: Karen Olden or Lynn Fields
P.O. Box 208
Charles Town, WV 25414

Re: Estate of Mildred Olga Valentine

Dear Karen or Lynn:

Please find enclosed the Fiduciary Commissioner's Report for your review, the original First and Final Accounting, a copy of the ads ran in the Spirit of Jefferson Advocate along with the letter from BCT requesting a hearing in this matter.

Thank you for your time and attention in this matter.

Sincerely,

Kristine Zirkle, for
S. Andrew Arnold, Esq.,
Fiduciary Commissioner

Enclosure.

PRINTED ON 100% POST CONSUMER FIBER PAPER

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: **Mildred Olga Valentine,** Deceased

Your undersigned Fiduciary Commissioner respectfully reports unto said Commission that Bank of Charles Town, Administrator for the Estate of Mildred Olga Valentine, Deceased, has laid before him a statement showing all funds received by said Administrator, a First and Final Accounting, and has produced proper vouchers covering all disbursements made by said Administrator during this period of accounting, and your Commissioner having examined the accounts of said Administrator and found them to be correct, and your Commissioner returns hereinafter a settlement of the account of said fiduciary.

Your Commissioner further reports and does certify that he has included the name of said Administrator in the list of fiduciaries whose accounts are before him for settlement which list was published for two successive weeks, August 29, 2012 and September 5, 2012 in the Spirit of Jefferson-Farmer Advocate prior to the next regular term of this Commission.

I hereby certify that this report has remained in my office for ten (10) days since its completion for inspection and exceptions thereto and that no exceptions having been field thereto, it is hereby filed for the record.

Dated: 9/10/12

S. Andrew Arnold, Esquire
Fiduciary Commissioner

Certificate of Publication

JEFFERSON PUBLISHING COMPANY, INC., Publisher
SPIRIT OF JEFFERSON ADVOCATE

Charles Town, W. Va. August 29 20 12

I hereby certify that the annexed Fiduciary Notice

in the case of Est. of Mildred Olga Valentine

has been published once a week for two successive weeks, in the Spirit of Jefferson Advocate, a newspaper published in Charles Town, Jefferson County, West Virginia, in the issues of August 29 & September 5, 20 12,

as required by law.

Editor/Manager, Spirit of Jefferson Advocate

State of West Virginia
County of Jefferson
Personally appeared before me, Craig See, Editor/Manager of the Spirit of Jefferson Advocate, and made oath that the above certificate is true and correct.

Cara D. Young
Notary Public

Commission expires

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
CARA D. YOUNG
JEFFERSON PUBLISHING CO., INC.
P.O. BOX 966
CHARLES TOWN, WV 25414
My Commission Expires January 27, 2019

FROM (TUE) SEP 11 2012 8:37/ST. 8:37/No. 8303476378 P 2

P.O. Drawer 40 • Charles Town, WV 25414
Phone 304/728-2435 • Fax 304/728-2487

BCT
Bank of Charles Town

Trust & Financial Services

TO:

CLERK OF JEFFERSON COUNTY
JEFFERSON COUNTY, WEST VIRGINIA

FIRST & FINAL ACCOUNTING

THE ESTATE OF MILDRED OLGA VALENTINE

JULY 1, 2011 THROUGH AUGUST 15, 2012

BANK OF CHARLES TOWN, ADMINISTRATOR

P.O. Drawer 40 • Charles Town, WV 25414
Phone 304/728-2435 • Fax 304/728-2487

BCT
Bank of Charles Town

Trust & Financial Services

July 01, 2011 To August 15, 2012

Account Name : Estate of Mildred O. Valentine

Account No : 10-02515

Court Accounting

	Principal	Income
Beginning Balance	**$ 0.00**	**$ 0.00**
RECEIPTS-SCHEDULE A	137,060.01	6,721.12
DISBURSEMENTS-SCHEDULE B	-169,828.02	-9,321.39
DIVIDENDS-SCHEDULE C	0.00	0.00
INTEREST-SCHEDULE D	0.00	20,509.77
FEES-SCHEDULE E	0.00	0.00
PURCHASES-SCHEDULE F	-522,863.39	0.00
SALES-SCHEDULE G	537,722.09	0.00
RECEIVED FREE-SCHEDULE H	0.00	0.00
DELIVERED FREE-SCHEDULE I	0.00	0.00
INFORMATION ENTRIES-SCHEDULE J	0.00	0.00
Closing Balance	**-$ 17,909.31**	**$ 17,909.50**

THE ESTATE OF JULIA K. WANNAN, DEC'D

ADMINISTRATOR'S REPORT [1]

August 23, 2012

ASSETS

Lots 13 and 14, Section 8-L, Shannondale Subdivision, Kabletown District, Jefferson County, West Virginia.	$ 12,000.00

DISTRIBUTIONS

Lots 13 and 14, Section 8-L, Shannondale Subdivision to Judy J. Rein, Charles W. Wannan, III, and Jane W. Edwards, as tenants in common, as per Last Will and Testament	$ 12,000.00

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to-wit:

I, Henry W. Morrow, Jr., administrator, c.t.a., of the estate of Julia K. Wannan, deceased, do hereby certify that all claims against the estate for expenses of administration, taxes and debts of the decedent known and presented to me have been paid in full and that the foregoing report represents a true and accurate accounting of the assets and distributions occurring during the course of administration of said estate.

Given under my hand this 23rd day of August, 2012.

HENRY W. MORROW, JR., Administrator

The foregoing was taken, subscribed and sworn to before me by the said HENRY W. MORROW, JR., this 23rd day of August, 2012

AFFIX NOTARIAL SEAL

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KATRINA ANN BLOOMER
178 MORNINGSIDE DRIVE
KEARNEYSVILLE, WV 25430
My commission expires October 23, 2016

NOTARY PUBLIC
My Commission Expires: October 23, 2016

[1] Administration of this estate was limited to ancillary administration relating to the West Virginia real estate. The decedent died a resident of Montgomery County, Maryland, where the primary administration occurred.

JUNE K. JOVANELLY
Fiduciary Commissioner
923 South Samuel St.
Charles Town, WV 25414

TO THE HONORABLE THE COUNTY COURT OF JEFFERSON COUNTY, IN THE STATE OF WEST VIRGINIA:

The undersigned Fiduciary Commissioner respectfully reports that heretofore the estate of PATRICIA A KIDWILER was by order referred to him for the determination of assets, proof of debts and claims, and for all other purposes in like case provided by law; that your Commissioner fixed upon the 30th of JUNE 2012 as the time, and at his office in Charles Town, West Virginia, as the place, for the execution of the requirements of said order of reference, and published notice thereof in the manner and for the time required by law, in the SPIRIT OF JEFFERSON a newspaper of general circulation published in Jefferson County, West Virginia; that no debts were proved before your Commissioner, that on the 23 day of AUGUST 2012 WILLIAM J. ZAPPACOSTA, EXECUTOR of said estate, laid his accounts before your Commissioner for final settlement, together with a statement of all assets coming into his hands or properly chargeable to him and all disbursements, together with the cancelled checks, receipts and vouchers therefor; that said settlement was completed on said date and the parties were notified; that your Commissioner published notice thereof in the SPIRIT OF JEFFERSON in the manner and for the time required by law, and held said settlement in his office 10 days for objections and exceptions, and none having been taken thereto files the same for record.

Your Commissioner attaches hereto, as part of this report, an itemized statement of receipts and disbursements, as follows:

June K Jovanelly

Estate of PATRICIA A. KIDWILER, deceased

FIRST AND FINAL ACCOUNT

RECEIPTS (Probate Assets according to Appraisal AND additional income or advancement)

List Assets Here:	Amount:
1. Real Estate or any interest therein	$
2. Tangible personal property of every kind	$ 19,700
3. Government bonds and securities	$
4. Shares of corporate stock	$ 96,100
5. Money, certs. of deposit, notes, accounts	$
6. All other assets not mentioned	$
7. Additional Income (if any)	$
8.	$
9.	$
10. Advancement (if any)	$
TOTAL RECEIPTS	$ 115,800

DISBURSEMENTS (Bills paid from assets listed above)

1. Jefferson County Clerk (qualification fee)	$
2. Jefferson County Clerk (record Apr.)	$
3.	$
4.	$
5. EXECUTOR PAID ALL DUE BILLS	$ -0-
6.	$
7.	$
8.	$
9.	$
10. Jefferson County Clerk (final account fee)	$11.00
TOTAL DISBURSEMENTS	$ -0-
Balance available for distribution:	$ 115,800

(Continued on next page)

Estate of PATRICIA A KIDWILER, **deceased**

DISTRIBUTION

1.	JAMES (BUB) LUCAS (PER WILL)	$ 5,000.00
2.	JANET & JIM GARRISON (PER WILL)	$ 5,000.00
3.	CRISTIE LEE ZAPPACOSTA (PER WILL)	$ 5,000.00
4.	ANNE MARIE ZAPPACOSTA (PER WILL)	$ 5,000.00
5.	PETE & SHIRLEY SNYDER (PER WILL)	$ 5,000.00
6.	JULIA GARRISON (PER WILL)	$ 1,000.00
7.	GABRIELLE GARRISON (PER WILL)	$ 1,000.00
8	DOMINIC DECOSTA (PER WILL)	$ 1,000.00
9.	WILLIAM J. ZAPPACOSTA (PER WILL)	$87,800.00
10.		$

TOTAL DISTRIBUTION $ 115,800.00

I hereby certify that the foregoing accounting is true and accurate to the best of my knowledge and belief.

Submitted this 24 day of JULY, 2012.

William J. Zappacosta
Personal Representative

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
JUDITH E. BIAFORE
4 SANDS DRIVE
FAIRMONT, WV 26554
My commission expires February 17, 2018

Judith E. Biafore 7/24/17
Notary Public Date

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

AGENDA REQUEST FORM

Name: **Lynn Fields**

Department or Entity: **Probate Office**

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

Date Requested – 1st Choice: **October 4th, 2012**

Date Requested – 2nd Choice:

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

Subject: **Approval of estates since last quarterly meeting that need to be closed because of tax implications/distribution requirements**

Please provide the County Commission with a description of your request or presentation, including any background information: **We have requests from an attorney, a fiduciary commissioner and the Bank of Charles Town for a special session of the commission to close estates that did not meet the deadline for the last quarterly meeting, but that need to be closed before the next scheduled quarterly meeting.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To approve/close estates put before the commission.**

Attachments: **Copies of the accountings/waivers to be approved/closed.**

Rec'd 8/17/12

BCT
One Financial Center
Trust • Investment Management Since 1871

www.mybct.com

August 16, 2012

S. Andrew Arnold, Esquire
Fiduciary Commissioner
208 North Georg Street
Charles Town, WV 25414

Re: Estate of Mildred Olga Valentine

Dear Mr. Arnold:

I have enclosed the First and Final Accounting for the Estate of Mildred O. Valentine, as well as our check #181694 in the amount of $215 representing your final fees as Fiduciary Commissioner.

We respectfully request a special hearing by the County Commission as Mrs. Valentine died on January 17, 2010 and the Bank of Charles Town was not appointed Administrator until July 21, 2011. One of the beneficiaries is an elderly lady and we would like to make distribution to her as soon as possible.

Please do not hesitate to call me at 304-728-2435 if you have any questions concerning the information provided.

Sincerely,

Deborah A. Watts

Deborah A. Watts
Trust Officer

Enclosure

A
B
ARNOLD & BAILEY
ATTORNEYS AT LAW

S. Andrew Arnold, Esq. PARTNER
Gregory A. Bailey, Esq. PARTNER
Christopher P. Stroech, Esq. ATTORNEY

208 N. George Street
Charles Town, WV 25414
T 304 725 2002 F 304 725 0282

8530 Shepherdstown Pike
The Hoxton Financial Building
Shepherdstown, WV 25443

September 11, 2012

Jefferson County Probate Office
Attn: Karen Olden or Lynn Fields
P.O. Box 208
Charles Town, WV 25414

Re: Estate of Mildred Olga Valentine

Dear Karen or Lynn:

Please find enclosed the Fiduciary Commissioner's Report for your review, the original First and Final Accounting, a copy of the ads ran in the Spirit of Jefferson Advocate along with the letter from BCT requesting a hearing in this matter.

Thank you for your time and attention in this matter.

Sincerely,

Kristine Zirkle, for
S. Andrew Arnold, Esq.,
Fiduciary Commissioner

Enclosure.

PRINTED ON 100% POST CONSUMER FIBER PAPER

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: **Mildred Olga Valentine,** Deceased

Your undersigned Fiduciary Commissioner respectfully reports unto said Commission that Bank of Charles Town, Administrator for the Estate of Mildred Olga Valentine, Deceased, has laid before him a statement showing all funds received by said Administrator, a First and Final Accounting, and has produced proper vouchers covering all disbursements made by said Administrator during this period of accounting, and your Commissioner having examined the accounts of said Administrator and found them to be correct, and your Commissioner returns hereinafter a settlement of the account of said fiduciary.

Your Commissioner further reports and does certify that he has included the name of said Administrator in the list of fiduciaries whose accounts are before him for settlement which list was published for two successive weeks, August 29, 2012 and September 5, 2012 in the Spirit of Jefferson-Farmer Advocate prior to the next regular term of this Commission.

I hereby certify that this report has remained in my office for ten (10) days since its completion for inspection and exceptions thereto and that no exceptions having been field thereto, it is hereby filed for the record.

S. Andrew Arnold, Esquire
Fiduciary Commissioner

Dated: 9/10/12

Certificate of Publication

JEFFERSON PUBLISHING COMPANY, INC., Publisher

SPIRIT OF JEFFERSON ADVOCATE

Charles Town, W. Va. August 29 20 12

I hereby certify that the annexed Fiduciary Notice

in the case of Est. of Mildred Olga Valentine

has been published once a week for two successive weeks, in the Spirit of Jefferson Advocate, a newspaper published in Charles Town, Jefferson County, West Virginia, in the issues of August 29 & September 5, 20 12,

as required by law.

Editor/Manager, Spirit of Jefferson Advocate

State of West Virginia
County of Jefferson

Personally appeared before me, Craig See, Editor/Manager of the Spirit of Jefferson Advocate, and made oath that the above certificate is true and correct.

Commission expires

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
CARA D. YOUNG
JEFFERSON PUBLISHING CO., INC.
P.O. BOX 966
CHARLES TOWN, WV 25414
My Commission Expires January 27, 2019

Cara D. Young
Notary Public

FROM
(TUE) SEP 11 2012 9:37/ST. 9:37/No. 9303476376 P 2

P.O. Drawer 40 • Charles Town, WV 25414
Phone 304/728-2435 • Fax 304/728-2487

BCT
Bank of Charles Town

Trust & Financial Services

TO:

CLERK OF JEFFERSON COUNTY
JEFFERSON COUNTY, WEST VIRGINIA

FIRST & FINAL ACCOUNTING

THE ESTATE OF MILDRED OLGA VALENTINE

JULY 1, 2011 THROUGH AUGUST 15, 2012

BANK OF CHARLES TOWN, ADMINISTRATOR

P.O. Drawer 40 • Charles Town, WV 25414
Phone 304/728-2435 • Fax 304/728-2487

BCT
Bank of Charles Town

Trust & Financial Services

July 01, 2011 To August 15, 2012

Account Name : Estate of Mildred O. Valentine

Account No : 10-02515

Court Accounting

	Principal	Income
Beginning Balance	**$ 0.00**	**$ 0.00**
RECEIPTS-SCHEDULE A	137,060.01	6,721.12
DISBURSEMENTS-SCHEDULE B	-169,828.02	-9,321.39
DIVIDENDS-SCHEDULE C	0.00	0.00
INTEREST-SCHEDULE D	0.00	20,509.77
FEES-SCHEDULE E	0.00	0.00
PURCHASES-SCHEDULE F	-522,863.39	0.00
SALES-SCHEDULE G	537,722.09	0.00
RECEIVED FREE-SCHEDULE H	0.00	0.00
DELIVERED FREE-SCHEDULE I	0.00	0.00
INFORMATION ENTRIES-SCHEDULE J	0.00	0.00
Closing Balance	**-$ 17,909.31**	**$ 17,909.50**

THE ESTATE OF JULIA K. WANNAN, DEC'D

ADMINISTRATOR'S REPORT [1]

August 23, 2012

ASSETS

Lots 13 and 14, Section 8-L, Shannondale Subdivision, Kabletown District, Jefferson County, West Virginia.	$ 12,000.00

DISTRIBUTIONS

Lots 13 and 14, Section 8-L, Shannondale Subdivision to Judy J. Rein, Charles W. Wannan, III, and Jane W. Edwards, as tenants in common, as per Last Will and Testament	$ 12,000.00

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to-wit:

I, Henry W. Morrow, Jr., administrator, c.t.a., of the estate of Julia K. Wannan, deceased, do hereby certify that all claims against the estate for expenses of administration, taxes and debts of the decedent known and presented to me have been paid in full and that the foregoing report represents a true and accurate accounting of the assets and distributions occurring during the course of administration of said estate.

Given under my hand this 23rd day of August, 2012.

HENRY W. MORROW, JR., Administrator

The foregoing was taken, subscribed and sworn to before me by the said HENRY W. MORROW, JR., this 23rd day of August, 2012

AFFIX NOTARIAL SEAL

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
KATRINA ANN BLOOMER
178 MORNINGSIDE DRIVE
KEARNEYSVILLE, WV 25430
My commission expires October 23, 2016

Katrina Ann Bloomer
NOTARY PUBLIC
My Commission Expires: October 23, 2016

[1] Administration of this estate was limited to ancillary administration relating to the West Virginia real estate. The decedent died a resident of Montgomery County, Maryland, where the primary administration occurred.

JUNE K. JOVANELLY
Fiduciary Commissioner
923 South Samuel St.
Charles Town, WV 25414

TO THE HONORABLE THE COUNTY COURT OF JEFFERSON COUNTY, IN THE STATE OF WEST VIRGINIA:

The undersigned Fiduciary Commissioner respectfully reports that heretofore the estate of Patricia A Kidwiler was by order referred to him for the determination of assets, proof of debts and claims, and for all other purposes in like case provided by law; that your Commissioner fixed upon the 30th of June 2012 as the time, and at his office in Charles Town, West Virginia, as the place, for the execution of the requirements of said order of reference, and published notice thereof in the manner and for the time required by law, in the Spirit of Jefferson a newspaper of general circulation published in Jefferson County, West Virginia; that no debts were proved before your Commissioner, that on the 23 day of August 2012 William J. Zappacosta, Executor of said estate, laid his accounts before your Commissioner for final settlement, together with a statement of all assets coming into his hands or properly chargeable to him and all disbursements, together with the cancelled checks, receipts and vouchers therefor; that said settlement was completed on said date and the parties were notified; that your Commissioner published notice thereof in the Spirit of Jefferson in the manner and for the time required by law, and held said settlement in his office 10 days for objections and exceptions, and none having been taken thereto files the same for record.

Your Commissioner attaches hereto, as part of this report, an itemized statement of receipts and disbursements, as follows:

June K Jovanelly

Estate of PATRICIA A. KIDWILER, deceased

FIRST AND FINAL ACCOUNT

RECEIPTS (Probate Assets according to Appraisal AND additional income or advancement)

List Assets Here:	Amount:
1. Real Estate or any interest therein	$
2. Tangible personal property of every kind	$ 19,700
3. Government bonds and securities	$
4. Shares of corporate stock	$ 96,100
5. Money, certs. of deposit, notes, accounts	$
6. All other assets not mentioned	$
7. Additional Income (if any)	$
8.	$
9.	$
10. Advancement (if any)	$
TOTAL RECEIPTS	$ 115,800

DISBURSEMENTS (Bills paid from assets listed above)

1. Jefferson County Clerk (qualification fee)	$
2. Jefferson County Clerk (record Apr.)	$
3.	$
4.	$
5. EXECUTOR PAID ALL DUE BILLS	$ -0-
6.	$
7.	$
8.	$
9.	$
10. Jefferson County Clerk (final account fee)	$11.00
TOTAL DISBURSEMENTS	$ -0-

Balance available for distribution: $ 115,800

(Continued on next page)

Estate of PATRICIA A KIDWILER, **deceased**

DISTRIBUTION

1. JAMES (BUB) LUCAS (PER will)	$ 5,000.00
2. JANET & Jim GARRISON (PER will)	$ 5,000.00
3. CRISTIE LEE ZAPPACOSTA (PER will)	$ 5,000.00
4. ANNE MARIE ZAPPACOSTA (PER will)	$ 5,000.00
5. PETE & SHIRLEY SNYDER (PER will)	$ 5,000.00
6. JULIA GARRISON (PER WILL)	$ 1,000.00
7. GABRIELLE GARRISON (PER will)	$ 1,000.00
8 DOMINIC DECOSTA (PER will)	$ 1,000.00
9. William J. ZAPPACOSTA (PER WILL)	$ 87,800.00
10.	$

TOTAL DISTRIBUTION $ 115,800.00

I hereby certify that the foregoing accounting is true and accurate to the best of my knowledge and belief.

Submitted this 24 day of July, 2012.

William J. Zappacosta
Personal Representative

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
JUDITH E. BIAFORE
4 SANDS DRIVE
FAIRMONT, WV 26554
My commission expires February 17, 2018

Judith E. Biafore 7/24/17
Notary Public Date

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

AGENDA REQUEST FORM

Name: David Camilletti, Esq.

Department or Entity: _____

Estimation of amount of time needed for appointment: **15 min**

Date Requested – 1st Choice: **10/4/12**

Date Requested – 2nd Choice: _____

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

Subject: Petition for Closing Unused Road, Streets & Travel Ways - Martin and Brenda Lookingbill

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:

BEFORE THE COUNTY COURT OF JEFFERSON COUNTY, WEST VIRGINIA

IN THE MATTER OF: MARTIN WAYNE LOOKINGBILL and
BRENDA DIANE LOOKINGBILL

CASE NO:_____

ORDER SETTING HEARING

This day came the Petitioners, by counsel, David A. Camilletti, Esquire, having previously filed a duly verified Petition of Martin Wayne Lookingbill and Brenda Diane Lookingbill for Closing Unused Roads, Streets and Travel Ways. It appears to the Court by said Petition that the Petitioners are entitled to a hearing on this matter.

It is therefore ORDERED that the Petition of Martin Wayne Lookingbill and Brenda Diane Lookingbill for Closing Unused Roads, Streets and Travel Ways shall be set down for hearing before the County Commission of Jefferson County, West Virginia on the _____ day of _____, 2012 at _____ o'clock a.m./p.m., or as soon thereafter as Counsel may be heard.

It is further **ORDERED** that the Petitioner shall cause a duly attested copy of this Order and the Petition of Martin Wayne Lookingbill and Brenda Diane Lookingbill for Closing Unused Roads, Streets and Travel Ways be served upon Southland Corporation, P.O. Box 711, Dallas, TX 752211; Nancy Gray, 1578 Flowing Springs Road, Charles Town, WV 25414; Francis and Jeanette Duncan, P.O. Box 29, Shenandoah Jct, WV 25442; Mary V. Pierce, c/o Mary Bordier, 358 Jefferson Avenue, Charles Town, WV 25414; Debra Pittinger, 425 Euclid Avenue, Charles Town, WV 25414; and Susanne Lawton, General Manager, Jefferson County Public Service District, 340 Edmond Road, Suite A, Kearneysville, WV 25430; and cause Notice of said Hearing to be published as a Class 1

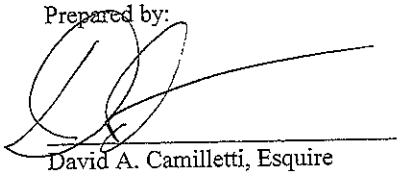
legal advertisement.

The Clerk shall enter this Order as of the day and date below written and shall transmit two (6) attested copies to David A. Camilletti, Esquire, 103 W. Liberty Street, Charles Town, West Virginia 25414.

ENTERED this _____ day of _____, 2012.

_____
President of the County Commission

Prepared by:



David A. Camilletti, Esquire
WV State Bar Id No. 599
Counsel for Petitioners

BEFORE THE COUNTY COURT OF JEFFERSON COUNTY, WEST VIRGINIA

IN THE MATTER OF: MARTIN WAYNE LOOKINGBILL and
BRENDA DIANE LOOKINGBILL

CASE NO:_____

PETITION FOR CLOSING UNUSED ROADS, STREETS AND TRAVEL WAYS

NOW COMES the Petitioners, Martin Wayne Lookingbill and Brenda Diane Lookingbill, by counsel, David A. Camilletti and for their Petition for Closing Unused Roads, Streets and Travel Ways does say as follows:

1. Pursuant to the provisions of West Virginia Code 7-1-3(h) your Petitioners request that their verified application to close or annul the unused road, street, travel way or alley located between his various properties be filed and scheduled for hearing;

2. The Petitioners are the owners of four (4) parcels of real estate in Charles Town District, Jefferson County, West Virginia, being Parcel 76, Tax Map 10A;

3. The attached plat, dated April 11, 2007, prepared by George E. Nagle and Associates;and the plat dated March 12, 2012, prepared by Gordon and Associates along with the Jefferson County Tax Maps, District 2, Map # 10A, sets forth the four parcels and the unused road, street, travel way or alley to be closed or annulled;

4. The Petitioners state that the portion of the unused road, street, travel way or alley to be closed begins at Washington Street and extends in a southerly direction to a point 255.83 feet from Washington Street.

5. The Petitioners request the closure of the unused road, street, travel way or alley because it has never been opened or traveled;

6. The addition of this closure, to the Petitioner's real estate, would allow the Petitioner

to make improvements to the real estate;

7. The Petitioner avers that the closure would not be prejudicial to the County or State;

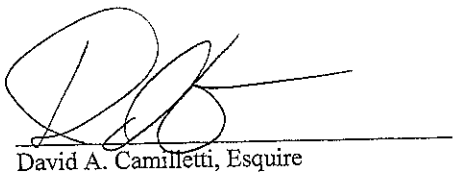
8. The closure would assist a local ongoing business in its effort to renovate the property and promote additional rental spaces for businesses;

9. The above mentioned statute allows for the County Court of any county to close and vacate any part or all of any such unused road, street or other designated travel way;

10. Petitioners request that the County Court set this matter for a hearing on the Court's next available date and time.

Respectfully submitted,

Martin Wayne Lookingbill and
Brenda Diane Lookingbill, Petitioners
By Counsel



David A. Camilletti, Esquire
WV State Bar ID No. 599
103 W. Liberty Street
Charles Town, WV 25414
304-725-0937
304-725-1039 facsimile

VERIFICATION

STATE OF MARYLAND,

COUNTY OF CARROLL, to-wit:

I, Martin Wayne Lookingbill, swear and affirm that the information in the above Petition, which has been supplied by me, is the truth to the best of knowledge and belief.

Martin Wayne Lookingbill

I, CATHY G MESZAROS a Notary in and for the aforesaid County and State do hereby certify that Martin Wayne Lookingbill, has this day signed his seal to the Petition and Verification on this the 8th day of August, 2012.

NOTARY PUBLIC

My Commission expires: 4-21-2013.

CATHY G. MESZAROS NOTARY PUBLIC CARROLL CO, MD

VERIFICATION

STATE OF MARYLAND,

COUNTY OF CARROLL, to-wit:

I, Brenda Diane Lookingbill, swear and affirm that the information in the above Petition, which has been supplied by me, is the truth to the best of knowledge and belief.

Brenda Diane Lookingbill

I, CATHY G MESZAROS a Notary in and for the aforesaid County and State do hereby certify that Brenda Diane Lookingbill, has this day signed her seal to the Petition and Verification on this the 8th day of August, 2012.

NOTARY PUBLIC

My Commission expires: 4-21-2013.

CATHY G. MESZAROS NOTARY PUBLIC CARROLL CO. MD

NOTES: NO TITLE REPORT FURNISHED FOR THIS SURVEY.

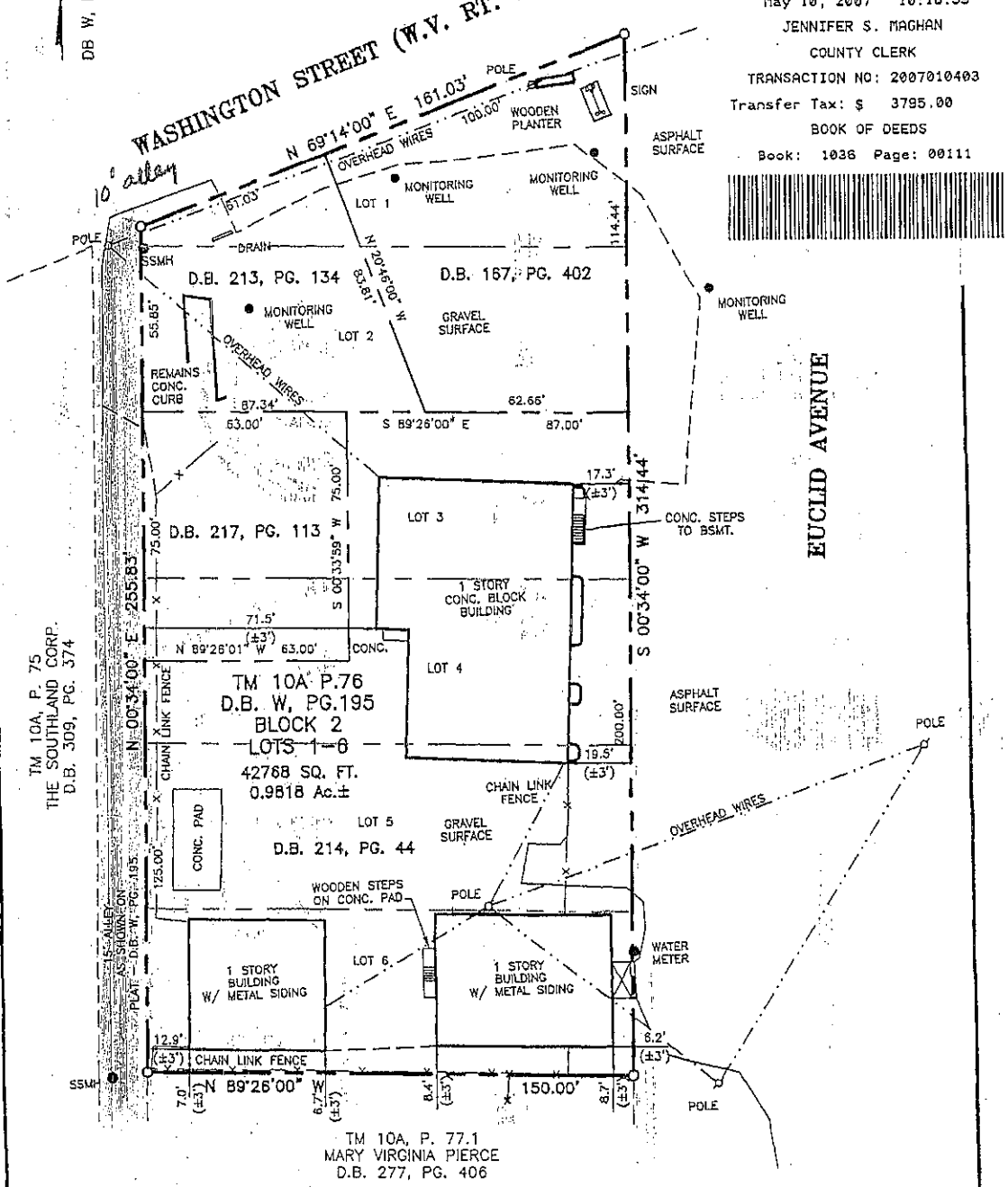
I HEREBY CERTIFY THAT THE POSITION OF EXISTING IMPROVEMENTS SHOWN HEREON HAVE BEEN CAREFULLY ESTABLISHED USING ACCEPTED FIELD PRACTICES.

04/11/07
DATE

GEORGE E. NAGEL
PROFESSIONAL LAND SURVEYOR
WEST VIRGINIA REGISTRATION NUMBER 2083

GEORGE E. NAGEL LICENSED No. 2083 STATE OF WEST VIRGINIA PROFESSIONAL SURVEYOR

JEFFERSON COUNTY, WV
FILED
May 10, 2007 10:16:59
JENNIFER S. MAGHAN
COUNTY CLERK
TRANSACTION NO: 2007010403
Transfer Tax: $ 3795.00
BOOK OF DEEDS
Book: 1036 Page: 00111



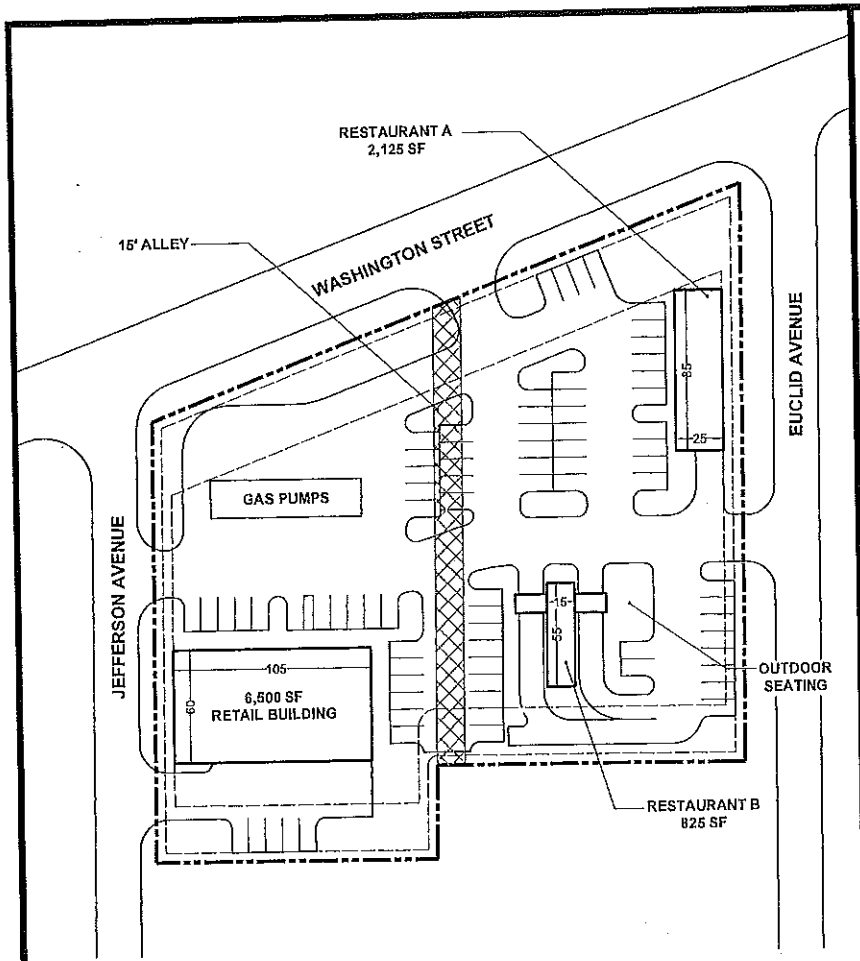
George E. Nagel & ASSOCIATES, INC.

LAND SURVEYORS

21822 Ringgold Pike | Hagerstown, Maryland 21742
(301) 416-2225 | Fax (301) 416-2738

LOCATION SURVEY
FOR
LOTS 1 – 6, BLOCK 2
(PLAT – D.B. W, PG. 195)
CHARLES TOWN DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA
SCALE 1"=40' APRIL, 2007

A-0187



BUILDINGS:
- RESTAURANT A: 2,125 SF (ASSUMED 1,600 SF CUSTOMER AREA)
- RESTAURANT B: 825 SF (ASSUMED 1,000 SF OUTDOOR SEATING)
- RETAIL / COMMERCIAL: 6,500 SF

PARKING:
- RESTAURANT A:
  1 SPACE PER 50 SQUARE FEET OF CUSTOMER FLOOR SPACE.
  1,600 SQUARE FEET (ESTIMATED) = 32 REQUIRED SPACES
- RESTAURANT B:
  1 SPACE PER 50 SQUARE FEET OF CUSTOMER FLOOR SPACE.
  1,000 SQUARE FEET (OUTDOOR SEATING) = 20 REQUIRED SPACES
- COMMERCIAL RETAIL SALES (> 2,000 SQUARE FEET):
  1 PER 500 SQUARE FEET OF RETAIL SPACE.
  6,500 SQUARE FEET = 13 REQUIRED SPACES
- TOTAL REQUIRED PARKING = 65 SPACES
- TOTAL PROVIDED PARKING = 77 SPACES

YARD / SETBACK REQUIREMENTS:
- BUILDING: FRONT = 40 FEET
  SIDE = 10 FEET
  REAR = 30 FEET
- PARKING: 5 FEET, TYPICAL

NOTES:
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50 25 0 50 100 150

GRAPHICAL SCALE: 1" = 50'

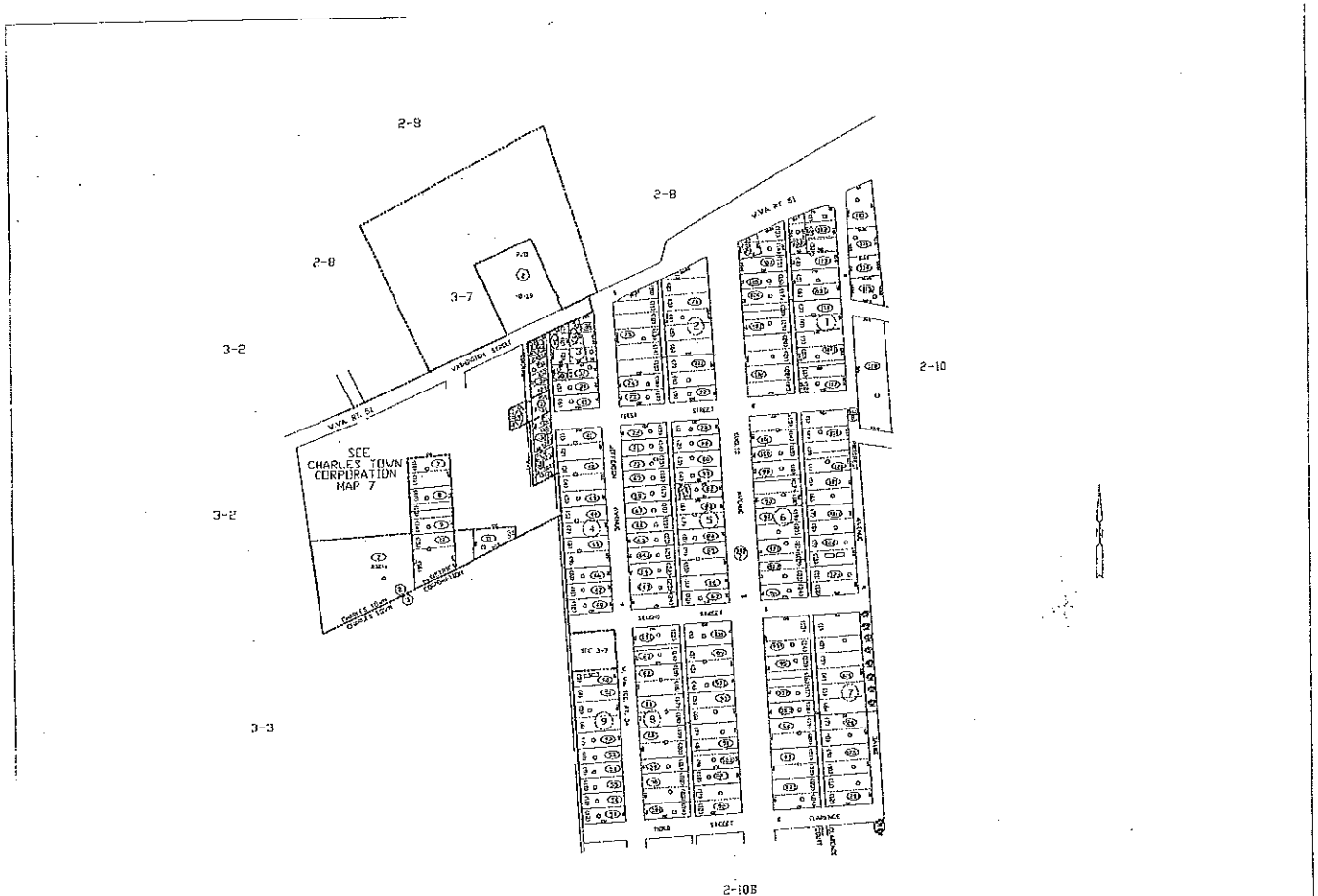
GORDON ASSOCIATES

Charles Washington Center
Jefferson County, West Virginia

03/12/2012

CONCEPTUAL LAYOUT
CHARLES TOWN TAX DISTRICT

EXHIBIT
01



FOR TAX PURPOSES ONLY PREPARED BY JEFFERSON COUNTY ASSESSORS OFFICE	LEGEND	REVISIONS	KEY MAP	COUNTY OF JEFFERSON OFFICE OF ASSESSOR CHARLES TOWN, W. VA.	CHARLES TOWN DISTRICT DISTRICT 2 MAP NUMBER 10A
Note: Maps are updated constantly by the taxpayer however, maps are printed only at the beginning of the fiscal year (July)		Revisions outgrew this space and are now maintained in a database.			

BEFORE THE COUNTY COURT OF JEFFERSON COUNTY, WEST VIRGINIA

IN THE MATTER OF: MARTIN WAYNE LOOKINGBILL and
BRENDA DIANE LOOKINGBILL

CASE NO. _____

ORDER OF PUBLICATION

The object of the above entitled action is to petition the Court for the closure of the unused road, street, travel way or alley beginning at Washington Street and extends in a southerly direction to a point 255.83 feet from Washington Street. Said unused road, street, travel way or alley is adjacent to four parcels of property owned by the Petitioners located in Charles Town District, Jefferson County, West Virginia, being Parcel 76, Tax Map 10A.

It appearing that such Petition was filed with the Court on or about August ____, 2012, it is therefore ORDERED that on _____ day of _____, 2012 at _____ o'clock a.m/p.m., this matter shall come on for a hearing on the said Petition before the County Commission located at _____the Jefferson County Library Meeting Room, Charles Town, Jefferson County, West Virginia, of the parties in interest. Any person claiming rights or interest with regard to the closure of said unused road, street, travel way or alley, may appear to the time and place aforesaid to assert any such right or interest.

Entered by Clerk of said Court the _____ day of _____, 2012.

_____
Clerk

BEFORE THE COUNTY COURT OF JEFFERSON COUNTY, WEST VIRGINIA

IN THE MATTER OF: MARTIN WAYNE LOOKINGBILL and
BRENDA DIANE LOOKINGBILL

CASE NO:_____

ORDER SETTING HEARING

This day came the Petitioners, by counsel, David A. Camilletti, Esquire, having previously filed a duly verified Petition of Martin Wayne Lookingbill and Brenda Diane Lookingbill for Closing Unused Roads, Streets and Travel Ways. It appears to the Court by said Petition that the Petitioners are entitled to a hearing on this matter.

It is therefore ORDERED that the Petition of Martin Wayne Lookingbill and Brenda Diane Lookingbill for Closing Unused Roads, Streets and Travel Ways shall be set down for hearing before the County Commission of Jefferson County, West Virginia on the _____ day of _____, 2012 at _____ o'clock a.m./p.m., or as soon thereafter as Counsel may be heard.

It is further **ORDERED** that the Petitioner shall cause a duly attested copy of this Order and the Petition of Martin Wayne Lookingbill and Brenda Diane Lookingbill for Closing Unused Roads, Streets and Travel Ways be served upon Southland Corporation, P.O. Box 711, Dallas, TX 752211; Nancy Gray, 1578 Flowing Springs Road, Charles Town, WV 25414; Francis and Jeanette Duncan, P.O. Box 29, Shenandoah Jct, WV 25442; Mary V. Pierce, c/o Mary Bordier, 358 Jefferson Avenue, Charles Town, WV 25414; Debra Pittinger, 425 Euclid Avenue, Charles Town, WV 25414; and Susanne Lawton, General Manager, Jefferson County Public Service District, 340 Edmond Road, Suite A, Kearneysville, WV 25430; and cause Notice of said Hearing to be published as a Class 1

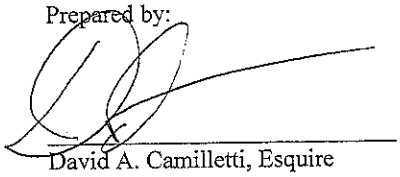
legal advertisement.

The Clerk shall enter this Order as of the day and date below written and shall transmit two (6) attested copies to David A. Camilletti, Esquire, 103 W. Liberty Street, Charles Town, West Virginia 25414.

ENTERED this _____ day of _____, 2012.

_____
President of the County Commission

Prepared by:



David A. Camilletti, Esquire
WV State Bar Id No. 599
Counsel for Petitioners

BEFORE THE COUNTY COURT OF JEFFERSON COUNTY, WEST VIRGINIA

IN THE MATTER OF: MARTIN WAYNE LOOKINGBILL and
BRENDA DIANE LOOKINGBILL

CASE NO:_____

PETITION FOR CLOSING UNUSED ROADS, STREETS AND TRAVEL WAYS

NOW COMES the Petitioners, Martin Wayne Lookingbill and Brenda Diane Lookingbill, by counsel, David A. Camilletti and for their Petition for Closing Unused Roads, Streets and Travel Ways does say as follows:

1. Pursuant to the provisions of West Virginia Code 7-1-3(h) your Petitioners request that their verified application to close or annul the unused road, street, travel way or alley located between his various properties be filed and scheduled for hearing;

2. The Petitioners are the owners of four (4) parcels of real estate in Charles Town District, Jefferson County, West Virginia, being Parcel 76, Tax Map 10A;

3. The attached plat, dated April 11, 2007, prepared by George E. Nagle and Associates;and the plat dated March 12, 2012, prepared by Gordon and Associates along with the Jefferson County Tax Maps, District 2, Map # 10A, sets forth the four parcels and the unused road, street, travel way or alley to be closed or annulled;

4. The Petitioners state that the portion of the unused road, street, travel way or alley to be closed begins at Washington Street and extends in a southerly direction to a point 255.83 feet from Washington Street.

5. The Petitioners request the closure of the unused road, street, travel way or alley because it has never been opened or traveled;

6. The addition of this closure, to the Petitioner's real estate, would allow the Petitioner

to make improvements to the real estate;

7. The Petitioner avers that the closure would not be prejudicial to the County or State;

8. The closure would assist a local ongoing business in its effort to renovate the property and promote additional rental spaces for businesses;

9. The above mentioned statute allows for the County Court of any county to close and vacate any part or all of any such unused road, street or other designated travel way;

10. Petitioners request that the County Court set this matter for a hearing on the Court's next available date and time.

Respectfully submitted,

Martin Wayne Lookingbill and
Brenda Diane Lookingbill, Petitioners
By Counsel

David A. Camilletti, Esquire
WV State Bar ID No. 599
103 W. Liberty Street
Charles Town, WV 25414
304-725-0937
304-725-1039 facsimile

VERIFICATION

STATE OF MARYLAND,

COUNTY OF CARROLL, to-wit:

I, Martin Wayne Lookingbill, swear and affirm that the information in the above Petition, which has been supplied by me, is the truth to the best of knowledge and belief.

Martin Wayne Lookingbill

I, CATHY G MESZAROS a Notary in and for the aforesaid County and State do hereby certify that Martin Wayne Lookingbill, has this day signed his seal to the Petition and Verification on this the 8th day of August, 2012.

NOTARY PUBLIC

My Commission expires: 4-21-2013.

CATHY G. MESZAROS NOTARY PUBLIC CARROLL CO., MD

VERIFICATION

STATE OF MARYLAND,

COUNTY OF CARROLL, to-wit:

I, Brenda Diane Lookingbill, swear and affirm that the information in the above Petition, which has been supplied by me, is the truth to the best of knowledge and belief.

Brenda Diane Lookingbill

Brenda Diane Lookingbill

I, CATHY G MESZAROS a Notary in and for the aforesaid County and State do hereby certify that Brenda Diane Lookingbill, has this day signed her seal to the Petition and Verification on this the 8th day of August, 2012.

Cathy G. Meszaros

NOTARY PUBLIC

My Commission expires: 4-21-2013.

CATHY G. MESZAROS NOTARY PUBLIC CARROLL CO., MD

NOTES: NO TITLE REPORT FURNISHED FOR THIS SURVEY.

I HEREBY CERTIFY THAT THE POSITION OF EXISTING IMPROVEMENTS SHOWN HEREON HAVE BEEN CAREFULLY ESTABLISHED USING ACCEPTED FIELD PRACTICES.

04/11/07
DATE

GEORGE E. NAGEL
PROFESSIONAL LAND SURVEYOR
WEST VIRGINIA REGISTRATION NUMBER 2083

GEORGE E. NAGEL LICENSED No. 2083 STATE OF WEST VIRGINIA PROFESSIONAL SURVEYOR

JEFFERSON COUNTY, WV
FILED
May 10, 2007 10:16:58
JENNIFER S. MAGHAN
COUNTY CLERK
TRANSACTION NO: 2007010403
Transfer Tax: $ 3795.00
BOOK OF DEEDS
Book: 1036 Page: 00111

DB W, PG.195

WASHINGTON STREET (W.V. RT. 51)

N 69°14'00" E 161.03'

10' alley

POLE

OVERHEAD WIRES

100.00'

WOODEN PLANTER

SIGN

ASPHALT SURFACE

MONITORING WELL

MONITORING WELL

LOT 1

57.03'

114.44'

DRAIN

SSMH

D.B. 213, PG. 134

N 20°46'00" W 83.81'

D.B. 167, PG. 402

MONITORING WELL

MONITORING WELL

LOT 2

GRAVEL SURFACE

55.85'

REMAINS CONC. CURB

OVERHEAD WIRES

87.34'

63.00'

S 89°26'00" E 87.00'

62.56'

EUCLID AVENUE

17.3' (±3')

314.44'

S 00°34'00" W

CONC. STEPS TO BSMT.

D.B. 217, PG. 113

LOT 3

75.00'

75.00'

S 00°33'59" W

1 STORY CONC. BLOCK BUILDING

71.5'

N 89°26'01" W (±3') 63.00'

CONC.

LOT 4

TM 10A P.76
D.B. W, PG.195
BLOCK 2
LOTS 1-6
42768 SQ. FT.
0.9816 Ac.±

ASPHALT SURFACE

POLE

200.00'

19.6' (±3')

CHAIN LINK FENCE

TM 10A, P. 75
THE SOUTHLAND CORP.
D.B. 309, PG. 374

N 00°34'00" E 255.83'

CHAIN LINK FENCE

CONC. PAD

LOT 5

GRAVEL SURFACE

D.B. 214, PG. 44

OVERHEAD WIRES

125.00'

WOODEN STEPS ON CONC. PAD

POLE

15' ALLEY AS SHOWN ON PLAT D.B. W, PG. 195

1 STORY BUILDING W/ METAL SIDING

LOT 6

1 STORY BUILDING W/ METAL SIDING

WATER METER

12.9' (±3')

CHAIN LINK FENCE

6.2' (±3')

SSMH

7.0' (±3')

N 89°26'00" W

6.7' (±3')

8.4' (±3')

150.00'

8.7' (±3')

POLE

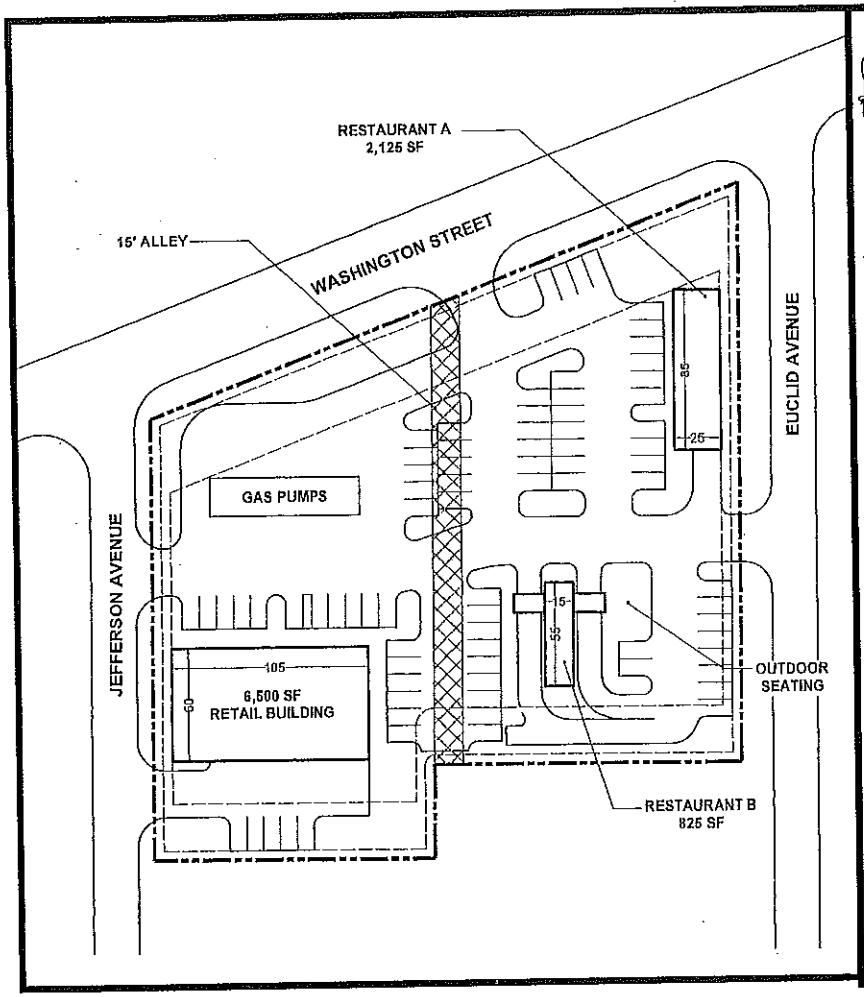
TM 10A, P. 77.1
MARY VIRGINIA PIERCE
D.B. 277, PG. 406

George E. Nagel & ASSOCIATES, INC.

LAND SURVEYORS

21822 Ringgold Pike | Hagerstown, Maryland 21742
(301) 416-2225 | Fax (301) 416-2738

LOCATION SURVEY
FOR
LOTS 1 - 6, BLOCK 2
(PLAT - D.B. W, PG. 195)
CHARLES TOWN DISTRICT
JEFFERSON COUNTY, WEST VIF
SCALE 1"=40' APRIL, 20



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- RESTAURANT B: 825 SF (ASSUMED 1,000 SF OUTDOOR SEATING)
- RETAIL / COMMERCIAL: 6,500 SF

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  SIDE = 10 FEET
  REAR = 30 FEET
- PARKING: 5 FEET, TYPICAL

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50 25 0 50 100 150

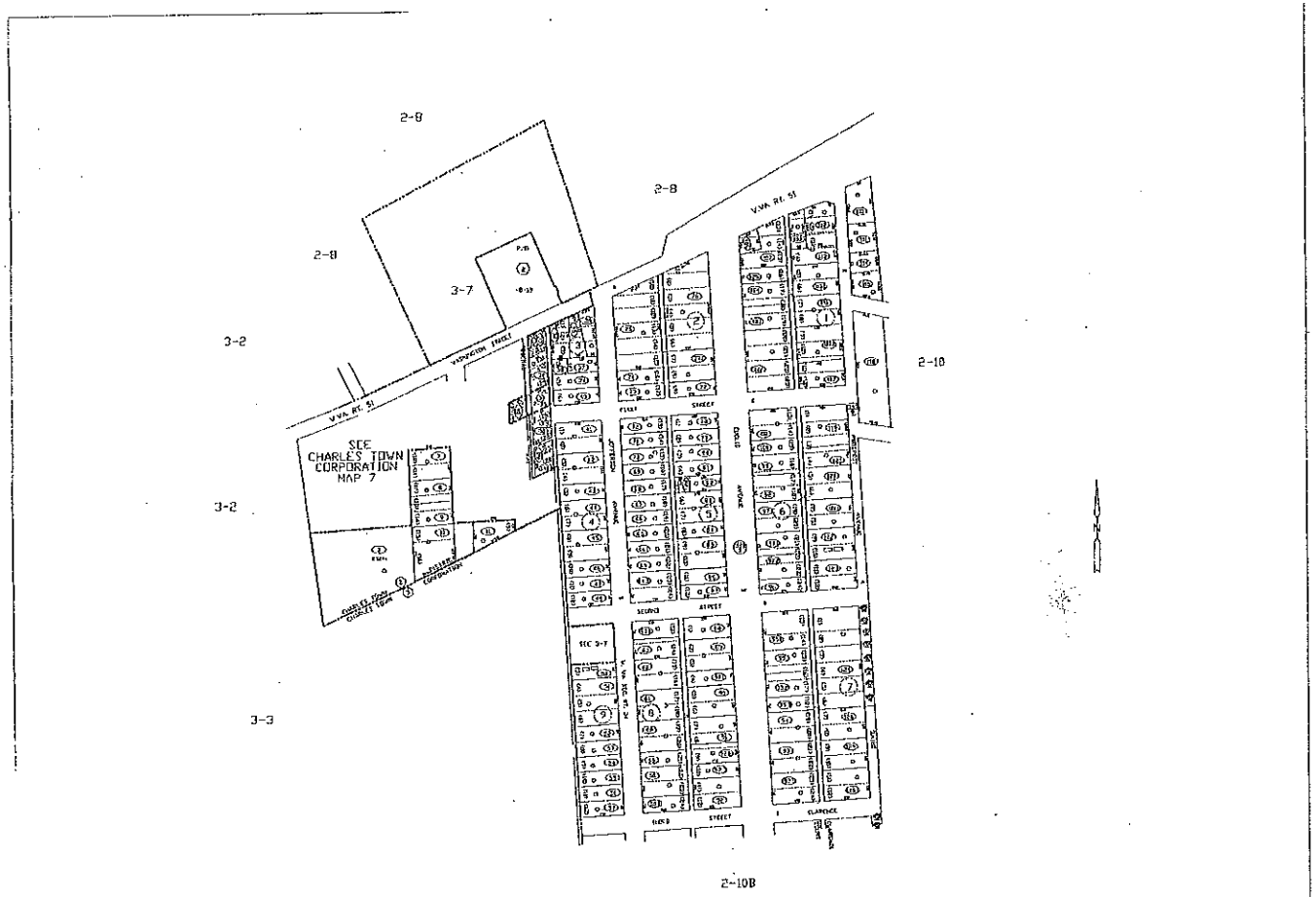
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GORDON ASSOCIATES

Charles Washington Center
Jefferson County, West Virginia
03/12/2012

CONCEPTUAL LAYOUT
CHARLES TOWN TAX DISTRICT

EXHIBIT
01



FOR TAX PURPOSES ONLY	LEGEND	REVISIONS	KEY MAP	COUNTY OF JEFFERSON	CHARLES TOWN DISTRICT
JEFFERSON COUNTY ASSESSORS OFFICE		Revisions outgrow this space and are now maintained in a database.		OFFICE OF ASSESSOR CHARLES TOWN, W. VA.	DISTRICT 2 MAP NUMBER 10A

BEFORE THE COUNTY COURT OF JEFFERSON COUNTY, WEST VIRGINIA

IN THE MATTER OF: MARTIN WAYNE LOOKINGBILL and
BRENDA DIANE LOOKINGBILL

CASE NO. _____

ORDER OF PUBLICATION

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It appearing that such Petition was filed with the Court on or about August ____, 2012, it is therefore ORDERED that on _____ day of _____, 2012 at _____ o'clock a.m/p.m., this matter shall come on for a hearing on the said Petition before the County Commission located at _____the Jefferson County Library Meeting Room, Charles Town, Jefferson County, West Virginia, of the parties in interest. Any person claiming rights or interest with regard to the closure of said unused road, street, travel way or alley, may appear to the time and place aforesaid to assert any such right or interest.

Entered by Clerk of said Court the _____ day of _____, 2012.

_____
Clerk

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

AGENDA REQUEST FORM

Name: Sandy McDonald, Deputy County Administrator

Department or Entity: **County Commission**

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: October 4, 2012

Date Requested – 2nd Choice: _____

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

Subject: **Approval of Grant Contract and Resolution for Fisherman's Hall Building renovations in the amount of $3,000**

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 to approve the Grant contract and Resolution for Fisherman's Hall Building renovations in the amount of $3,000 and to authorize the President of the Commission to affix her signature to the appropriate documents**

Attachments:

JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV

RESOLUTION

The County Commission of Jefferson County, met on October 4th, 2012 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist the African American Community Association to continue restoration of the historic Fisherman's Hall with funds made available through the Governor's Community Participation Grant program in the amount of $3,000.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission hereby authorizes the President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Signed:_____
COUNTY CLERK

12LEDA0383

PROJECT NUMBER: 12LEDA0383

GOVERNOR'S COMMUNITY PARTICIPATION

GRANT PROGRAM CONTRACT

between the

WEST VIRGINIA DEVELOPMENT OFFICE

and the

JEFFERSON COUNTY COMMISSION

THIS AGREEMENT, entered into this 1st day of July, 2011, by the West Virginia Department of Finance and Administration on behalf of the West Virginia Development Office hereinafter called the "WVDEVO" and the Jefferson County Commission and its authorized officers, agents, and representatives, hereinafter called the "Grantee."

WITNESS THAT:

WHEREAS, the WVDEVO has promised and agreed to assist the Grantee to perform such tasks hereafter described in the scope of services, which is to be partially financed by funds made available through the Governor's Community Participation Grant program.

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

1. **Assistance of the Grantee**. The WVDEVO hereby agrees to assist the Grantee including all authorized officers, agents, and representatives, to perform such tasks and functions as set forth below in the scope of services.

2. **Scope of Services**. The Grantee, or its designated agent, shall do, perform and carry out, in a satisfactory and proper manner as determined by the WVDEVO, and appropriate regulatory agencies, if required, all duties, tasks, and functions necessary to renovate the Fisherman Hall Building. Renovations to include replacement of basement walls, new flooring, electrical upgrades, and renovations to the second floor, as funds permit.

3. **Personnel**. The Grantee represents that it has, or will secure at its own expense, personnel with the necessary qualifications and experience required to perform the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with WVDEVO.

4. **Time Performance**. The Grantee will commence its duties under this Contract on July 1, 2011, and such duties shall be undertaken and completed in such sequences as to assure their expeditious completion in the light of the purpose of the Contract; but, in any event, all of the services required hereunder shall be completed by June 30, 2013. The completion date of this contract may only be extended by mutual written agreement of both parties dependent on the reappropriation of funds under the Governor's Community Participation Grant program. If no such agreement exists, the Grantee shall not receive payment for services rendered or work performed relative to this grant after June 30, 2013.

5. **Compensation**. In consideration of the services rendered by the Grantee, the WVDEVO agrees to pay the Grantee the sum of $3,000. This amount constitutes complete compensation for all services rendered. In no

instance shall the agreed upon compensation exceed $3,000 without the written consent of the Governor of the State of West Virginia.

6. **Method of Payment**. In order to receive payments under the terms of this Agreement, the Grantee shall submit the following: (a) a Letter of Transmittal containing a progress report, and (b) a Request for Payment Financial Report. The final ten percent shall be made available upon submission of certification of completion and acceptance of the project by the Grantee. Upon receipt of said documents, the WVDEVO shall review the same for reasonableness and appropriateness.

7. **Changes**. The WVDEVO and the Grantee may, from time to time, require changes in the scope of the services of the work to be performed hereunder. Such changes, including any increase or decrease in the amount of the Grantee's compensation and work to be performed, which are mutually agreed upon by and between the WVDEVO and the Grantee, shall be incorporated in written amendments to this Contract.

8. **Sub-Grantees and Reversion of Property**. The Grantee may administer funds on behalf of sub-grantees, provided that such a sub-grantee is certified as a nonprofit organization by the United States Internal Revenue Service and the West Virginia Secretary of State's Office. Should such a sub-grantee cease to exist, all commodities or supplies purchased with funds provided under the auspices of this Contract by or for the sub-grantee shall become the property of the Grantee.

9. **Competitive Bid Procedures**. Competitive bidding shall be pursued in all instances. The Grantee must follow the more stringent of either state or local purchasing regulations. The West Virginia Purchasing Division requirements, at a minimum, are as follows: Commodities and services expected to cost $2,500 or less require no bids, however, competition is encouraged. Purchases between $2,500.01 and $5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases $5,000.01 to $25,000 require three written bids.

The Grantee shall solicit competitive, sealed bids for commodities and supplies related to this project which have an estimated value of over $25,000. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than $25,000 shall be cause for termination of this agreement under the provisions of Paragraph 28. These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date.

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The receipt and utilization of funds procured under this agreement mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code § 21-5A.

Such provisions shall include the payment of the Fair Minimum Wage Rates as determined by the West Virginia Commissioner of Labor for each craft or classification of all workmen needed to perform the contract in the locality in which the public work is performed. For projects involving federal funds which are covered by the provisions of the Davis Bacon Act (40 U.S.C. 276-a 276a-5), the Grantee shall cause the contractor and/or subcontractors to pay the higher wage rate, federal or state.

Further, the Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bid documents. The Grantee shall also have available upon request for review by the WVDEVO or its designated representative, bid documents and other evidence of compliance including copies of contractor's payrolls.

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Further, the receipt and utilization of funds procured under this agreement mandate that ALL CONSTRUCTION CONTRACTS NECESSARY FOR THE UNDERTAKING AND COMPLETION OF THIS PROJECT, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code § 21-5A.

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The Grantee shall designate the time and place for opening such construction bids in accordance with West Virginia Code §5-22-2.

12. **Bonding**. The Grantee shall secure bonding in accordance with West Virginia Code §5-22-1. All bids submitted pursuant to this chapter shall include a valid bid bond or other surety as approved by the state of West Virginia or its subdivisions. Following the solicitation of such bids, the construction contract shall be awarded to the lowest qualified responsible bidder, who shall furnish a sufficient performance and payment bond: provided, that the state and its subdivisions may reject all bids and solicit new bids.

In the procurement of contracts or subcontracts for construction of less than $100,000, the Grantee shall follow local or State requirements relating to bid guarantees, performance bonds, and payment bonds, provided that the Grantee's and State's interests are adequately protected and that such contracts can be executed in a timely manner.

In the procurement of contracts or subcontracts for construction that exceed $100,000, the Grantee shall obtain the following:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. This bid guarantee shall consist of a firm commitment such as bid bond, certified check, or other negotiable instrument accompanying a bid that the bidder will, upon acceptance of the bid, execute the contractual documents as may be required with the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. This performance bond shall be executed by the successful contractor in connection with the contract to secure fulfillment of the contractor's obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. This payment bond shall be executed in connection with a contract to assure payment is required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.

13. **Architecture and Engineering**. The Grantee shall procure architectural or engineering services in accordance with of the West Virginia Code §5G. In the procurement of architectural and engineering services for projects estimated to cost $250,000 or more, the Grantee shall publish a Class II legal ad in compliance with West Virginia Code §59-3. In the procurement of services for projects estimated to cost less than $250,000, the Grantee shall conduct discussions with three or more professional firms.

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15. **Environmental and Historical Assessment.** The Grantee shall comply with all applicable federal, state and local environmental and historical preservation laws and regulations. The Grantee acknowledges this requirement and certifies that the project will be in compliance with such laws and regulations.

16. **Equal Employment Opportunity**. With respect to employment in carrying out the program objectives, the Grantee agrees that it will not discriminate against any employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap.

17. **Facilities Accessible to the Handicapped**. The Grantee shall require any facilities constructed under the auspices of this Contract to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A11/.1-1961, as modified (41CFR101-17.1703 and (13CFR309.14)). The Grantee shall be responsible for conducting inspections to ensure compliance with these specifications.

18. **Facilities Operation**. The Grantee shall operate and maintain all facilities constructed under the auspices of this Contract in accordance with minimum standards as may be required or prescribed by the applicable federal, state and local statute, law, ordinance or regulation as to actual construction procedures, as well as maintenance and operation of such facilities upon completion.

19. **Interest of Members of WVDEVO and Others**. No officer, member or employee of the WVDEVO or officer, member or employee of the Grantee who exercises any function or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this Contract which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested or has any personal or pecuniary interest, nor shall any officer, member of, or employee of, the Grantee or any member of its governing body, or officer, member, or employee of the contractor have any interest, direct or indirect, in this Contract or the proceeds thereof.

20. **Officials Not To Benefit**. No member of the Legislature of the State of West Virginia, or individual performing a service for the Grantee in connection with this project, shall be admitted to any share thereof or to any benefit to arise from this Agreement.

21. **Inspections of Project Records**. At any time during normal business hours and as often as the WVDEVO or its designated representative may deem necessary, there shall be made available to the WVDEVO or

its designated representative for examination, all of its records with respect to all matters covered by this Contract and permit the WVDEVO or its designated representative to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records and personnel, conditions of employment and other data relating to all matters covered by this Contract during the entire time period beginning with project approval and ending three years after the final disbursement of grant funds.

22. **Project Audits**. (a) The Grantee shall cause an audit of this program to be included in the audit of the Grantee performed by the West Virginia State Auditor's Office, Chief Inspection Division, or its designated representative in accordance with West Virginia Code §6-9-7. The audit shall be performed in conformance with generally acceptable accounting procedures. (b) In accordance West Virginia Code §12-4-14, if the grantee is not audited by the West Virginia State Auditor's Office and the grantee received state funds or grants in the amount of fifteen thousand dollars or more, the grantee shall file an audit of the disbursement of funds with the legislative auditor's office. The audit shall be filed within two years of the disbursement of funds or grants by the grantee and shall be made by an independent certified public accountant at the cost of the corporation, association or other organization, and must show that the funds or grants were spent for the purposes intended when the grant was made. State funds or audits of state funds or grants under fifteen thousand dollars ($15,000) may be authorized by the joint committee on government and finance to be conducted by the legislative auditor's office at no cost to the grantee.

23. **Reporting**. The Grantee shall submit any reports requested by the WVDEVO concerning financial status and program progress. Failure to provide such reports as required by WVDEVO in a timely manner shall be cause for termination of this Contract under the terms of Paragraph 7.

24. **Fiscal Management**. The Grantee shall be responsible for establishing and maintaining adequate procedures and internal financial controls governing the management and utilization of funds provided under this Contract, as well as funds provided as the Grantee's matching share.

25. **Political Activity**. No officer or employee of the Grantee whose principal employment is in connection with any activity which is financed in whole or in part pursuant to this agreement shall take part in any of the activities expressly prohibited by the Hatch Act.

26. **Repayment**. The Grantee shall refund to the State any expenditures determined to be made for an ineligible purpose for which State funds were received.

27. **Resolution of Disputes**. Resolution of disputes between the State and the Grantee concerning administrative and programmatic matters during the terms of this Agreement shall be initiated through consultation and discussion at the State's Administrative Offices with final decision on questions of policy or fact being determined by the Director of the Community Development Division or his/her designated representative. Nothing in this Agreement shall be construed as making the final decision on a question of law, or to limit in any manner any remedies or recourses available under applicable laws. Citizen's complaints or disputes regarding Grantee performance or actions relative to the approved project are the responsibility of the Grantee.

28. **Termination of Contract for Cause**. If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner his obligations under this Contract, or if the Grantee shall violate any of the covenants, agreements, or stipulations of this Contract, the WVDEVO shall thereupon have the right to terminate this Contract by giving written notice to the Grantee of such termination and specifying the effective date thereof, at least fifteen days before the effective date of such termination. The Grantee shall be entitled to receive just and equitable compensation for any satisfactory work completed on the described project.

Notwithstanding the above, the Grantee shall not be relieved of liability to the WVDEVO for damages sustained by the WVDEVO by virtue of any breach of the Contract by the Grantee, and the WVDEVO may withhold any payments to the Grantee for the purpose of set-off until such time as the exact amount of damages due the WVDEVO from the Grantee is determined.

29. **Termination for Convenience of WVDEVO**. The WVDEVO may terminate this Contract at any time by giving written notice to the Grantee of such termination and specifying the effective date of termination. If the Contract is terminated by the WVDEVO as provided herein, the Grantee will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Grantee covered by this Contract, less payments of compensation previously made.

30. **Termination by the Grantee**. The Grantee may unilaterally rescind this agreement at any time prior to the commencement of the project. After project commencement, this agreement may be rescinded, modified, or amended only by mutual agreement. A project shall be deemed commenced when the Grantee makes any expenditure or incurs any obligation with respect to the project.

31. **Signing**. This Contract shall be signed by the Executive Director of the West Virginia Development Office and by the President of the Jefferson County Commission upon authorization of the Jefferson County Commission by adoption and passage of a resolution, motion or similar official action.

IN WITNESS WHEREOF, the WVDEVO and the Grantee have executed this Agreement as of the date first above written.

STATE OF WEST VIRGINIA
WEST VIRGINIA DEVELOPMENT OFFICE

_____
J. Keith Burdette, Executive Director

JEFFERSON COUNTY COMMISISON

_____
Patricia Noland, President

Federal Employee Identification Number

55-6000333
F.E.I.N.

12LEDA0383

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

AGENDA REQUEST FORM

Name: Sandy McDonald, Deputy County Administrator

Department or Entity: **County Commission**

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: October 4, 2012

Date Requested – 2nd Choice: _____

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

Subject: **Approval of Grant Contract and Resolution for CHEERS School Family, Inc. in the amount of $2,000**

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 to approve the Grant contract and Resolution for CHEERS School Family, Inc. in the amount of $2,000 and to authorize the President of the Commission to affix her signature to the appropriate documents**

Attachments:

JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV

RESOLUTION

The County Commission of Jefferson County, met on October 4th, 2012 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist the CHEERS School Family, Inc. to purchase computers and related equipment to expand educated opportunities to four through twelve year old children with funds made available through the Governor's Community Participation Grant program in the amount of $2,000.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission hereby authorizes the President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Signed:_____
COUNTY CLERK

12LEDA0384

PROJECT NUMBER: 12LEDA0383

GOVERNOR'S COMMUNITY PARTICIPATION

GRANT PROGRAM CONTRACT

between the

WEST VIRGINIA DEVELOPMENT OFFICE

and the

JEFFERSON COUNTY COMMISSION

THIS AGREEMENT, entered into this 1st day of July, 2011, by the West Virginia Department of Finance and Administration on behalf of the West Virginia Development Office hereinafter called the "WVDEVO" and the Jefferson County Commission and its authorized officers, agents, and representatives, hereinafter called the "Grantee."

WITNESS THAT:

WHEREAS, the WVDEVO has promised and agreed to assist the Grantee to perform such tasks hereafter described in the scope of services, which is to be partially financed by funds made available through the Governor's Community Participation Grant program.

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

1. **Assistance of the Grantee**. The WVDEVO hereby agrees to assist the Grantee including all authorized officers, agents, and representatives, to perform such tasks and functions as set forth below in the scope of services.

2. **Scope of Services**. The Grantee, or its designated agent, shall do, perform and carry out, in a satisfactory and proper manner as determined by the WVDEVO, and appropriate regulatory agencies, if required, all duties, tasks, and functions necessary to purchase computers and related equipment to expand educational opportunities to four- through twelve-year-old children at the CHEERS School Family, Inc.

3. **Personnel**. The Grantee represents that it has, or will secure at its own expense, personnel with the necessary qualifications and experience required to perform the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with WVDEVO.

4. **Time Performance**. The Grantee will commence its duties under this Contract on July 1, 2011, and such duties shall be undertaken and completed in such sequences as to assure their expeditious completion in the light of the purpose of the Contract; but, in any event, all of the services required hereunder shall be completed by June 30, 2013. The completion date of this contract may only be extended by mutual written agreement of both parties dependent on the reappropriation of funds under the Governor's Community Participation Grant program. If no such agreement exists, the Grantee shall not receive payment for services rendered or work performed relative to this grant after June 30, 2013.

5. **Compensation**. In consideration of the services rendered by the Grantee, the WVDEVO agrees to pay the Grantee the sum of $2,000. This amount constitutes complete compensation for all services rendered. In no

instance shall the agreed upon compensation exceed $2,000 without the written consent of the Governor of the State of West Virginia.

6. **Method of Payment**. In order to receive payments under the terms of this Agreement, the Grantee shall submit the following: (a) a Letter of Transmittal containing a progress report, and (b) a Request for Payment Financial Report. The final ten percent shall be made available upon submission of certification of completion and acceptance of the project by the Grantee. Upon receipt of said documents, the WVDEVO shall review the same for reasonableness and appropriateness.

7. **Changes**. The WVDEVO and the Grantee may, from time to time, require changes in the scope of the services of the work to be performed hereunder. Such changes, including any increase or decrease in the amount of the Grantee's compensation and work to be performed, which are mutually agreed upon by and between the WVDEVO and the Grantee, shall be incorporated in written amendments to this Contract.

8. **Sub-Grantees and Reversion of Property**. The Grantee may administer funds on behalf of sub-grantees, provided that such a sub-grantee is certified as a nonprofit organization by the United States Internal Revenue Service and the West Virginia Secretary of State's Office. Should such a sub-grantee cease to exist, all commodities or supplies purchased with funds provided under the auspices of this Contract by or for the sub-grantee shall become the property of the Grantee.

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IN WITNESS WHEREOF, the WVDEVO and the Grantee have executed this Agreement as of the date first above written.

STATE OF WEST VIRGINIA
WEST VIRGINIA DEVELOPMENT OFFICE

_____
J. Keith Burdette, Executive Director

JEFFERSON COUNTY COMMISISON

here

By: _____
Patricia Noland, President

Federal Employee Identification Number

55-6000333
F.E.I.N.

12LEDA0384

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

AGENDA REQUEST FORM

Name: Sandy McDonald, Deputy County Administrator

Department or Entity: **County Commission**

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: October 4, 2012

Date Requested – 2nd Choice: _____

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

Subject: **Approval of Grant Contract and Resolution for the Jefferson County Convention and Visitors Bureau for the Harpers Ferry Welcome Center in the amount of $5,000**

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 to approve the Grant contract and Resolution for the Jefferson County Convention and Visitors Bureau for the Harpers Ferry Welcome Center in the amount of $5,000 and to authorize the President of the Commission to affix her signature to the appropriate documents**

Attachments:

JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV

RESOLUTION

The County Commission of Jefferson County, met on October 4th, 2012 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist the Jefferson County Convention and Visitors Bureau in constructing and addition to the Harpers Ferry Welcome Center with funds made available through the Governor's Community Participation Grant program in the amount of $5,000.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Signed:_____
COUNTY CLERK

09LEDA0836N

PROJECT NUMBER: 09LEDA0836N

GOVERNOR'S COMMUNITY PARTICIPATION

GRANT PROGRAM CONTRACT

between the

WEST VIRGINIA DEVELOPMENT OFFICE

and the

JEFFERSON COUNTY COMMISSION

THIS AGREEMENT, entered into this 1st day of July, 2012, by the West Virginia Department of Finance and Administration on behalf of the West Virginia Development Office hereinafter called the "WVDEVO" and the *and its authorized officers, agents, and representatives, hereinafter called the "Grantee."

WITNESS THAT:

WHEREAS, the WVDEVO has promised and agreed to assist the Grantee to perform such tasks hereafter described in the scope of services, which is to be partially financed by funds made available through the Governor's Community Participation Grant program.

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

1. **Assistance of the Grantee**. The WVDEVO hereby agrees to assist the Grantee including all authorized officers, agents, and representatives, to perform such tasks and functions as set forth below in the scope of services.

2. **Scope of Services**. The Grantee, or its designated agent, shall do, perform and carry out, in a satisfactory and proper manner as determined by the WVDEVO, and appropriate regulatory agencies, if required, all duties, tasks, and functions necessary to assist the Jefferson County Convention and Visitors Bureau in constructing an addition to the Harpers Ferry Welcome Center. The project will include the installation of flooring and other materials as funds permit.

3. **Personnel**. The Grantee represents that it has, or will secure at its own expense, personnel with the necessary qualifications and experience required to perform the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with WVDEVO.

4. **Time Performance**. The Grantee will commence its duties under this Contract on July 1, 2011, and such duties shall be undertaken and completed in such sequences as to assure their expeditious completion in the light of the purpose of the Contract; but, in any event, all of the services required hereunder shall be completed by June 30, 2013. The completion date of this contract may only be extended by mutual written agreement of both parties dependent on the reappropriation of funds under the Governor's Community Participation Grant program. If no such agreement exists, the Grantee shall not receive payment for services rendered or work performed relative to this grant after June 30, 2013.

5. **Compensation**. In consideration of the services rendered by the Grantee, the WVDEVO agrees to pay the Grantee the sum of $2,500. This amount constitutes complete compensation for all services rendered. In

no instance shall the agreed upon compensation exceed $2,500 without the written consent of the Governor of the State of West Virginia.

6. **Method of Payment**. In order to receive payments under the terms of this Agreement, the Grantee shall submit the following: (a) a Letter of Transmittal containing a progress report, and (b) a Request for Payment Financial Report. The final ten percent shall be made available upon submission of certification of completion and acceptance of the project by the Grantee. Upon receipt of said documents, the WVDEVO shall review the same for reasonableness and appropriateness.

7. **Changes**. The WVDEVO and the Grantee may, from time to time, require changes in the scope of the services of the work to be performed hereunder. Such changes, including any increase or decrease in the amount of the Grantee's compensation and work to be performed, which are mutually agreed upon by and between the WVDEVO and the Grantee, shall be incorporated in written amendments to this Contract.

8. **Sub-Grantees and Reversion of Property**. The Grantee may administer funds on behalf of sub-grantees, provided that such a sub-grantee is certified as a nonprofit organization by the United States Internal Revenue Service and the West Virginia Secretary of State's Office. Should such a sub-grantee cease to exist, all commodities or supplies purchased with funds provided under the auspices of this Contract by or for the sub-grantee shall become the property of the Grantee.

9. **Competitive Bid Procedures**. Competitive bidding shall be pursued in all instances. The Grantee must follow the more stringent of either state or local purchasing regulations. The West Virginia Purchasing Division requirements, at a minimum, are as follows: Commodities and services expected to cost $2,500 or less require no bids, however, competition is encouraged. Purchases between $2,500.01 and $5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases $5,000.01 to $25,000 require three written bids.

The Grantee shall solicit competitive, sealed bids for commodities and supplies related to this project which have an estimated value of over $25,000. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than $25,000 shall be cause for termination of this agreement under the provisions of Paragraph 28. These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date.

The Grantee shall also, where feasible, solicit sealed bids by listing the project in the F. W. Dodge Reports, sending requests by mail to prospective suppliers or contractors, and by posting notice on a bulletin board in a public place. The Grantee shall have available upon request for review by the WVDEVO or its designated representative, bid documents and other evidence of compliance with these procedures.

10. **Project Wage Rates.** Every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work which involves the employment of any contractor and/or subcontractor necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such contract, must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost.**

The receipt and utilization of funds procured under this agreement mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds

utilized to pay such construction contracts, must comply with the provisions of West Virginia Code § 21-5A.

Such provisions shall include the payment of the Fair Minimum Wage Rates as determined by the West Virginia Commissioner of Labor for each craft or classification of all workmen needed to perform the contract in the locality in which the public work is performed. For projects involving federal funds which are covered by the provisions of the Davis Bacon Act (40 U.S.C. 276-a 276a-5), the Grantee shall cause the contractor and/or subcontractors to pay the higher wage rate, federal or state.

Further, the Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bid documents. The Grantee shall also have available upon request for review by the WVDEVO or its designated representative, bid documents and other evidence of compliance including copies of contractor's payrolls.

11. **Construction**. The Grantee shall procure construction contracts in accordance with West Virginia Code §5-22-1. **The state and its subdivisions shall, except as provided in this section, solicit competitive bids for every construction project exceeding $25,000 in total cost.**

Further, the receipt and utilization of funds procured under this agreement mandate that ALL CONSTRUCTION CONTRACTS NECESSARY FOR THE UNDERTAKING AND COMPLETION OF THIS PROJECT, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code § 21-5A.

The term construction shall mean any construction, reconstruction, improvement, enlargement, painting, decorating, or repair of any public improvement let to contract. These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date.

Any contracts under this agreement must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. This law applies to all construction contracts, regardless of cost. The Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bidding blanks.

The Grantee shall designate the time and place for opening such construction bids in accordance with West Virginia Code §5-22-2.

12. **Bonding**. The Grantee shall secure bonding in accordance with West Virginia Code §5-22-1. All bids submitted pursuant to this chapter shall include a valid bid bond or other surety as approved by the state of West Virginia or its subdivisions. Following the solicitation of such bids, the construction contract shall be awarded to the lowest qualified responsible bidder, who shall furnish a sufficient performance and payment bond: provided, that the state and its subdivisions may reject all bids and solicit new bids.

In the procurement of contracts or subcontracts for construction of less than $100,000, the Grantee shall follow local or State requirements relating to bid guarantees, performance bonds, and payment bonds, provided that the Grantee's and State's interests are adequately protected and that such contracts can be executed in a timely manner.

In the procurement of contracts or subcontracts for construction that exceed $100,000, the Grantee shall obtain the following:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. This bid guarantee shall consist of a firm commitment such as bid bond, certified check, or other negotiable instrument accompanying a bid that the bidder will, upon acceptance of the bid, execute the contractual documents as may be required with the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. This performance bond shall be executed by the successful contractor in connection with the contract to secure fulfillment of the contractor's obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. This payment bond shall be executed in connection with a contract to assure payment is required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.

13. **Architecture and Engineering**. The Grantee shall procure architectural or engineering services in accordance with of the West Virginia Code §5G. In the procurement of architectural and engineering services for projects estimated to cost $250,000 or more, the Grantee shall publish a Class II legal ad in compliance with West Virginia Code §59-3. In the procurement of services for projects estimated to cost less than $250,000, the Grantee shall conduct discussions with three or more professional firms.

14. **Design-Build**. The Grantee shall procure design-build projects in accordance with West Virginia Code §5-22A-1. This applies solely to building projects. Highways, water, sewer, and all other public works projects are specifically prohibited from using the design-build method.

15. **Environmental and Historical Assessment.** The Grantee shall comply with all applicable federal, state and local environmental and historical preservation laws and regulations. The Grantee acknowledges this requirement and certifies that the project will be in compliance with such laws and regulations.

16. **Equal Employment Opportunity**. With respect to employment in carrying out the program objectives, the Grantee agrees that it will not discriminate against any employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap.

17. **Facilities Accessible to the Handicapped**. The Grantee shall require any facilities constructed under the auspices of this Contract to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A11/.1-1961, as modified (41CFR101-17.1703 and (13CFR309.14)). The Grantee shall be responsible for conducting inspections to ensure compliance with these specifications.

18. **Facilities Operation**. The Grantee shall operate and maintain all facilities constructed under the auspices of this Contract in accordance with minimum standards as may be required or prescribed by the applicable federal, state and local statute, law, ordinance or regulation as to actual construction procedures, as well as maintenance and operation of such facilities upon completion.

19. **Interest of Members of WVDEVO and Others**. No officer, member or employee of the WVDEVO or officer, member or employee of the Grantee who exercises any function or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this Contract which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested or has any personal or pecuniary interest, nor shall any officer, member of, or employee of, the Grantee or any member of its governing body, or officer, member, or employee of the contractor have any interest, direct or indirect, in this Contract or the proceeds thereof.

20. **Officials Not To Benefit**. No member of the Legislature of the State of West Virginia, or individual performing a service for the Grantee in connection with this project, shall be admitted to any share thereof or to any benefit to arise from this Agreement.

21. **Inspections of Project Records**. At any time during normal business hours and as often as the WVDEVO or its designated representative may deem necessary, there shall be made available to the WVDEVO or its designated representative for examination, all of its records with respect to all matters covered by this Contract and permit the WVDEVO or its designated representative to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records and personnel, conditions of employment and other data relating to all matters covered by this Contract during the entire time period beginning with project approval and ending three years after the final disbursement of grant funds.

22. **Project Audits**. (a) The Grantee shall cause an audit of this program to be included in the audit of the Grantee performed by the West Virginia State Auditor's Office, Chief Inspection Division, or its designated representative in accordance with West Virginia Code
§6-9-7. The audit shall be performed in conformance with generally acceptable accounting procedures.

(b) In accordance West Virginia Code §12-4-14, if the grantee is not audited by the West Virginia State Auditor's Office and the grantee received state funds or grants in the amount of fifteen thousand dollars or more, the grantee shall file an audit of the disbursement of funds with the legislative auditor's office. The audit shall be filed within two years of the disbursement of funds or grants by the grantee and shall be made by an independent certified public accountant at the cost of the corporation, association or other organization, and must show that the funds or grants were spent for the purposes intended when the grant was made. State funds or audits of state funds or grants under fifteen thousand dollars ($15,000) may be authorized by the joint committee on government and finance to be conducted by the legislative auditor's office at no cost to the grantee.

23. **Reporting**. The Grantee shall submit any reports requested by the WVDEVO concerning financial status and program progress. Failure to provide such reports as required by WVDEVO in a timely manner shall be cause for termination of this Contract under the terms of Paragraph 7.

24. **Fiscal Management**. The Grantee shall be responsible for establishing and maintaining adequate procedures and internal financial controls governing the management and utilization of funds provided under this Contract, as well as funds provided as the Grantee's matching share.

25. **Political Activity**. No officer or employee of the Grantee whose principal employment is in connection with any activity which is financed in whole or in part pursuant to this agreement shall take part in any of the activities expressly prohibited by the Hatch Act.

26. **Repayment**. The Grantee shall refund to the State any expenditures determined to be made for an ineligible purpose for which State funds were received.

27. **Resolution of Disputes**. Resolution of disputes between the State and the Grantee concerning administrative and programmatic matters during the terms of this Agreement shall be initiated through consultation and discussion at the State's Administrative Offices with final decision on questions of policy or fact being determined by the Director of the Community Development Division or his/her designated representative. Nothing in this Agreement shall be construed as making the final decision on a question of law, or to limit in any manner any remedies or recourses available under applicable laws. Citizen's complaints or disputes regarding Grantee performance or actions relative to the approved project are the responsibility of the Grantee.

28. **Termination of Contract for Cause**. If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner his obligations under this Contract, or if the Grantee shall violate any of the covenants, agreements, or stipulations of this Contract, the WVDEVO shall thereupon have the right to terminate this Contract by giving written notice to the Grantee of such termination and specifying the effective date thereof, at least fifteen days before the effective date of such termination. The Grantee shall be entitled to receive just and equitable compensation for any satisfactory work completed on the described project.

Notwithstanding the above, the Grantee shall not be relieved of liability to the WVDEVO for damages sustained by the WVDEVO by virtue of any breach of the Contract by the Grantee, and the WVDEVO may withhold any payments to the Grantee for the purpose of set-off until such time as the exact amount of damages due the WVDEVO from the Grantee is determined.

29. **Termination for Convenience of WVDEVO**. The WVDEVO may terminate this Contract at any time by giving written notice to the Grantee of such termination and specifying the effective date of termination. If the Contract is terminated by the WVDEVO as provided herein, the Grantee will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Grantee covered by this Contract, less payments of compensation previously made.

30. **Termination by the Grantee**. The Grantee may unilaterally rescind this agreement at any time prior to the commencement of the project. After project commencement, this agreement may be rescinded, modified, or amended only by mutual agreement. A project shall be deemed commenced when the Grantee makes any expenditure or incurs any obligation with respect to the project.

31. **Signing**. This Contract shall be signed by the Executive Director of the West Virginia Development Office and by the Mayor of the Town of Middlebourne upon authorization of the Town of Middlebourne by adoption and passage of a resolution, motion or similar official action.

IN WITNESS WHEREOF, the WVDEVO and the Grantee have executed this Agreement as of the date first above written.

STATE OF WEST VIRGINIA
WEST VIRGINIA DEVELOPMENT OFFICE

_____
J. Keith Burdette, Executive Director

JEFFERSON COUNTY COMMISSION

By: _____
Patricia Noland, President

Federal Employee Identification Number

55-6000333
F.E.I.N.

Project Number: 09LEDA0836N

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

AGENDA REQUEST FORM

Name: Sandy McDonald, Deputy County Administrator

Department or Entity: **County Commission**

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: October 4, 2012

Date Requested – 2nd Choice: _____

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

Subject: **Approval of Grant Contract and Resolution for the Alliance for Youth in the amount of $50,000**

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 to approve the Grant contract and Resolution for the Alliance for Youth in the amount of $50,000 and to authorize the President of the Commission to affix her signature to the appropriate documents**

Attachments:

JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV

RESOLUTION

The County Commission of Jefferson County, met on October 4th, 2012 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist The Alliance for Youth to cover operating expenses for the West Virginia's Promise with funds made available through the Governor's Community Participation Grant program in the amount of $50,000.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission hereby authorizes the President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Signed:_____
COUNTY CLERK

12CPGP0811N

PROJECT NUMBER: 08CPGP0811N

GOVERNOR'S COMMUNITY PARTICIPATION

GRANT PROGRAM CONTRACT

between the

WEST VIRGINIA DEVELOPMENT OFFICE

and the

JEFFERSON COUNTY COMMISSION

THIS AGREEMENT, entered into this 1st day of July, 2011, by the West Virginia Department of Finance and Administration on behalf of the West Virginia Development Office hereinafter called the "WVDEVO" and the Jefferson County Commission and its authorized officers, agents, and representatives, hereinafter called the "Grantee."

WITNESS THAT:

WHEREAS, the WVDEVO has promised and agreed to assist the Grantee to perform such tasks hereafter described in the scope of services, which is to be partially financed by funds made available through the Governor's Community Participation Grant program.

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

1. **Assistance of the Grantee**. The WVDEVO hereby agrees to assist the Grantee including all authorized officers, agents, and representatives, to perform such tasks and functions as set forth below in the scope of services.

2. **Scope of Services**. The Grantee, or its designated agent, shall do, perform and carry out, in a satisfactory and proper manner as determined by the WVDEVO, and appropriate regulatory agencies, if required, all duties, tasks, and functions necessary to cover operating expenses for the West Virginia's Promise – The Alliance for Youth.

3. **Personnel**. The Grantee represents that it has, or will secure at its own expense, personnel with the necessary qualifications and experience required to perform the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with WVDEVO.

4. **Time Performance**. The Grantee will commence its duties under this Contract on July 1, 2011, and such duties shall be undertaken and completed in such sequences as to assure their expeditious completion in the light of the purpose of the Contract; but, in any event, all of the services required hereunder shall be completed by June 30, 2013. The completion date of this contract may only be extended by mutual written agreement of both parties dependent on the reappropriation of funds under the Governor's Community Participation Grant program. If no such agreement exists, the Grantee shall not receive payment for services rendered or work performed relative to this grant after June 30, 2013.

5. **Compensation**. In consideration of the services rendered by the Grantee, the WVDEVO agrees to pay the Grantee the sum of $50,000. This amount constitutes complete compensation for all services rendered. In

no instance shall the agreed upon compensation exceed $50,000 without the written consent of the Governor of the State of West Virginia.

6. **Method of Payment**. In order to receive payments under the terms of this Agreement, the Grantee shall submit the following: (a) a Letter of Transmittal containing a progress report, and (b) a Request for Payment Financial Report. The final ten percent shall be made available upon submission of certification of completion and acceptance of the project by the Grantee. Upon receipt of said documents, the WVDEVO shall review the same for reasonableness and appropriateness.

7. **Changes**. The WVDEVO and the Grantee may, from time to time, require changes in the scope of the services of the work to be performed hereunder. Such changes, including any increase or decrease in the amount of the Grantee's compensation and work to be performed, which are mutually agreed upon by and between the WVDEVO and the Grantee, shall be incorporated in written amendments to this Contract.

8. **Sub-Grantees and Reversion of Property**. The Grantee may administer funds on behalf of sub-grantees, provided that such a sub-grantee is certified as a nonprofit organization by the United States Internal Revenue Service and the West Virginia Secretary of State's Office. Should such a sub-grantee cease to exist, all commodities or supplies purchased with funds provided under the auspices of this Contract by or for the sub-grantee shall become the property of the Grantee.

9. **Competitive Bid Procedures**. Competitive bidding shall be pursued in all instances. The Grantee must follow the more stringent of either state or local purchasing regulations. The West Virginia Purchasing Division requirements, at a minimum, are as follows: Commodities and services expected to cost $2,500 or less require no bids, however, competition is encouraged. Purchases between $2,500.01 and $5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases $5,000.01 to $25,000 require three written bids.

The Grantee shall solicit competitive, sealed bids for commodities and supplies related to this project which have an estimated value of over $25,000. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than $25,000 shall be cause for termination of this agreement under the provisions of Paragraph 28. These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date.

The Grantee shall also, where feasible, solicit sealed bids by listing the project in the F. W. Dodge Reports, sending requests by mail to prospective suppliers or contractors, and by posting notice on a bulletin board in a public place. The Grantee shall have available upon request for review by the WVDEVO or its designated representative, bid documents and other evidence of compliance with these procedures.

10. **Project Wage Rates.** Every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work which involves the employment of any contractor and/or subcontractor necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such contract, must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost.**

The receipt and utilization of funds procured under this agreement mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds

utilized to pay such construction contracts, must comply with the provisions of West Virginia Code § 21-5A.

Such provisions shall include the payment of the Fair Minimum Wage Rates as determined by the West Virginia Commissioner of Labor for each craft or classification of all workmen needed to perform the contract in the locality in which the public work is performed. For projects involving federal funds which are covered by the provisions of the Davis Bacon Act (40 U.S.C. 276-a 276a-5), the Grantee shall cause the contractor and/or subcontractors to pay the higher wage rate, federal or state.

Further, the Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bid documents. The Grantee shall also have available upon request for review by the WVDEVO or its designated representative, bid documents and other evidence of compliance including copies of contractor's payrolls.

11. **Construction**. The Grantee shall procure construction contracts in accordance with West Virginia Code §5-22-1. **The state and its subdivisions shall, except as provided in this section, solicit competitive bids for every construction project exceeding $25,000 in total cost.**

Further, the receipt and utilization of funds procured under this agreement mandate that ALL CONSTRUCTION CONTRACTS NECESSARY FOR THE UNDERTAKING AND COMPLETION OF THIS PROJECT, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code § 21-5A.

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The Grantee shall designate the time and place for opening such construction bids in accordance with West Virginia Code §5-22-2.

12. **Bonding**. The Grantee shall secure bonding in accordance with West Virginia Code §5-22-1. All bids submitted pursuant to this chapter shall include a valid bid bond or other surety as approved by the state of West Virginia or its subdivisions. Following the solicitation of such bids, the construction contract shall be awarded to the lowest qualified responsible bidder, who shall furnish a sufficient performance and payment bond: provided, that the state and its subdivisions may reject all bids and solicit new bids.

In the procurement of contracts or subcontracts for construction of less than $100,000, the Grantee shall follow local or State requirements relating to bid guarantees, performance bonds, and payment bonds, provided that the Grantee's and State's interests are adequately protected and that such contracts can be executed in a timely manner.

In the procurement of contracts or subcontracts for construction that exceed $100,000, the Grantee shall obtain the following:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. This bid guarantee shall consist of a firm commitment such as bid bond, certified check, or other negotiable instrument accompanying a bid that the bidder will, upon acceptance of the bid, execute the contractual documents as may be required with the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. This performance bond shall be executed by the successful contractor in connection with the contract to secure fulfillment of the contractor's obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. This payment bond shall be executed in connection with a contract to assure payment is required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.

13. **Architecture and Engineering**. The Grantee shall procure architectural or engineering services in accordance with of the West Virginia Code §5G. In the procurement of architectural and engineering services for projects estimated to cost $250,000 or more, the Grantee shall publish a Class II legal ad in compliance with West Virginia Code §59-3. In the procurement of services for projects estimated to cost less than $250,000, the Grantee shall conduct discussions with three or more professional firms.

14. **Design-Build**. The Grantee shall procure design-build projects in accordance with West Virginia Code §5-22A-1. This applies solely to building projects. Highways, water, sewer, and all other public works projects are specifically prohibited from using the design-build method.

15. **Environmental and Historical Assessment.** The Grantee shall comply with all applicable federal, state and local environmental and historical preservation laws and regulations. The Grantee acknowledges this requirement and certifies that the project will be in compliance with such laws and regulations.

16. **Equal Employment Opportunity**. With respect to employment in carrying out the program objectives, the Grantee agrees that it will not discriminate against any employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap.

17. **Facilities Accessible to the Handicapped**. The Grantee shall require any facilities constructed under the auspices of this Contract to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A11/.1-1961, as modified (41CFR101-17.1703 and (13CFR309.14)). The Grantee shall be responsible for conducting inspections to ensure compliance with these specifications.

18. **Facilities Operation**. The Grantee shall operate and maintain all facilities constructed under the auspices of this Contract in accordance with minimum standards as may be required or prescribed by the applicable federal, state and local statute, law, ordinance or regulation as to actual construction procedures, as well as maintenance and operation of such facilities upon completion.

19. **Interest of Members of WVDEVO and Others**. No officer, member or employee of the WVDEVO or officer, member or employee of the Grantee who exercises any function or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this Contract which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested or has any personal or pecuniary interest, nor shall any officer, member of, or employee of, the Grantee or any member of its governing body, or officer, member, or employee of the contractor have any interest, direct or indirect, in this Contract or the proceeds thereof.

20. **Officials Not To Benefit**. No member of the Legislature of the State of West Virginia, or individual performing a service for the Grantee in connection with this project, shall be admitted to any share thereof or to any benefit to arise from this Agreement.

21. **Inspections of Project Records**. At any time during normal business hours and as often as the WVDEVO or its designated representative may deem necessary, there shall be made available to the WVDEVO or its designated representative for examination, all of its records with respect to all matters covered by this Contract and permit the WVDEVO or its designated representative to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records and personnel, conditions of employment and other data relating to all matters covered by this Contract during the entire time period beginning with project approval and ending three years after the final disbursement of grant funds.

22. **Project Audits**. (a) The Grantee shall cause an audit of this program to be included in the audit of the Grantee performed by the West Virginia State Auditor's Office, Chief Inspection Division, or its designated representative in accordance with West Virginia Code
§6-9-7. The audit shall be performed in conformance with generally acceptable accounting procedures.

(b) In accordance West Virginia Code §12-4-14, if the grantee is not audited by the West Virginia State Auditor's Office and the grantee received state funds or grants in the amount of fifteen thousand dollars or more, the grantee shall file an audit of the disbursement of funds with the legislative auditor's office. The audit shall be filed within two years of the disbursement of funds or grants by the grantee and shall be made by an independent certified public accountant at the cost of the corporation, association or other organization, and must show that the funds or grants were spent for the purposes intended when the grant was made. State funds or audits of state funds or grants under fifteen thousand dollars ($15,000) may be authorized by the joint committee on government and finance to be conducted by the legislative auditor's office at no cost to the grantee.

23. **Reporting**. The Grantee shall submit any reports requested by the WVDEVO concerning financial status and program progress. Failure to provide such reports as required by WVDEVO in a timely manner shall be cause for termination of this Contract under the terms of Paragraph 7.

24. **Fiscal Management**. The Grantee shall be responsible for establishing and maintaining adequate procedures and internal financial controls governing the management and utilization of funds provided under this Contract, as well as funds provided as the Grantee's matching share.

25. **Political Activity**. No officer or employee of the Grantee whose principal employment is in connection with any activity which is financed in whole or in part pursuant to this agreement shall take part in any of the activities expressly prohibited by the Hatch Act.

26. **Repayment**. The Grantee shall refund to the State any expenditures determined to be made for an ineligible purpose for which State funds were received.

27. **Resolution of Disputes**. Resolution of disputes between the State and the Grantee concerning administrative and programmatic matters during the terms of this Agreement shall be initiated through consultation and discussion at the State's Administrative Offices with final decision on questions of policy or fact being determined by the Director of the Community Development Division or his/her designated representative. Nothing in this Agreement shall be construed as making the final decision on a question of law, or to limit in any manner any remedies or recourses available under applicable laws. Citizen's complaints or disputes regarding Grantee performance or actions relative to the approved project are the responsibility of the Grantee.

28. **Termination of Contract for Cause**. If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner his obligations under this Contract, or if the Grantee shall violate any of the covenants, agreements, or stipulations of this Contract, the WVDEVO shall thereupon have the right to terminate this Contract by giving written notice to the Grantee of such termination and specifying the effective date thereof, at least fifteen days before the effective date of such termination. The Grantee shall be entitled to receive just and equitable compensation for any satisfactory work completed on the described project.

Notwithstanding the above, the Grantee shall not be relieved of liability to the WVDEVO for damages sustained by the WVDEVO by virtue of any breach of the Contract by the Grantee, and the WVDEVO may withhold any payments to the Grantee for the purpose of set-off until such time as the exact amount of damages due the WVDEVO from the Grantee is determined.

29. **Termination for Convenience of WVDEVO**. The WVDEVO may terminate this Contract at any time by giving written notice to the Grantee of such termination and specifying the effective date of termination. If the Contract is terminated by the WVDEVO as provided herein, the Grantee will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Grantee covered by this Contract, less payments of compensation previously made.

30. **Termination by the Grantee**. The Grantee may unilaterally rescind this agreement at any time prior to the commencement of the project. After project commencement, this agreement may be rescinded, modified, or amended only by mutual agreement. A project shall be deemed commenced when the Grantee makes any expenditure or incurs any obligation with respect to the project.

31. **Signing**. This Contract shall be signed by the Executive Director of the West Virginia Development Office and by the President of the Jefferson County Commission upon authorization of the Jefferson County Commission by adoption and passage of a resolution, motion or similar official action.

IN WITNESS WHEREOF, the WVDEVO and the Grantee have executed this Agreement as of the date first above written.

STATE OF WEST VIRGINIA
WEST VIRGINIA DEVELOPMENT OFFICE

_____
J. Keith Burdette, Executive Director

JEFFERSON COUNTY COMMISSION

By: _____
Patricia Noland, President

Federal Employee Identification Number

55-6000333
F.E.I.N.

Project Number: 08CPGP0811N

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

AGENDA REQUEST FORM

Name: _____

Department or Entity: **County Commission**

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: October 4, 2012

Date Requested – 2nd Choice: _____

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

Subject: **Legal Update – Pending Litigation – Possible Executive Session §6-9A-4**

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:

§6-9A-4. Exceptions.

(a) The governing body of a public agency may hold an executive session during a regular, special or emergency meeting, in accordance with the provisions of this section. During the open portion of the meeting, prior to convening an executive session, the presiding officer of the governing body shall identify the authorization under this section for holding the executive session and present it to the governing body and to the general public, but no decision may be made in the executive session.

(b) An executive session may be held only upon a majority affirmative vote of the members present of the governing body of a public agency. A public agency may hold an executive session and exclude the public only when a closed session is required for any of the following actions:

(1) To consider acts of war, threatened attack from a foreign power, civil insurrection or riot;

(2) To consider:

(A) Matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of a public officer or employee, or prospective public officer or employee unless the public officer or employee or prospective public officer or employee requests an open meeting; or

(B) For the purpose of conducting a hearing on a complaint, charge or grievance against a public officer or employee, unless the public officer or employee requests an open meeting. General personnel policy issues may not be discussed or considered in a closed meeting. Final action by a public agency having authority for the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of an individual shall be taken in an open meeting;

(3) To decide upon disciplining, suspension or expulsion of any student in any public school or public college or university, unless the student requests an open meeting;

(4) To issue, effect, deny, suspend or revoke a license, certificate or registration under the laws of this state or any political subdivision, unless the person seeking the license, certificate or registration or whose license, certificate or registration was denied, suspended or revoked requests an open meeting;

(5) To consider the physical or mental health of any person, unless the person requests an open meeting;

(6) To discuss any material the disclosure of which would constitute an unwarranted invasion of an individual's privacy such as any records, data, reports, recommendations or other personal material of any educational, training, social service, rehabilitation, welfare, housing, relocation, insurance and similar program or institution operated by a public agency pertaining to any specific individual admitted to or served by the institution or program, the individual's personal and family circumstances;

(7) To plan or consider an official investigation or matter relating to crime prevention or law enforcement;

(8) To develop security personnel or devices;

(9) To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public,

might adversely affect the financial or other interest of the state or any political subdivision: *Provided,* That information relied on during the course of deliberations on matters involving commercial competition are exempt from disclosure under the open meetings requirements of this article only until the commercial competition has been finalized and completed: *Provided, however,* That information not subject to release pursuant to the West Virginia freedom of information act does not become subject to disclosure as a result of executive session;

(10) To avoid the premature disclosure of an honorary degree, scholarship, prize or similar award;

(11) Nothing in this article permits a public agency to close a meeting that otherwise would be open, merely because an agency attorney is a participant. If the public agency has approved or considered a settlement in closed session, and the terms of the settlement allow disclosure, the terms of that settlement shall be reported by the public agency and entered into its minutes within a reasonable time after the settlement is concluded;

(12) To discuss any matter which, by express provision of federal law or state statute or rule of court is rendered confidential, or which is not considered a public record within the meaning of the freedom of information act as set forth in article one, chapter twenty-nine-b of this code.

Jefferson County, West Virginia

Department of Financial Management

Budget Revision for Fiscal Year Ending June 30, 2013

State Budget Revision #3 8

Narrative: This budget revision is being made to place $1,300,000 in a line item for contribution to Fund 246 to cover the cost of depreciation A40on Capital Assets. This is not a absolute amount that will be transferred, the amount that will actually be transferred will depend on available funds. The $1,300,000 represents the approximate amount of depreciation calculated in the FYE June 30, 2011 County Financial Statement; depreciation calculation sheet from the financial statement attached.

Budget Line No.	Account Name	Approved Budget	Total Debits	Total Credits	Revised Budget
001-401-05-566-001-GG-000	CC COF-Depreciation Cost	0.00	1,300,000.00	0.00	1,300,000.00
001-986-04-459-000-CP-000	Co Comm, Capital Projects	2,907,519.00	0.00	1,300,000.00	1,607,519.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
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					0.00
Totals		2,907,519.00	1,300,000.00	1,300,000.00	2,907,519.00

Reviewed: *September 14, 2012*

Reviewed by: *Paul Shroyer, Director of Financial Management*

Reviewed: Debbie Keyser

Reviewed by: Debbie Keyser, Acting County Administrator

Reviewed and approved by: Jefferson County Commission

Date Approved: _____

Authorizing Signature: _____

Patsy Noland, President

LGSD BR (Rev. 2011)

REQUEST FOR REVISION TO APPROVED BUDGET

CONTROL NUMBER: 2013

Ora Ash, Director
West Virginia State Auditor's Office
200 West Main Street
Clarksburg, WV 26302
Phone: 627-2415 ext. 5114
Fax: 627-2417

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

Jefferson County, West Virginia
GOVERNMENT ENTITY

215 W. Washington Street
STREET OR PO BOX

Charles Town — CITY — 25414 ZIP CODE

FY: 1
FUND: 8
REV. NO.: 1
PG. OF NO.

COUNTY
Government Type

Person To Contact Regarding Budget Revision: Paul Shroyer
Phone: 304-728-3283
Fax: 304-725-7916

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
401	County Commission	2,610,543	1,300,000		3,910,543
986	County Commission	2,907,519		1,300,000	1,607,519
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures

APPROVED BY THE STATE AUDITOR

BY:

Director, Local Government Services Division — Date

AUTHORIZED SIGNATURE OF ENTITY — APPROVAL DATE

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 23rd Day of August, 2013, the following Order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Jefferson. The following resolution was offered.

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on budget revision number #7 to the General County Fund, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by _____, and duly seconded by _____the vote was as follows:

Dale Manuel	_____
Frances Morgan	_____
Patsy Noland	_____
Walter Pellish	_____
Lyn Widmyer	_____

Whereupon, Commissioner Noland declared said Resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said Resolution be, and the same is, hereby adopted as so stated above, and Patsy Noland, President of the Jefferson County Commission, is authorized to affix his signature to the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

_____

Patsy Noland, President
Jefferson County Commission

Governmental funds report deferred revenue in connection with receivables for revenue that are not considered to be available to liquidate liabilities of the current period. Governmental funds also defer revenue recognition in connection with resources that have been received, but not yet earned. At the end of the current fiscal year, the various components of deferred revenue and unearned revenue reported in the governmental funds were as follows:

	Unavailable
Delinquent property taxes receivable (General Fund)	$ 609,255
Total deferred/unearned revenue for governmental funds	$ 609,255

C. Capital Assets

Capital asset activity for the fiscal year ended June 30 was as follows:

	Primary Government			
	Beginning Balance	Increases	Decreases	Ending Balance
Governmental activities:				
Capital assets, not being depreciated:				
Land	$ 866,554	$ --	$ --	$ 866,554
Construction in progress	340,413	104,054	(444,467)	--
Total capital assets not being depreciated	1,206,967	104,054	(444,467)	866,554
Capital assets being depreciated:				
Buildings	18,522,337	502,443	--	19,024,780
Improvements	761,617	444,467	--	1,206,084
Machinery and equipment	5,633,271	144,606	--	5,777,877
Vehicles	1,524,992	120,553	(58,256)	1,587,289
Less: Total accumulated depreciation	(6,980,705)	(1,302,784)	58,256	(8,225,233)
Total capital assets being depreciated, net	19,461,512	(90,715)	--	19,370,797
Governmental activities capital assets, net	$ 20,668,479	$ 13,339	$ (444,467)	$ 20,237,351

Depreciation expense was charged to functions/programs of the primary government as follows:

Governmental activities:	
General government	$ 593,834
Public safety	611,431
Culture and recreation	97,519
Total depreciation expense-governmental activities	$ 1,302,784

Jefferson County, West Virginia

Budget Analysis for the General County Fund

For the Month Ending

August 31, 2012

For the Fiscal Year Ending

June 30, 2013

Attachments

1. **Data and Graphic presentation of expenditures**
2. **Narrative of budget catagories**
3. **Spreadsheet presentation of budget financial data**
4. **Listing of other Fund Balances**

Jefferson County Commission
Budget Analysis Narrative-July 2012

Overall Budget Revenues

Overall, current revenues for the General County Fund are projected to be under budgeted revenues by approximately $829,854.

Individual Revenue Items Expected to Exceed Budget

Revenue items are projected to exceed budgeted estimates by $15,000 or more are as follow:

		Positive Variance
Line #14	Property Transfer Taxes	$70,987
Line #18	Hotel-Motel Occupancy Tax	$123,095
Line #22	Federal Grants	$49,637
Line #27	County Clerk's Earnings	$40,654
Line #35	E-911 Fees	$237,891
Line #53	Reimbursements, Local	$143,976
Lime #54	Reimbursements, Other	$221,583

Individual Revenue Items Expected to be under Budget

Revenues items projected to be under budget estimates by $15,000 or more are as follow:

		Negative Variance
Line #13	Ad Valorem Taxes	($240,713)
Line #20	Building Permits	($25,673)
Line #49	Tables Games	($174,124)
Line #51	Video Lottery	($41,681)
Line #55	Reimbursement, Gen School)	($59,366)

Overall Budget Expenditures

Overall estimated expenditures are expected to be under budget by $2,516,621 on a Cash Basis. The ending "Cash Balance" on June 30, 2013 is estimated to be $2,677,044.

Estimated Cost verses Estimated Revenues or reimbursements

Operating cost of the following departments are projected to exceed estimated revenues or reimbursement to off set department operating cost.

	Estimated Income	Estimated Expense	Shortfall
E-911 Center	$1,547,891	$2,034,831	($486,940)
Regional Jail	$351,227	$1,135,547	($756,229)

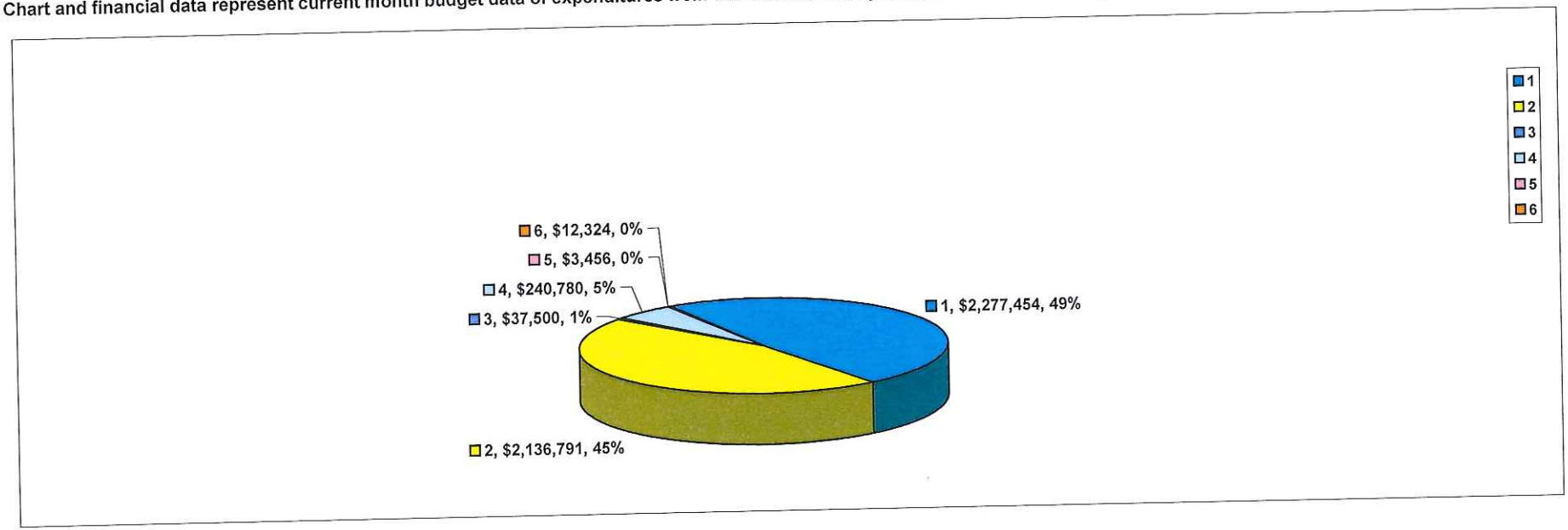
Jefferson County, WV

FYE June 30, 2013

Financial Statement Chart-General County Fund

Expenditure by Government Activity-July 2012

The Chart and financial data represent current month budget data of expenditures from the General County Fund for the month of August 2012.



Section #1, General Government
Section #2, Public Safety
Section #3, Health & Sanitation
Section #4, Culture & Recreation
Section #5, Social Services
Section #6, Capital Outlay

General County Fund-Expenditure Summary by Government Activity-Year to date totals

		General Government	Public Safety	Health & Sanitation	Culture & Recreation	Social Services	Capital Outlay
Color Coding		Section #1	Section #2	Section #3	Section #4	Section #5	Section #6
Grand total YTD	4,708,305.60	$2,277,454	$2,136,791	$37,500	$240,780	$3,456	$12,324

	Percentage of gross expenditures >>	48.37%	45.38%	0.80%	5.11%	0.07%	0.26%
401	County Commission	580,729.27					
402	County Clerk	159,469.92					
403	Circuit Clerk	121,707.92					
404	Sheriff-Treasurer	115,272.17					
405	Prosecuting Attny	329,776.72					
406	Assessor	112,559.91					
407	Assessor-AVF	72,172.77					
408	Statewide Computer Network	14,427.14					
412	Agricultural Agent	28,537.94					
413	County Election, Employees	22,606.43					
415	Magistrate Court, Other cost	153.22					
424	Courthouse						
425	Other Buildings	224,276.87					
428	Data Processing, Employee Wages	94,979.63					
429	Regional Development Authority	4,958.81					
431	Economic Development	19,794.26					
433	GIS Addressing Dept	94,727.85					
439	Planning & Zoning, Employee Salaries	42,505.80					
440	Engineering, Employee Salaries	73,028.49					
451	Zoning	137,626.89					
700	Law Enforcement, Employee Salaries	28,142.40	574,679.28				
701	Service of Process, Employee Salaries		6,188.40				
704	Charges by other Gov't-Regional Jail Cost		207,985.60				
711	Emergency Services, Employee Salaries		36,398.69				
712	Communication Center		332,610.90				
715	Emergency Services Agency		867,125.00				
716	Animal Control, Salary Supplement		47,499.78				
717	Central Garage		64,303.12				
800	Local Health Department-Contributions			2,500.00			
808	Solid Waste Authority			35,000.00			
900	Parks & Recreation				117,374.67		
903	Arts & Humanities Contributions				4,372.81		
909	Historical Commission				4,372.81		
911	Other Gov't -Contrib to Visitors Center				54,660.15		
916	Other Gov't-Contrib to Libraries				60,000.00		
953	Other Gov't-Contrib to Public Transit					3,455.75	
975	Capital Outlay-County Clerk						7,324.23
976	Capital Outlay-Circuit Clerk						5,000.00

Jefferson County, West Virginia

Aug 2012 Budget Analysis for the Fiscal Year Ending June 2013

	Current Budget	Totals	Estimated totals for the FYE June 30, 2013	
	Budgeted Revenues	$25,952,016	Project revenues including carryover	26,296,046
	Budgeted Expenditures	(25,952,016)	Less: Estimated expenditures	(23,435,395)
	Budgeted surplus/(shortfall)	$0	Estimated Fund Balance 6/30/2012 (CASH BASIS)	2,860,651
			Less: Estimated end of year accounts payable, Outstanding encumbrances.	(100,000)
			Estimated ending fund balance-Accrual Accounting Basis for Audit Purposes	2,760,651

Current Year Budget & Estimated Revenues

Col (a)	Column (a)	Column (b)	Column (c)	Column (d)	Col. (e)	Column (g)	Column (h)
Line No.	Accts	Revenue Classification	Budgeted revenues-FY Ending 6/30/2013	Actual CY YTD revenues-Aug 2012	C/Y YTD Revenues as a % of total budget	Estimated revenues-FYE 6/30/2013	revenues is I13Estimate over or (under) Budget
	Equity and Fund Balance Accounts						
	299	Unrestricted fund balance June 30, 2012	4,224,497.00				
1	301-000	Public Utility Taxes	514,372.00	503.97	0.10%	525,240.59	10,868.59
2	301-001	Ad Valorem Taxes-Current	9,817,610.00	3,376,971.53	34.40%	9,817,610.00	0.00
3	301-002	Ad Valorem Taxes-1st Prior Year	650,000.00	182,747.91	28.12%	543,429.49	(106,570.51)
4	301-003	Ad Valorem Taxes-2nd Prior Year	115,356.00	1,882.23	1.63%	122,957.00	7,601.00
5	301-004	Ad Valorem Taxes-3rd Prior Year	28,000.00	233.01	0.83%	11,720.10	(16,279.90)
6	301-005	Ad Valorem Taxes-4th & Other PY	1,300.00	25.80	1.98%	139.02	(1,160.98)
7	301-006	Supplimental taxes	173,000.00	42,835.26	24.76%	220,063.40	47,063.40
8	301-007	Land Sale Surplus	2,000.00	0.00	0.00%	0.00	(2,000.00)
9	301-008	Delinquent & Nonentered Land	39,000.00	7,819.77	20.05%	61,584.86	22,584.86
10	301-009	Redemptions-State Auditor	0.00			0.00	0.00
11	301-099	Tax Discounts	0.00	(85,947.62)		(170,979.59)	(170,979.59)
12	302	Interest and Publication Fees on Taxes	344,000.00	50,692.67	14.74%	312,159.92	(31,840.08)
13		Total all tax years, interest, publication fees minus discounts	11,684,638.00	3,577,764.53	30.62%	11,443,924.78	(240,713.22)
14	304	Property Transfer Taxes	335,000.00	82,314.10	24.57%	405,987.49	70,987.49
15	306	Oil and Gas Severance Tax	20,000.00	0.00	0.00%	0.00	(20,000.00)
16	307	Horse Racing	18,000.00	2,987.25	16.60%	17,529.75	(470.25)
17	308	Wine and Liquor Tax	12,000.00	11,940.51	99.50%	12,000.00	0.00
18	309	Hotel Occupancy Tax	500,000.00	120,964.75	24.19%	623,094.81	123,094.81
19	317	License Decal Fee	100.00	8.00	8.00%	100.00	0.00
20	318	Permits-Building	169,000.00	17,147.86	10.15%	143,327.32	(25,672.68)
21	319	Permits-Misc	0.00	22.00			0.00
22	322	Federal Grants	60,000.00	25,065.14	41.78%	79,636.84	19,636.84
23	323	State Grants	0.00	6,196.57			0.00
24	325	Federal Payment in Lieu of Taxes	16,000.00		0.00%	16,023.00	23.00
25	329	Sheriff's Service of Pocess	18,000.00	3,700.00	20.56%	24,561.70	6,561.70
26	330-000	Sheriff's Earnings	11,000.00	2,203.00	20.03%	16,410.40	5,410.40
27	330-001	Sheriff's Earnings-Arrest Fees	12,500.00	1,605.80	12.85%	9,770.99	(2,729.01)
28	331	County Clerks Earnings	170,000.00	30,298.75	17.82%	210,654.05	40,654.05
29	331-002	County Clerks Earnings-Preservation Fund	1,200.00	260.80	21.73%	1,713.64	513.64
30	332	Circuit Clerks Earnings	83,000.00	11,888.50	14.32%	75,742.60	(7,257.40)
31	333	Prosecuting Attorney Earnings	1,000.00	80.00	8.00%	474.72	(525.28)
32	334	Accidents Reports	3,000.00	470.00	15.67%	2,971.36	(28.64)
33	336	Map Sales	4,500.00	845.00	18.78%	4,843.41	343.41
34	340	Rents, Magistrate Court	45,000.00	7,500.00	16.67%	45,000.00	0.00
35	340-001	Rents, County Farm House	1,200.00	200.00	16.67%	1,200.00	0.00
36	340-002	Rent-County Farm	700.00	0.00	0.00%	0.00	(700.00)
37	346-000	E-911 Fees	1,310,000.00	56,605.97	4.32%	1,547,891.00	237,891.00

38	346-001	EMG Comm-Signs	500.00	145.00	29.00%	1,268.75	768.75
39	348	Franchise Fees	350,000.00	90,738.30	25.93%	347,676.09	(2,323.91)
40	350	IRP Fees	8,000.00	2,063.41	25.79%	5,778.70	(2,221.30)
41	362	Jail Cost Reimb-RJA & Gen School Fund	100,000.00	100,594.35	100.59%	100,594.35	594.35
42	365-000	Interest-GCF	16,000.00	1,221.61	7.64%	11,446.54	(4,553.46)
43	365-001	Interest-County Clerk	800.00	74.83	9.35%	381.53	(418.47)
44	365-002	Interest-Circuit Clerk	1,200.00	157.20	13.10%	636.67	(563.33)
45	365-004	Interest-State Fees	1,400.00	20.26	1.45%	550.09	(849.91)
46	365-005	Interest-Racing Fees	240.00	1.90	0.79%	7.37	(232.63)
47	365-006	Interest-Video Lottery	2,500.00	659.59	26.38%	4,330.31	1,830.31
48	366	Miscellaneous Revenue	20.00	5.91	29.55%	41.09	21.09
49	367	Sheriff's Commission	12,000.00	11,915.42	99.30%	11,915.42	(84.58)
50	370	Table Games	1,800,000.00	268,201.44	14.90%	1,625,875.35	(174,124.65)
51	373-000	Video Lottery	4,000,000.00	1,060,100.64	26.50%	3,958,318.50	(41,681.50)
52	373-001	Video Lottery-Local	100,000.00	16,667.64	16.67%	105,398.57	5,398.57
53	382-000	Reimbursements-Local	147,242.00	106,723.58	72.48%	291,218.71	143,976.71
54	382-001	Reimbursements-Other	18,000.00	2,855.31	15.86%	239,583.04	221,583.04
55	394-000	Reimbursements-General School	310,000.00	41,772.30	13.47%	250,633.80	(59,366.20)
56	399	Transfers-AVF	383,779.00	72,172.77	18.81%	433,036.62	49,257.62
58	Budgeted & Estimated Revenues		21,727,519.00	5,736,159.99	26.40%	22,071,549.35	
59	Prior Year Unrestricted Carryover		4,224,497.00			4,224,497.00	
60	Estimated Funds Available-Total		25,952,016.00			26,296,046.35	344,030.35

Current Year Budget & Estimated Expenditures

62							
63	Column (a)	Column (b)	Column (c)	Column (d)	Column (e)	Column (g)	
64							
65	Dept.	Expenditure Classification	Budgeted Expenditures Current FY	CY actual expenditures Aug 2012	YTD Expenditures as a % of total budget	Estimated Total expenditures-FYE 6/2013	Under Budget or (over) Budget
66	401	County Commission	2,614,551.29	580,729.27	22.21%	2,114,551.29	500,000.00
67	402	County Clerk	927,137.52	159,469.92	17.20%	927,137.52	0.00
68	403	Circuit Clerk	658,186.30	121,707.92	18.49%	658,186.30	0.00
69	404	Sheriff-Treasurer	598,124.75	115,272.17	19.27%	598,124.75	0.00
70	405	Prosecuting Attny	1,791,854.55	329,776.72	18.40%	1,791,854.55	0.00
71	406	Assessor	629,223.67	112,559.91	17.89%	629,223.67	0.00
72	407	Assessor-AVF	383,779.44	72,172.77	18.81%	383,779.44	0.00
73	408	Statewide Computer Network	47,772.00	14,427.14	30.20%	47,772.00	0.00
74	412	Agricultural Agent	138,211.03	28,537.94	20.65%	138,211.03	0.00
75	413	County Election, Employees	272,147.37	22,606.43	8.31%	272,147.37	0.00
76	415	Magistrate Court, Other cost	4,100.00	153.22	3.74%	3,500.00	600.00
77	422	Capital Planning					
78	424	Courthouse	1,301,635.35	224,276.87	17.23%	1,301,635.35	0.00
79	425	Other Buildings	753,000.00	94,979.63	12.61%	753,000.00	0.00
80	428	Data Processing, Employee Wages	94,500.00	4,958.81	5.25%	94,500.00	0.00
81	429	Regional Development Authority	19,854.00	19,794.26	99.70%	19,734.70	119.30
82	431	Economic Development	464,324.93	94,727.85	20.40%	464,324.93	0.00
83	433	GIS Addressing Dept	312,562.02	42,505.80	13.60%	312,562.02	0.00
84	439	Planning & Zoning, Employee Salaries	419,599.71	73,028.49	17.40%	419,599.71	0.00
85	440	Engineering, Employee Salaries	770,611.06	137,626.89	17.86%	770,611.06	0.00
86	451	Zoning	163,372.34	28,142.40	17.23%	163,372.34	0.00
87	700	Law Enforcement, Employee Salaries	3,201,318.33	574,679.28	17.95%	3,201,318.33	0.00
88	701	Service of Process, Employee Salaries	18,000.00	6,188.40	34.38%	18,000.00	0.00
89	704	Charges by other Gov't-Regional Jail Cost	1,200,000.00	207,985.60	17.33%	1,135,547.26	64,452.74
90	711	Emergency Services, Employee Salaries	259,579.01	36,398.69	14.02%	245,683.91	13,895.10
91	712	Communication Center	2,034,831.89	332,610.90	16.35%	2,034,831.89	0.00
92	715	Emergency Services Agency	2,187,500.00	867,125.00	39.64%	2,187,500.00	0.00
93	716	Animal Control, Salary Supplement	325,953.91	47,499.78	14.57%	309,439.35	16,514.56
94	717	Central Garage	318,082.93	64,303.12	20.22%	318,082.93	0.00
95	800	Local Health Department-Contributions	10,000.00	2,500.00	25.00%	10,000.00	0.00

96	808	Solid Waste Authority	35,000.00	35,000.00	100.00%	35,000.00	0.00
97	900	Parks & Recreation	488,040.60	117,374.67	24.05%	488,040.60	0.00
98	903	Arts & Humanities Contributions	25,000.00	4,372.81	17.49%	25,000.00	0.00
99	909	Historical Commission	25,000.00	4,372.81	17.49%	25,000.00	0.00
100	911	Other Gov't -Contrib to Visitors Center	250,000.00	54,660.15	21.86%	250,000.00	0.00
101	916	Other Gov't-Contrib to Libraries	240,000.00	60,000.00	25.00%	240,000.00	0.00
102	953	Other Gov't-Contrib to Public Transit	13,823.00	3,455.75	25.00%	13,823.00	0.00
103	975	Capital Outlay-County Clerk	29,300.00	7,324.23	25.00%	29,300.00	0.00
104	976	Capital Outlay-Circuit Clerk	20,000.00	5,000.00	25.00%	5,000.00	15,000.00
105	986	Co Comm-Capital Outlay and Depreciation	2,906,039.00		0.00%	1,000,000.00	1,906,039.00
		Total estimated expenditures and uses	25,952,016.00	4,708,305.60		23,435,395	2,516,621

Listing of all County and Agency Bank Accounts

Fund Name	Fund Number		Ending Cash Balance
General County Fund	001		4,866,735.11
Coal Severance	002	$	327,302.43
Dog & Kennel	003		11,397.82
General School	004		0.00
Magistrate Court	005		1,705.91
Worthless Check	006		22,163.42
Home Confinement	008		21,498.70
Federal Grants	009		-41,163.27
State Grants	010		211,294.33
Flood Mitigation	023		34,958.62
Assessor Valuation	056	$	282,563.76
Farmland Protection	057		1.14
Sheriff's Concealed Weapons	059		38,883.38
Votes Registration	063		0.09
Unemployment Compensation	068		17,137.93
Jury & Witness	071		34,145.12
Law Enforcement Forfeiture	073		27,500.91
Pros Attny Forfeiture	074		7,038.04
Sub Division Bond Forfeiture	075		172.22
Teen Court	077		745.00
Bardane Public Health Center	244		153,288.60
Emergency Services Cap Out	245		1,719.89
County Capital Outlay	246		5,642,017.89
Parks & Recreation	247		580,218.42
Shepherdstown Battlefeild	248		91,132.65
Impact Fees	249		706,549.85
Total governmental and special revenue funds		$	13,039,007.96

Listing of Other State and Agency Funds held by Sheriff

Fund Name	Fund Number	Ending Cash Balance
DMV	311.00 $	5.00
Criminal Charges	312.00	86.12
Court Reporter	313.00	33.00
State Fines	314.00	200.00
State Police	315.00	60.00
State Current-Taxes	316.00	0.00
Tax Lien	364.00	122,088.20
Delinquent and Nonentered Lan	365.00	3,068.35
Board of Health	366.00	1,489,676.50
WVDeputy Sheriff's Retirement	369.00	1.00
School Current-Taxes	373.00	0.00
School Excess Levy-Taxes	374.00	0.00
School Debt Service-Taxes	376.00	0.00
Bolivar Current-Taxes	378.00	0.00
Charles Town Current-Taxes	379.00	0.00
Harpers Ferry Current-Taxes	380.00	0.00
Ranson Current-Taxes	381.00	0.00
Shepherdstown Current-Taxes	382.00	0.00
Total agency funds		1,615,218.17
Net Balances of all Bank Accounts held by the Sheriff as Treasurer		14,654,226.13

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: **Jennifer Brockman**

Department or Entity: **Planning and Zoning**

Estimation of amount of time needed for appointment: ~~**15 minutes**~~ 7 pm

Date Requested – 1st Choice: **August 2, 2012** – 10/4/12

Date Requested – 2nd Choice:

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

Subject: **Planning Commission Recommendation Regarding US 340 East Gateway Corridor Plan and Request for Public Hearing**

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

As the County Commission is aware, the Department of Planning and Zoning staff has been working to facilitate a citizen-based long range planning process for the US 340 East Gateway Corridor Plan as recommended by the 2004 Comprehensive Plan. On June 12, 2012, the Planning commission held a Public Hearing on the draft Plan. On July10, 2012, the Planning Commission reviewed all the comments received and incorporated relevant comments and voted to forward the Plan to the County Commission for your consideration as an amendment to the 2004 Comprehensive Plan. These final edits are currently being incorporated into a final draft of the Plan. The 2004 Plan suggests that these small area plans be approved as stand-alone amendments to the Comp Plan that are already incorporated by reference in the 2004 Plan and can be incorporated in future Comp Plans as well.

It is our understanding that state law requires that the Planning Commission present the Plan to the County Commission and that the County Commission is required to hold your own Public Hearing. State law requires the County Commission to provide 15 days' notice of the Public Hearing and requires the County Commission to take some type of action on the recommended Plan within 90 days of the date it is forwarded to you.

The purpose of this request is to request that the County Commission schedule a workshop so that the Plan can be presented to you and a public hearing so that adequate public notice can be provided.

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

I move to schedule a workshop for the County Commission for the purpose of hearing the final recommendation of the US 340 East Gateway Corridor Plan on 8/23**, 2012 at** 11:00 **pm. No public testimony will be taken at this meeting.**

AND

I move the schedule a Public Hearing on the US 340 East Gateway Plan on late Sept 7pm**, 2012 at _____ pm for the purpose of taking public testimony.**

Attachments:

N/A

8A-2-11

(10) PREPARE PUBLICITY and DISTRIBUTE REPORTS RELATED TO THE ACTIVITIES AUTHORIZED UNDER THIS ARTICLE

~~Likely~~ other reason on plan from a decision ~~But~~ However, CC has option to accept or not accept the US 340 East Gateway Corridor Plan

US 340 Corridor East Gateway Plan



DRAFT **Received by Jefferson County Commission on August 9, 2012**

Jefferson County
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***Please note that larger versions of maps 1, 7, 9, 17, 18 and 19 can be found in Appendix E.**

Executive Summary

The US 340 Corridor – East Gateway Plan was created to guide Jefferson County leadership, businesses, residents and tourists to achieve a shared community vision of the future of this vital corridor. The County's 2004 Comprehensive Plan recommended that "the County should study the US 340 Corridor, including land use, viewscape, economic development and traffic design and management in order to create an effective strategy for the long term management of this important mixed-use corridor; initiate a cooperative planning effort with the WV DOT to improve the US 340 Corridor, and to improve traffic flow, appearance and land use coordination in the US 340 Corridor east of Charles Town."

In 2010, the Jefferson County Commission initiated this small area planning effort as an opportunity to engage the public in a process to develop a common vision to guide future land use and zoning decisions, encourage a vibrant economy, and manage the related transportation impacts. This stretch of the US 340 Corridor is an important gateway into the County and the State as well as a prime commuter route. Development along the corridor has a significant impact on the flow of traffic for residents, employees and visitors. The intent of this plan is for it to act as a small area plan for this seven mile stretch of road and to be incorporated into the 2014 Comprehensive Plan when it is adopted.



The analysis of existing conditions fell into six broad categories that were utilized throughout the five public meetings and two web-based outreaches at which issues and opportunities, and recommendations and implementation strategies were discussed. These categories include Land Use/Zoning; Transportation; Community Services/Infrastructure; Economic Development; Historic Resources/Viewsheds; and Parks, Trails and Greenways. An additional category of Environmental and Natural Resources was added later in the process due to public comments related to Environmental and Natural Resources that were not adequately addressed in the other categories. Primary issues identified related to traffic flow and safety; the need for better trail access along the corridor; and the need to better guide the relationship between land development patterns and traffic issues.

Based on public input received, three alternative land use scenarios were developed for discussion and consideration. The three scenarios had various levels and intensities of urban level development at various locations along the corridor. The land use alternatives were analyzed through an exercise at the September meeting and through one of the two web-based

input opportunities. The preferred land use alternative was one that primarily focused the highest intensity development inside the Charles Town and Ranson Urban Growth Boundaries (UGBs), where growth can be served by existing utilities and transportation infrastructure, but allows for high-quality development to occur along the US 340 Corridor at key intersections. The preferred scenario supports the concept that the area outside of these growth boundaries and the noted commercial nodes should be retained as agricultural land, open space, or low-density residential uses. This preferred growth scenario acts as the vision for this planning document.

The choice of the preferred land use alternative allowed the development of goals and recommendations related to the other categories previously discussed. A brief overview of the recommendations which are detailed in this plan document is as follows (Figure 1).

Community Services/Infrastructure

A. Enhance Emergency Services
B. Enhance Area Schools and Libraries
C. Utilize and Enhance Existing Water / Sewer Service
D. Promote Expanded Health Services
E. Improve Wireless Service in the 340 Corridor

Economic Opportunities

A. Promote Economic Development along the US 340 Corridor
B. Promote Business Development and Retention

Environmental/Natural Resources

A. Preserve Sensitive Natural Resources from the Negative Impacts of Development
B. Preserve and Improve the Scenic Quality Along the Corridor including Rural/Agricultural and Scenic/Natural Areas.

Historic Resources and Viewshed

A. Protect Historic Structures/Resources
B. Enhance Cultural/Heritage Activities
C. Protect the Rural and Historic Viewshed/Landscape
D. Create Gateway/Entrance

Land Use

A. Retain Open Space and Land in Agricultural Use
B. Encourage Development Within Existing Urbanized Areas and at Specific Commercial Nodes
C. Permit Mixed-Use Development in Targeted Areas
D. Encourage Appropriate Development Opportunities in Rural Areas
E. Improve Planning Coordination with Other Agencies

Parks, Trails and Greenways

A. Improve Existing Trail Network
B. Beautify the US 340 East Corridor
C. Develop Additional Parks and Enhance Existing Parks
D. Improve Signage and Mapping
E. Identify Financial Resources for Passive and Active Recreational Opportunities

Transportation:

A. Maintain and Enhance the Efficiency and Capacity of the Developed and Underdeveloped Segments of the Corridor
B. Promote Traffic Safety
C. Improve Traffic Flow
D. Promote Transportation Alternatives
E. Develop an Access Management Strategy in Conformance with State Law
F. Improve Mobility for Pedestrians, Hikers, and Bicyclists
G. Provide Safe and Convenient Transportation Opportunities

Figure 1: Overview of Plan Recommendations

The key to the effectiveness of this planning effort is the review and adoption of the Plan by the Jefferson County Commission as well as implementation of the recommendations. The policies proposed will be implemented in part through adoption of the future land use map using land use categories related to this corridor. Further, implementation will occur through revisions to the Zoning Ordinance and Subdivision Regulations, including a recommended design overlay. Some of these implementation strategies provide additional opportunities for citizen participation in working towards the preferred vision.



1.0 Introduction

The purpose of the US 340 Corridor East Gateway Plan is to develop a shared community vision for the future of this vital corridor. This segment of US 340, between Charles Town/Ranson and Harpers Ferry/Bolivar, is an important artery in Jefferson County. It acts not only as the East Gateway into Jefferson County, but also the State of West Virginia. It is important to ensure that future development along the US 340 corridor is appropriate for the area's historic and rural context, while maintaining adequate transportation facilities. The 2004 Comprehensive Plan identified this corridor as an important planning priority.

1.1 Plan Vision

The vision for the US 340 Corridor East Gateway Plan is to attain a balanced approach to the built and natural environment by creating an effective strategy to promote the long-term management of the corridor. A mixed land-use concept will lay the groundwork to deliver several opportunities for residents and tourists to gather and socialize in restaurants, cultural and recreational facilities, farmers markets, nationally significant historical parks, and other areas that serve to bring lifelong and new residents together. This plan builds upon the cultural, historical, and social diversity of the current and future residents of the corridor. The plan envisions a blend of old and new businesses and providing quality experiences.

The plan includes the following seven categories:

1. Community Services/Infrastructure
2. Economic Conditions
3. Environmental/Natural Resources
4. Historic Resources/Viewshed
5. Land Use and Zoning
6. Parks, Trails and Greenways
7. Transportation



1.2 Background

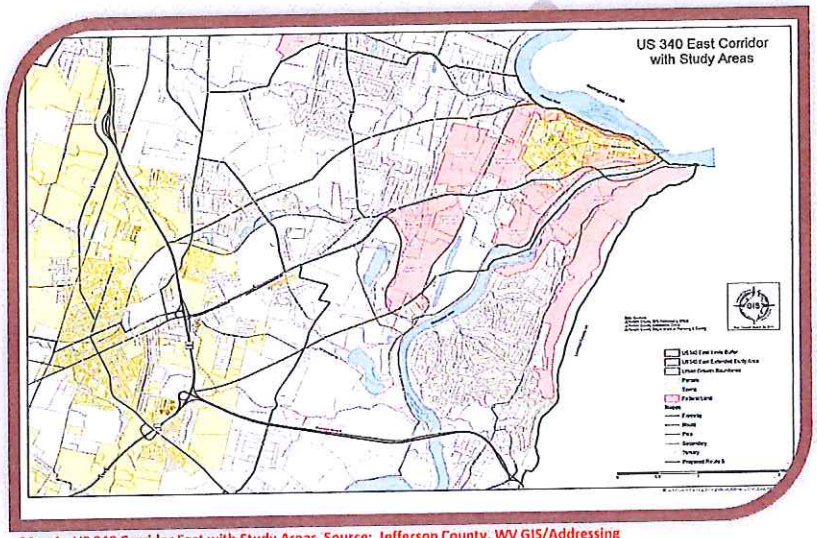
In 2010, the Jefferson County Commission authorized the Planning and Zoning Department to conduct a collaborative process for the development of the US 340 Corridor East Gateway Plan. The purpose of the plan is to create an effective strategy for the long term management of the corridor to promote economic opportunities and to improve the quality of life for lifelong residents, newcomers, visitors, and tourists. The plan contains a vision for the future and

supporting goals, objectives, and recommendations that honor Jefferson County's multifaceted character.

This small area plan will be an amendment to the Comprehensive Plan.

Because the study area includes Bolivar, Charles Town, Harpers Ferry, Ranson, and Jefferson County, the planning process must continue to be highly participatory. Collaboration among County-wide departments and public outreach is paramount as implementation proceeds.

1.3 Definition of Plan Area



Map 1: US 340 Corridor East with Study Areas, Source: Jefferson County, WV GIS/Addressing
(A larger version of this map can be found in Appendix E).

The Route 340 Corridor for this study extends from the WV 9 Bypass in Charles Town east to the two-lane segment near Harpers Ferry and the Shenandoah River Bridge, extending approximately 1 mile north and south of US 340 (Map 1). The length of the corridor is 7 miles.

There are two boundaries that frame the study area. The first boundary is one mile on either side of the corridor. This is considered the primary impact area. The second boundary, defined as the scenic view, is much larger and follows the new WV 9 to the south and Job Corps Road and Engle Switch Road to the north.

This segment is an important artery as it acts as a gateway into West Virginia from Maryland and Virginia. The US 340 corridor boundary is highlighted within the Management of the Built and Natural Environment section of the 2004 Jefferson County Comprehensive Plan. With respect to transportation improvements and planning, US 340 gains funding by the Hagerstown/Eastern Panhandle Metropolitan Organization planning area.

This area is populated with a mixture of single family residences, townhomes, commercial and retail spaces, agricultural land, open space, federal agencies and national park lands. The corridor is situated a short drive from Harpers Ferry National Historical Park, Appalachian National Scenic Trail, American Public University System (APUS), Shepherd University, National Conservation Training Center (NCTC), Charles Town Hollywood Casino, historic Harpers Ferry, Bolivar, Shepherdstown, Antietam National Battlefield, and Loudoun County wine country. Located within the corridor is the Brunswick/MARC line which provides easy access to Washington D.C. via the stations at Harpers Ferry and Duffields. The corridor is within approximately 60 miles of three major airports: Baltimore-Washington International (BWI), Reagan National (DCA), and Washington-Dulles International (IAD).

Being accessible to a variety of vast and diverse locations, the corridor is experiencing growth pressures.

1.4 History of the US 340 Corridor Study

Jefferson County 2004 Comprehensive Plan



The 2004 Comprehensive Plan recommends a study of the US 340 corridor from the Shenandoah River Bridge to the Charles Town bypass. The precise name given to this area in the Comprehensive Plan, "*Historic Gateway Special Study Area,*" is itself an indication of the nature of the corridor. The Plan summarizes particular elements of the corridor that should be considered. Recommendation 2.25 of the Comprehensive Plan notes:

"The County should study the US 340 corridor, including land use, viewscape, economic development and traffic design and management in order to create an effective strategy for the long term management of this important mixed-use corridor."

During the course of the US 340 Corridor East Gateway Study, care has been taken to honor the elements noted in the Comprehensive Plan in addition to other components that effect the US 340 corridor. Along the 7 mile corridor there are unique and identifiable areas that are distinct from other sections of the corridor. At the western edge of the corridor, there is an

urban style development pattern. That end of the corridor has land within the jurisdiction of Jefferson County and both the cities of Charles Town and Ranson, which have the right and ability to annex additional area. The eastern end of the corridor is dominated by a significant amount of property under the control of the National Park Service and the U.S. Customs and Border Patrol. A vast majority of federally owned land is comprised of open space highlighting the history of Harpers Ferry and the Battle of Harpers Ferry.

Acknowledging the unique character of the corridor, the US 340 Corridor East Gateway Study has been guided by the follow notation found in the 2004 Comprehensive Plan describing the "*Historic Gateway Special Study Area*":

"...the purpose of this study is not to turn US 340 into an undeveloped parkway. Rather, it is stated here that the purpose of the study is to identify ways to ensure that the residential and commercial development that occurs along this corridor is designed and constructed in such a way where the development does not cause visual blight and major traffic problems along the eastern entrance corridor to the State."

The following is an excerpt from the 2004 Comprehensive Plan Recommendation List of Priorities (Table 1):

Recommendation	Implementation	Measurement
The county should study the US 340 corridor, including land use, viewscape, economic development, traffic design and management in order to create an effective strategy for the long-term management of this important mixed-use corridor.	Initiate a cooperative planning effort with the WV Department of Transportation (WVDOT) to improve the US 340 corridor.	Improved traffic flow, appearance and land use coordination in the US 340 corridor east of Charles Town.

Table 1: 2004 Comprehensive Plan Recommedation List of Priorities

1.5 Plan Methodology

In 2010, the Jefferson County Commission authorized undertaking the US 340 Corridor East Gateway Plan, which included planning activities such as community outreach, research, and evaluation of land use and transportation scenarios for the plan (Table 2).

The Jefferson County Departments of Planning and Zoning led the planning and outreach effort for the corridor plan, with the support of the GIS/Addressing Department and the Engineering Department. Additionally, the Departments of Planning and Zoning worked directly with transportation consultants, Michael Baker Jr., Inc. (Baker) and the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) in assessing future transportation needs in support of the East Gateway Plan for the US 340 Corridor. The Departments of Planning and Zoning held five public workshops, and conducted regular meetings with the Technical Advisory Committee and Citizens Advisory Committee.

2010	**PREPLANNING**
	•Transportation consultant research and selection •Review of 2004 Comprehensive Plan •Overview of existing conditions •Identification of strengths and weaknesses •Establish planning team
2010-2012	**PLANNING**
	•Project approved by County Commission •Research and preparation of small area plan •Public outreach meetings •Technical and Citizen Advisory Committee meetings •Transportation consultant meetings
2012	**REVIEW AND ADOPTION**
	•Joint County Commission/Planning Commission Work Session •County Commission review •Planning Commission review •County Commission adoption

Table 2: Planning Process Milestones

Baker teamed with MetroQuest, a firm with expertise in public involvement software, to assist Jefferson County in obtaining public insights, analyzing land use scenario impacts related to transportation, and conveying analysis results to key stakeholders and the public. This project focuses on unique methods for public involvement and visioning using MetroQuest customized software through a web-based portal. Baker performed the regional travel demand modeling for the Long-Range Transportation Plan (LRTP) that included developing the latest land use / demographic data for Jefferson County and integrated the travel model and simulation tools for this study. The planning process chart outlines major project milestones with the 2 year approved schedule. (Figure 2).

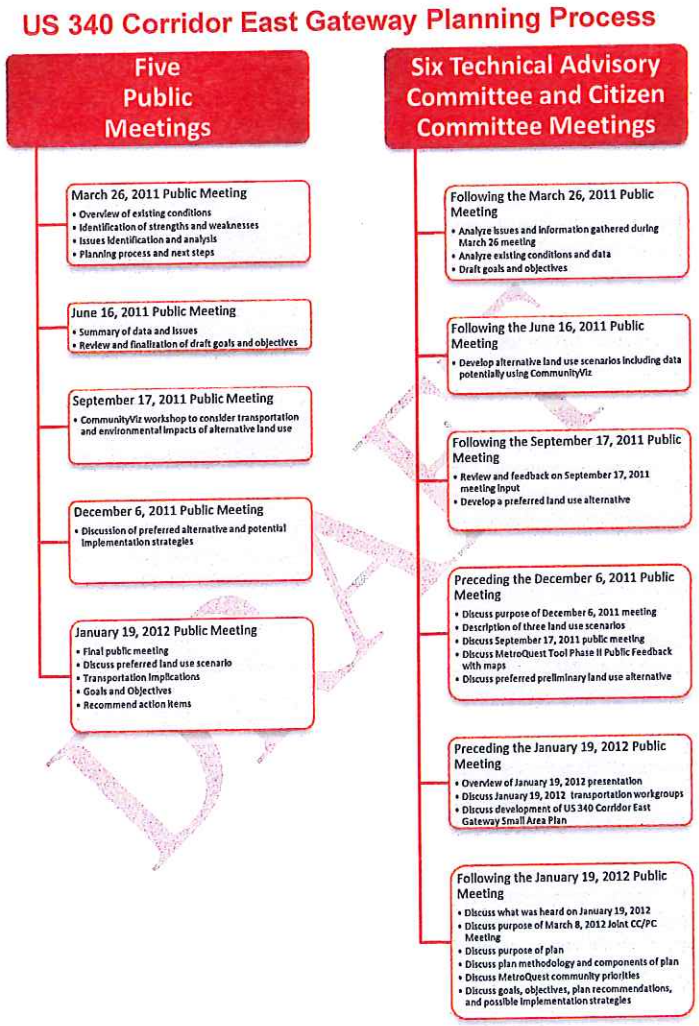


Figure 2: US 340 Corridor East Gateway Planning Process

2.0 Public Outreach Strategy

Public outreach and citizen participation were instrumental in this planning effort. Various methods were utilized to raise awareness to the US 340 Corridor study, attain comments in an open manner, and encourage citizens to work in groups to build relationships and commitment to the project.

In late 2010 and early 2011, the preliminary planning began for the US 340 Corridor East Gateway Study. A Technical Advisory Committee, made up of active working Jefferson County professionals from the Jefferson Public Service District, Jefferson County Economic Development Authority, Charles Town and Ranson Planners, National Park Service, U.S. Customs and Border Patrol, Freshwater Institute and Jefferson County GIS Department was created in the Fall of 2010 to assist in very preliminary components of the study. Their roles included providing their technical expertise as applicable to gather information to begin the study.



Once the technical and preliminary planning elements had been determined, the process of soliciting public involvement began.

2.1 Public Meetings

March 26, 2011

This first public kick-off meeting for the US 340 Corridor East Gateway Study was highly attended by over 130 stakeholders. This meeting presented an overview of the upcoming planning process for the study. Stakeholders were asked to provide comments on the following 6 broad topics:

- ✓ **Community Services**
- ✓ **Economic Development**
- ✓ **Historic Resources and Viewsheds**
- ✓ **Land Use and Zoning**
- ✓ **Parks, Trails and Greenways**
- ✓ **Transportation**

Those who attended the meeting were asked to discuss growth along the corridor, identify and discuss issues, determine strengths and weaknesses of the corridor, brainstorm possible solutions and alternative development and transportation patterns. Attendees were also asked why they moved to this area, live in this area or work within this area. The input received from the public was significant and valuable and allowed for a starting point for the process. Stakeholders who attended this meeting were asked to leave their contact information if they were interested in being part of a Citizens Advisory Committee (CAC). The Citizens Advisory Committee (CAC) was established to assist Planning and Zoning Staff to analyze issues, process information gathered at each meeting, examine existing conditions and data, and draft goals and objectives.



What We Heard on March 26, 2011 (Figure 3):

- Community Services
  - Improve Wireless Service in the 340 Corridor
  - Enhance Area Schools and Libraries
  - Emergency Services
  - Water / Sewer Service
  - Health Services
- Economic Opportunities
  - Promote Economic Development along the US 340 Corridor
  - Promote Business Development, Attraction, and Retention
- Historic Resources and Viewshed
  - Protect Historic Structures/Resources
  - Enhance Cultural/Heritage Activities
  - Protect the Rural and Historic Viewshed / Landscape
  - Create Gateway/Entrance
  - Improve Planning Coordination with Other Agencies
- Land Use Planning
  - Preservation
  - Allow New, Compatible Development
  - Minimize Development in Key Areas
  - Enhance Planning Efforts
- Parks, Trails and Greenways
  - Improve Existing Trail Network
  - Beautify the US 340 East Corridor
  - Develop Additional Parks and Enhance Existing Parks
  - Improve Signage and Mapping
- Transportation
  - Promote Traffic Safety
  - Improve Traffic Flow
  - Promote Transportation Alternatives
  - Improve Mobility for Pedestrians, Hikers, and Bicyclists
  - Truck Traffic Compatibility

Figure 3: What We Heard on March 26, 2011

June 16, 2011

At the June 16, 2011 meeting, the purpose of the meeting was to summarize the information gathered at the March meeting and ask participants the following questions:

1. What are some features of the US 340 planning area that should be preserved?
2. Are there aspects of the planning area that you feel should change?
3. Looking ahead twenty years, how do you envision the US 340 planning area?
4. What kinds of land uses do you see along this corridor in the year 2030?

Attendees were assigned to different tables and each table had a map of the corridor. They were then asked to draw on the map using the information gathered at the March meeting and questions listed above as guidance as they detailed information on the maps.

What We Heard on June 16, 2011 (Figure 4):

- What are some features of the US 340 planning area that should be preserved?
  - Farms and farmland
  - Historical elements
  - Open spaces
  - Scenic vistas
  - Cultural features (flea market, farm market, etc.)
  - National Park
  - Local small businesses (economic activities)
- Are there aspects of the planning area you feel should change?
  - Improve road safety and traffic congestion
  - Improve / create service roads
  - Build additional parking for commuters and tourists
  - Create pedestrian / bike corridor
  - Promote mixed-use / cluster development
  - Create architectural review board and design standards
  - Vegetative buffers along US 340 with trees, shrubs, grasses, etc.
  - Comprehensive and integrated planning process
  - Uniform application of zoning regulations
- Looking ahead 25 years, how do you envision the US 340 Planning Area?
  - Integrated planning techniques/smart growth
  - Commercial design appropriate for historic and rural context
  - New businesses (entertainment, grocery, office/medical parks, artisans' farmers markets, B&B's, etc.)

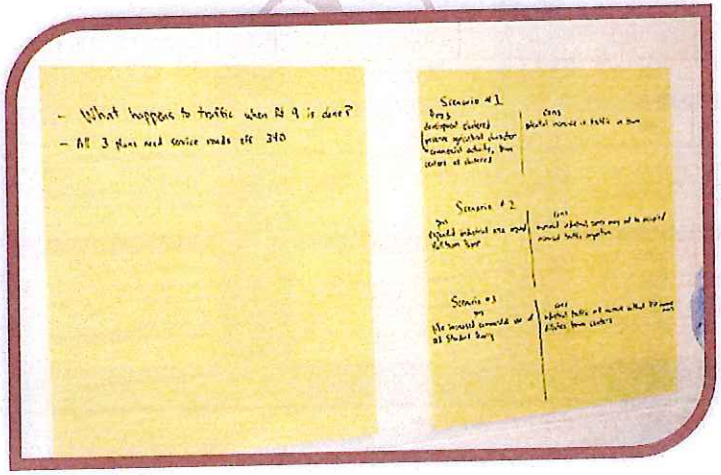
- Renovation of vacant commercial properties
- Development concentrated at major intersections
- Bike and walking trails between Charles Town/Ranson, Harpers Ferry/Bolivar and Shepherdstown
- Enhanced public transportation
- More historical and educational tourism

Figure 4: What We Heard on June 16, 2011

September 17, 2011

In studying public input gathered at the March and June meetings and the MetroQuest online participation tool, three broad land use scenarios were developed. Those scenarios are (1) Growth within the Urban Growth Boundary, (2) Planned Mixed Use and (3) Full Buildout. The goal of this meeting was for the public to respond to the three scenarios developed, choose their preferred scenario and make amendments to their chosen scenario. Additionally citizens where asked to discuss potential transportation and environmental impacts of alternative land use scenarios. Participants were asked the following questions when reviewing the three scenarios:

1. What were the pros and cons of each scenario?
2. Looking ahead 25 years in the future, which of the 3 scenarios best describes your vision of how the US 340 corridor should grow and develop?
3. What changes or modifications would you make to the preferred scenario?



What We Heard on September 17, 2011:

➢ What were the pros and cons of each scenario?



Figure 5: What We Heard on September 17, 2011 Pros and Cons

- Looking ahead 25 years in the future, which of the three scenarios best describes your vision of how the US 340 corridor should grow and develop?
  - Of the four break out groups, two groups selected the Planned Mixed Use scenario and 2 groups selected the Growth within the Urban Growth Boundary scenario.
- What changes or modifications would you make to the preferred scenario (Figure 6)?



Figure 6: What We Heard on September 17, 2011 Key Points

From this meeting and the use of public comment from the MetroQuest website, the three scenarios were further refined to create one preferred land use scenario, which is discussed below.

The TAC/CAC convened two additional times to discuss an alternative land use scenario and next steps.

December 6, 2011

The purpose of the December 6th meeting was to present one preferred land use scenario, developed from all the public comment received from the previous 3 outreach meetings and the two different versions of the MetroQuest. Attendees were asked to ensure that the preferred land use scenario was in keeping with the public input. The following questions were asked to guide their participation:

1. List any priorities and/or concepts that are MISSING from this Preferred Land Use Scenario map.

2. List any CONCERNS you foresee with this Preliminary Preferred Alternative map.

3. List 2-7 possible PARTNERS that can support the goals of the corridor study (individuals, local groups/schools, nonprofits, local, state, and/or federal agencies; other organizations).

What We Heard on December 6, 2011 (Figure 7):

- Generally, participants stated that the preferred alternative represented previous public input. There were a few minor comments that were suggested and staff made amendments to the preferred land use scenario. Those suggested changes resulted in the Final Land Use Map, discussed in the Land use Recommendations section of this plan. Comments at this meeting included:

  - Re-evaluate mixed use density ranges; consider increasing residential and commercial percentages
  - Retain existing residential development rights
  - Nice balance of proposed land-use throughout the corridor
  - Landscape buffers
  - Design standards
  - Cluster development in residential areas
  - Bike/walking trails
  - Preservation is needed near Millville Road and US 340

Figure 7: What We Heard on December 6, 2011

consultants to discuss the Final Land Use Scenario, transportation priorities and implications, and recommended action items.

January 19, 2012

This purpose of this meeting was to present the Future Land Use Map that had been developed and refined during the previous ten months of public involvement, and also to present the preliminary transportation recommendations. Michael Baker, Inc., the transportation consulting firm, described results of the preliminary modeling of the corridor and outlined possible solutions. The consultants also discussed potential transportation funding strategies and described how state transportation projects are selected. Attendees were asked to prioritize a list of 30 potential transportation improvements, which were suggested at previous public meetings.



March 8, 2012

The draft US 340 East Corridor Gateway Plan was presented to a joint County Commission and Planning Commission on March 8, 2012.

2.2 Other Outreach Methods

In addition to the public meetings described above, the Outreach Strategy involved three major components:

MetroQuest – A Web-Based Interactive Tool

MetroQuest software platform is a web-based tool (Figure 8) that can be accessed via the internet by stakeholders and the general public. The web-based tool allowed users to share insights and recommendations regarding the future vision of the corridor. To save costs, the tool utilized concepts and interface designs that MetroQuest had already developed for other clients across the country.

The key components of MetroQuest tool were to (1) allow users to rank key land use and transportation priorities, (2) allow users to provide transportation and land use comments and attach geographically to the map, (3) provide survey questions for transportation and land use.

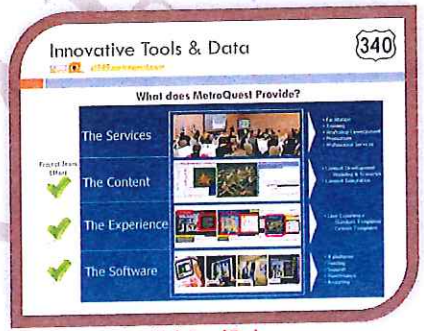


Figure 8: MetroQuest Web-Based Tool

Media/Website/E-Mail Distribution

The media was used to publicize the planning and public outreach process. It included press release communications to major regional newspapers prior to each of the five public meetings and in-person media interviews. For this project, a website was created to host all public meeting agendas, presentations, maps, and outcomes. An e-mail distribution list was created to communicate repeatedly with interested and new stakeholders. Additionally, over 1,800 post cards were mailed to all property owners within the 1-mile boundary of the US 340 corridor.

Community Events and Public Outreach

Planning and Zoning staff participated in several community events, including Charles Town Heritage Festival, Jefferson County Day and Jefferson County Fair. The Citizen Advisory Committee members provided outreach to friends, family and neighbors. Planning and Zoning staff also attended five public meetings, and led intermittent technical and public advisory committee meetings throughout the planning process.

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3.0 Existing Conditions

As part of the background for this plan, staff examined existing conditions for the planning area. Members of the Technical Advisory Committee also assisted in this effort, and the GIS/Addressing Department produced numerous maps relating to specific topic areas.

The following seven topical categories are discussed and organized by alphabetical order. There is no hierarchal order to this list.

3.1 Community Services and Infrastructure

Water and Sewer

The principal water and sewer provider in the US 340 Corridor is the Jefferson County Public Service District (JCPSD). The JCPSD is authorized to service all unincorporated areas of Jefferson County. The JCPSD currently serves areas of Charles Town, Ranson and additional areas along US 340 to Shepherdstown Pike (Rt. 230). There JCPSD does have the ability to expand there service area along the entire corridor. The development of Sheridan Estates, which includes Chickamauga Drive, Lookout Mountain Court and Five Forks Drive is served by Old Standard, LLC. While Old Standard, LLC only services Sheridan Estates, the treatment plant could handle additional capacity. The County Commission appoints the three-member PSD board.

Other water and sewer providers in the US 340 area include the City of Charles Town, the Harpers Ferry Corporation, and Jefferson Utilities (a privately owned, public water utility; does not provide sewer).

Significant wastewater treatment plants near the US 340 corridor are owned by the City of Charles Town (1.75 million gallons per day or MGD); PNG Gaming at Ranson, also known as Hollywood Casino at Charles Town Races (0.225 MGD); and the Harpers Ferry-Bolivar PSD (0.3 MGD). Wastewater from Charles Town, Ranson and the Jefferson County P.S.D. is treated at the Charles Town plant. Additionally, a wastewater plant owned by Old Standard, LLC is located near the south end of the Old Standard Quarry Lake.

It is anticipated that many of these plants will require updates to address increased flows from future developments and to comply with federal Chesapeake Bay requirements.

In recent years, the PSD proposed a major wastewater treatment project known as the Flowing Springs Sewer Project. The proposed project would have entailed a one million gallon per day wastewater treatment plant adjacent to the Halltown paperboard plant to serve the Flowing Springs drainage shed. However, in August, 2011, the West Virginia Public Service Commission ruled against allowing the development of the plant, based on projections of cost and anticipated need for the plant. The plant would have allowed the equivalent of 1,400 homes now receiving treatment at the Charles Town wastewater treatment plant to be diverted to the new plant for treatment. The plant was also intended to serve subdivisions located on Flowing Springs Road.

Wireless Services

There are three cell phone towers within the US 340 Corridor Study Area. One tower is located off Keyes Ferry Road, one is located near Prospect Avenue in Harper's Ferry, WV and one is located off Potomac Street in Harper's Ferry, WV.

Schools

Schools within the study area include two elementary schools (Driswood and C.W. Shipley) and one Middle School (Harpers Ferry). Table 3 below provides enrollment statistics for 2012.

C.W. Shipley Elementary School	• 395 students
Driswood Elementary School	• 501 students
Harpers Ferry Middle School	• 387 students

Table 3: School Enrollment Statistics

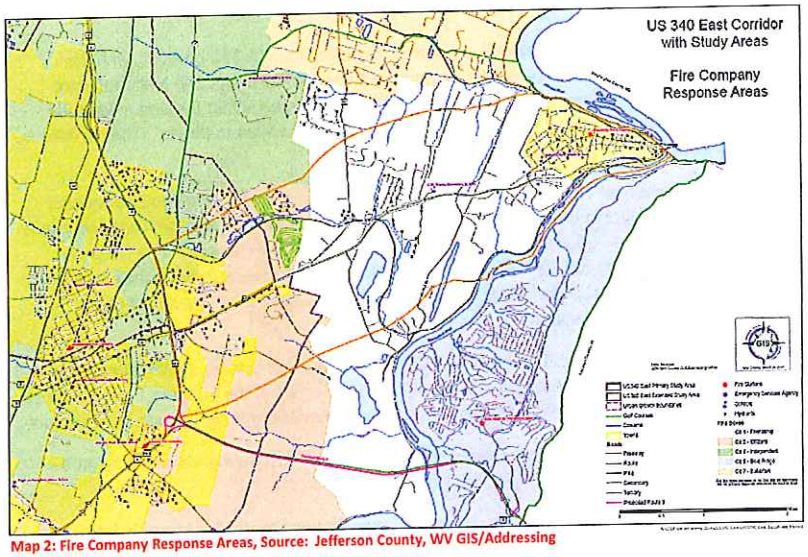
Libraries

The two libraries near the US 340 study area are the Old Charles Town Library (which is funded through a private endowment fund) and the Bolivar-Harpers Ferry Public Library.

Fire

The study area (Map 2) includes portions of the service areas of several volunteer fire companies (Citizens, Blue Ridge, Independent, Friendship, and Bakerton).

Friendship Fire Company in Harpers Ferry is seeking an expanded facility, and plans to build a new fire station on land provided by the US Customs and Border Patrol.



Map 2: Fire Company Response Areas, Source: Jefferson County, WV GIS/Addressing

3.2 Economic Conditions

Currently, the US 340 corridor is host to a diverse mix of existing economic activity. The study area is significantly influenced by Jefferson County's role as a tourist destination. The elements of tourism near the corridor include entertainment tourism in the form of the Hollywood Casino at Charles Town Races, heritage tourism involving the Harpers Ferry National Park and other noteworthy historic sites, and recreational tourism associated with the County's natural features and rivers. Jefferson County's tourist activity greatly exceeds tourism levels for any other county in the State of West Virginia in terms of dollars spent on tourism-related activities.

The Federal Government has a strong economic impact on the US 340 corridor, with the notable presence of facilities for the US Customs and Border Patrol and the National Park Service. Additionally, a large, viable and active quarry is located within the one mile study area. Halltown is home to a 130-year-old paper plant that continues to thrive. The corridor is also home to several active farming operations.

A number of commercial uses are also located along the corridor. Much of the commercial space along the corridor is occupied by retail uses, and the majority of this commercial area is located within the Urban Growth Boundaries of Charles Town and Ranson. This area is characterized by a traditional pattern of strip mall development. While most of the commercial developments along the corridor are active, viable uses, there are also opportunities for redevelopment in some locations.

The communities of Bolivar and Harpers Ferry provide a blend of unique destination shops and restaurants. While these services tend to be oriented to tourists at the Harpers Ferry National Park, local residents also benefit from the richness these establishments provide to the County.

While closed at this time, the Hilltop House Hotel in Harpers Ferry has traditionally been a regional attraction for diners and those seeking lodging.

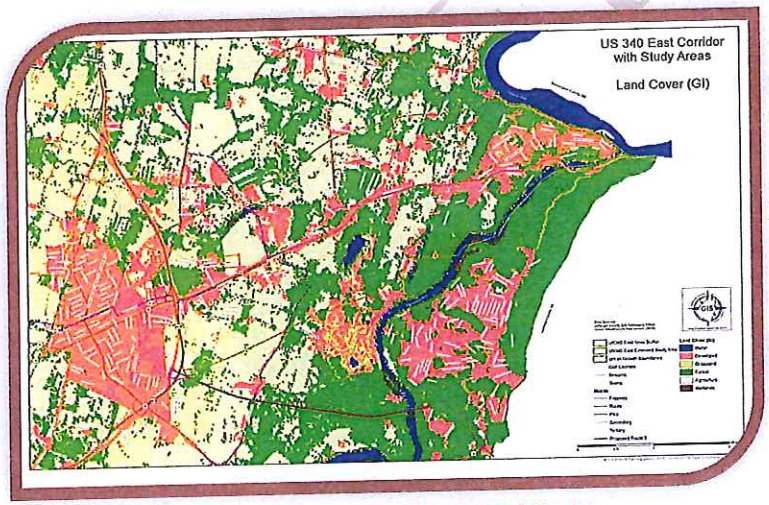
The Brunswick line of the MARC commuter train – with stations located in Harpers Ferry and Duffields – provides another form of connection to the economic opportunities located in the Washington D.C. area.

3.3 Environmental and Natural Resources

Existing conditions data for the County's environmental and natural resources was acquired through coordination with the Technical Advisory Committee. Two Jefferson County Commission projects provided the land cover data used to analyze existing landscape conditions; the Green Infrastructure Study (Freshwater Institue, 2007) and the Urban Tree Canopy (UTC) and Land Cover Assessment (University of Vermont, 2010).

Green Infrastructure

The US 340 East Corridor Study Area Land Cover Green Infrastructure (GI) (Map 3) illustrates an aerial picture of this part of Jefferson County, West Virginia. It was created using data from a 2006 Green Infrastructure (GI) Assessment funded by the Jefferson County Commission. This map of the US 340 Corridor Study Area divides land cover into six categories: Water, Developed, Grassland, Forest, Agriculture, and Wetlands.



Map 3: Land Cover (Green Infrastructure), Source: Jefferson County, WV GIS/Addressing

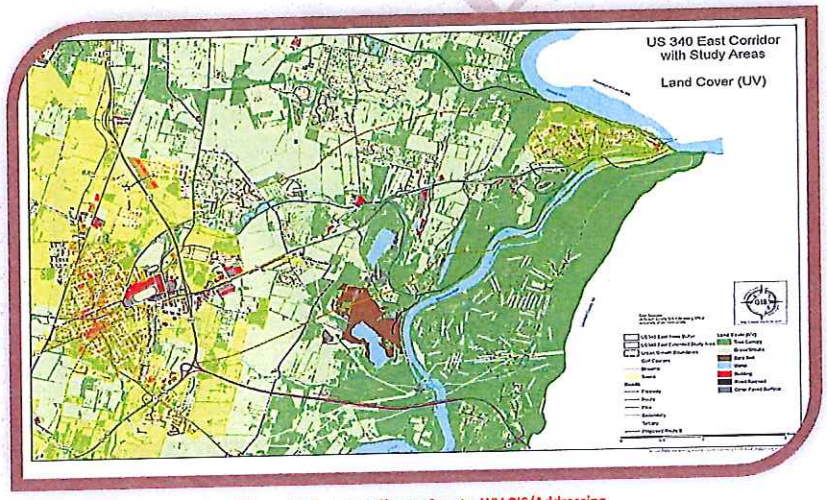
The majority of the study area is covered in Agriculture. The next largest category of land cover is Developed land. The third most expansive land cover type in the US 340 Corridor Study area is Forest followed by Wetlands and Water.

Land Cover

A Jefferson County Urban Tree Canopy (UTC) assessment was completed by the University of Vermont's (UVM) Spatial Analysis Laboratory in January 2010, while under contract to Jefferson County. This County-wide study, the largest of its kind in the U.S. at that time, utilizes the U.S. Forest service's premier UTC assessment protocol.

The US 340 Corridor East Gateway Study Area is the location of a variety of land cover types. The Land Cover (Map 4) was created using data collected by the University of Vermont in 2009. Land cover types found within the US 340 Corridor Study area are:

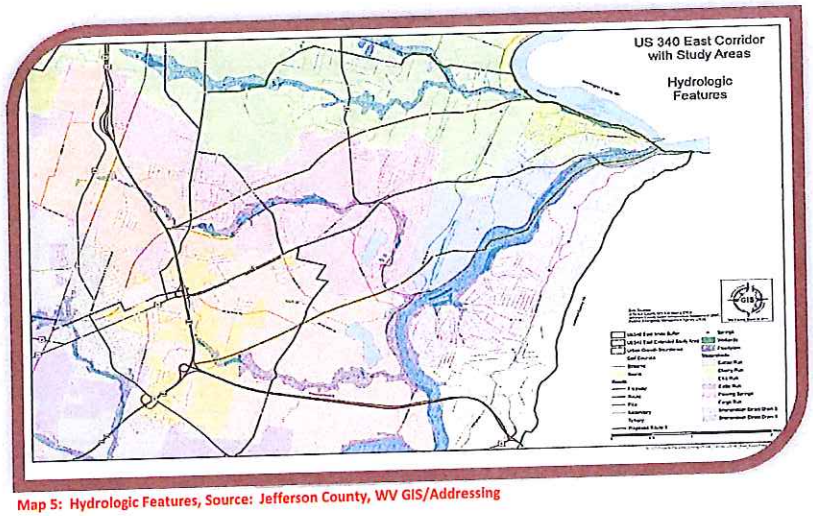
- Tree Canopy
- Grass and Shrubs
- Bare Soil
- Water
- Building
- Road and Railroad
- Other Paved Surface



Map 4: Land Cover (University of Vermont), Source: Jefferson County, WV GIS/Addressing

The most expansive land use type is the Grass and Shrubs category. This reflects the historical land use which was agrarian based. The second largest land cover group is Tree Canopy. Bare Soil, Water, Building, Road and Railroad, and Other Paved Surface are distributed fairly evenly over the County.

The geology of Jefferson County is distinct karst topography. Karst is a geologic formation shaped by soluble bedrock. One of the major features of karst topography is the presence of limestone caverns, formed by groundwater cutting through the rock. Other features include vertical shafts, sinkholes, reappearing springs, inconsistent surface water flow, and tendency for a decline in water quality due to lateral movement of water from many sources.



Map 5: Hydrologic Features, Source: Jefferson County, WV GIS/Addressing

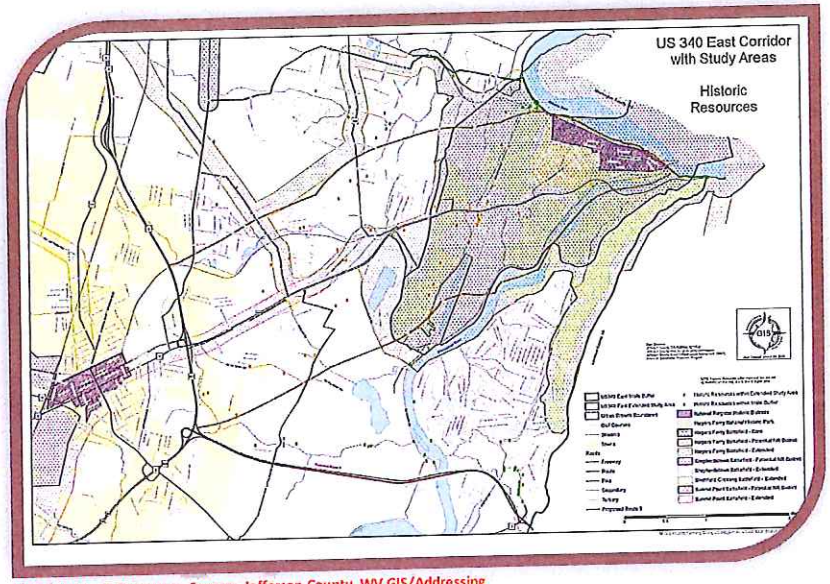
Hydrology

The hydrologic features (Map 5) of the US 340 Corridor East Study Area consist of springs, wetlands, floodplain, and several watersheds. There are four known springs found within the primary study area and seven known springs found within the Extended Study area. Four of the watersheds are found within the primary study area, while two are found within the extended study area.

Watersheds within the Primary Study Area include Cattail Run, Elks Run, Evitts Run, and Flowing Springs. Watersheds in the Extended Study Area include Cherry Run and Forge Run.

3.4 Historic Resources and Viewshed

History is a major contributor to the current culture and landscape of Jefferson County, West Virginia. There are many Historic Resources found within both the primary study area and the secondary study area (Map 6). The US 340 Corridor East primary study area is home to approximately fifty historic resources. The US 340 Corridor East secondary study area contains an additional fifty-four historic resources.



Map 6: Historic Resources, Source: Jefferson County, WV GIS/Addressing

As the Comprehensive Plan notes, "In term of environmental resources, Jefferson County suffers from an embarrassment of riches." and "It (Jefferson County) has arguably been referred to as the most historic rural county in America." The area consisting of US 340 East Corridor Gateway Plan embraces those characteristics. Notably, the scenic entrance into West Virginia and Jefferson County on US 340 is through the Potomac Water Gap. As travelers continue to the west, they crest the hill near the Quality Inn, also commonly referred to as Cliffside Inn, and the picturesque view emerges over the valley. From this vantage point, visitors to the State and County get their first impression of the region.

The Potomac Water Gap is the lowest crossing of the Blue Ridge Mountains, providing a path of least resistance to those traveling west. The Town of Harpers Ferry is notable for being an early location for the US Armory and Arsenal, C&O Canal traversing the opposing river edge,

John Brown's Raid, and Civil War battles for control of the town. Due to the rich history of the town, there are two national parks, the Harpers Ferry National Historic Park and the Chesapeake and Ohio Canal National Historic Park, surrounding the community. The Appalachian National Scenic Trail traverses the Town of Harpers Ferry.

Several historic resources have undergone rehabilitation along the corridor.

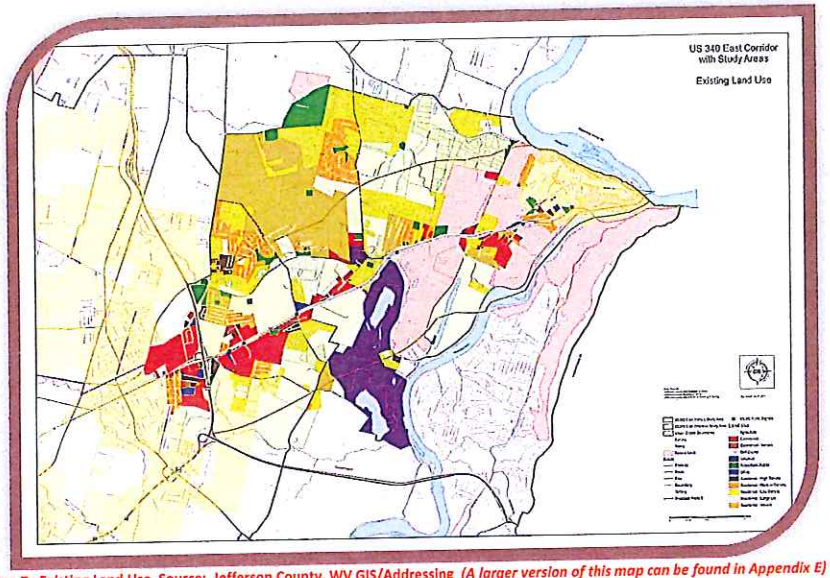
A historic Washington Family plantation known as Beallair is being developed into a residential subdivision. During development of the property, care has been taken to improve and maintain the historic Beallair house for use by the Homeowners Association. At least two large farm properties are on the property. The community of Halltown has its own assorted collection of historic resources.

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3.5 Land Use and Zoning

Land Use

The existing land use (Map 7) in the corridor is a patchwork of suburban development, both residential and commercial, industrial uses, underutilized commercial buildings and farm land.



Map 7: Existing Land Use, Source: Jefferson County, WV GIS/Addressing *(A larger version of this map can be found in Appendix E)*

The land uses along this corridor have either been established prior to the adoption of zoning in 1988 or have been permitted under the zoning districts that were created in 1988.

As a main gateway into the State and corridor in the County, development pressures have historically been present along this route. Over time, the corridor itself has been realigned. This is most visible in Halltown, where US 340 went directly through the Halltown community and now the corridor bypasses the community, leaving commercial uses disconnected from the current alignment.

Commercial and Industrial – Existing Land Uses

In the study area, along the western edge of the corridor, there are two large shopping plazas situated diagonally across US 340 from each other. This area is within the Urban Growth Boundary of both the cities of Charles Town and Ranson. The intersection at Old Country Club Rd/Marlow Road and US 340 in the last 5 years has seen increased commercial development. New commercial developments include Aldi's, Sheetz, Tractor Supply and additional lots for commercial development.

In the Halltown area, there are older and underutilized buildings that have the potential for redevelopment. In recent years a small plaza has been built in that location and has the ability to expand. Halltown is home to a 140 year old paper mill processing plant. This industrial operation is the hallmark of the unincorporated community. Near Shipley Elementary School, there has been an expansion of commercial uses.

Along Blair Road is an active quarry operation. Near the intersection of US 340 and Blair Road there is a quarry that is no longer active. These industrial mining operations hve little visual or noise impact upon US 340.

The intersection of Millville Road/Bakerton Road and US 340 has seen an expansion of existing activity. Two properties with historic resources at this intersection have been rezoned recently. The outdoor flea market continues to be a weekly attraction, being a regional landmark. River Riders continues to flourish and attracts over 35,000 visitors per year, with much of the visitors arriving during the summer season. Within this location, Quality Inn and KOA have provided lodging and rest to visitors for decades.

On Millville Road, there is an inactive quarry that has not been used in several decades. The site is commonly referred to as Old Standard Quarry. It is located on a 407 acre lot with a long linear quarry which has been subject to different proposed developments. None of those developments have received local approval. In 2010, under a Brownfield Redevelopment Act, the West Virginia Development Office permitted the ability for site development on the property. With approximately 1.5 billion gallons of cool fresh water in quarry, the water provides options energy options depending upon the needs of the facility. This development proposal is bound by a statutory deadline.

In summary, this section of the corridor has seen new businesses, expansion of existing businesses and pressure for addition commercial and industrial operations in the past decade.

Housing – Existing Land Uses

Both within the 1-mile study area and scenic viewshed boundary, there are existing subdivisions, subdivisions in progress and housing developments that have been approved but construction has not yet started. Many of the older subdivisions prior to 2000, tend to be located north of US 340 and most gain access from secondary roads extending off of US 340. Generally the lots are greater than 3/4 of an acre and the housing stock within these developments is well maintained. The few residential developments that take direct access to US 340 are located behind Wal-Mart on Patrick Henry Way, such as Jefferson Terrace, an existing development near Shipley School.

Since 2000, there has been a significant increase in housing development along the corridor, particularly along the secondary roads of Flowing Springs Road, Old Country Club Road and Shepherdstown Pike. A substantial land area in the vicinity of these roads has been developed

into subdivisions, partially started and now delayed by the economy or have preliminary approval for development. Traversing along the above mentioned roads, a traveler may only see vacant land or farm fields; however, much of that property has vested rights for development at this time.

In addition to the commercial node that has developed at Old Country Club Road/Marlow Road and US 340, a townhome development has been constructed in that location. Toward Shipley School, additional residential development activity has taken place.

Many of the post 2000 residential developments have lots that are less than 1 acre in size.

As discussed above, the unincorporated community Halltown has its own unique history of development. The community is a mix of commercial and residential structures. Many of the residential structures are pre-1950 and many have favorable architectural elements. However, the passage of time has resulted in a number of these structures needing improvements.

Federal Lands – Existing Land Uses

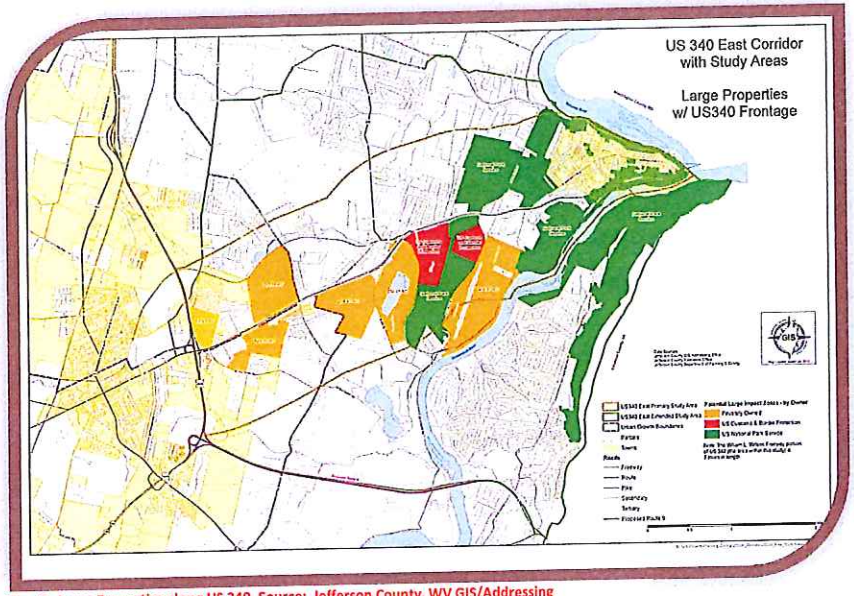
A significant presence along the corridor, particularly on the eastern section, is the considerable amount of land owned by the National Park Service and the U.S. Customs and Border Patrol. Since 2000, the National Park Service has expanded through a series of acquisitions of large tracts of land and the Custom and Border Patrol has established itself on the corridor. A majority of the Federal land is under the control of the National Park Service and is open space. The area under control of the park service is roughly from the Virginia state line down the mountain, across the Shenandoah River, encircling both Bolivar and Harpers Ferry and stretches across Bakerton Road to the North and across Millville Road to the South. The property under control of the Customs and Border Patrol located across from the residential developments near Shipley Elementary School. The property is bound by US 340 to the north, railroad tracks to the west and National Park Service property to the south and east. The following map depicts the Federal lands in green. Currently the site is under extensive construction. A sizable berm and landscaping plan is proposed to screen the Custom and Border Patrol from public view.

The meaningful impact of the Federal lands upon the US 340 corridor is that the intersection of Millville Road/Bakerton Road and US 340 and the few remaining private properties at that intersection are surrounded by Federal Lands which are not anticipated to be developed. As a result, this area is disconnected from the towns of Bolivar and Harpers Ferry, and existing and potential development to the west.

Farmland and Vacant Parcels –Existing Land Uses

Along the corridor there are five or six large tracts of land (Map 8) that are either vacant or farmed and there is the possibility the current uses could change. Collectively these tracts consist of 1299.6 acres. Three of the parcels are located to the west of Old Country Club Road/Marlow Road and US 340. These tracts are adjacent to existing commercial centers. As previously noted, this area is within the Urban Growth Boundary of Charles Town and Ranson. On south side of the corridor, near Halltown, there is a parcel that is currently farmed and another containing the Shenandoah quarry. The last remaining parcel is the property known as Old Standard.

In addition there are a number of smaller parcels which are either vacant or underutilized in this area which could potentially be assembled into a larger tract and converted into other use(s). While initially appearing to be less of an impact, an assemblage of these smaller parcels could have a real impact upon the corridor.

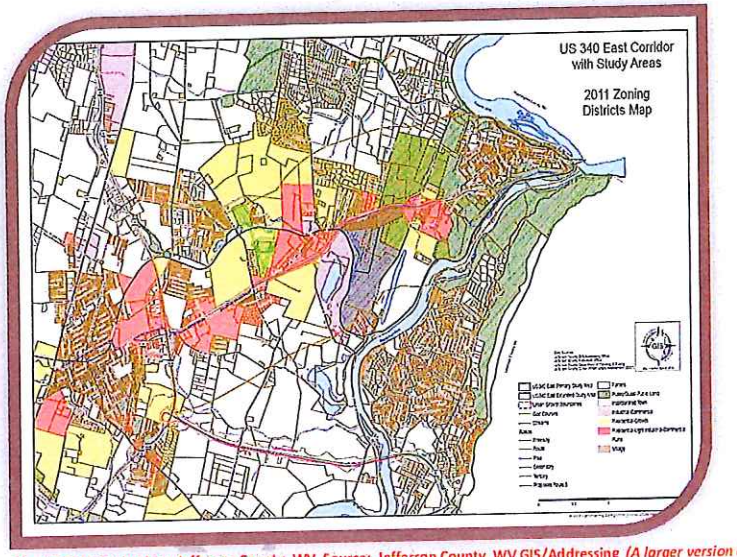


Map 8: Large Properties along US 340, Source: Jefferson County, WV GIS/Addressing

Zoning

Zoning within the US 340 Corridor Study Areas is divided into five unique districts (Map 9):

- The Industrial-Commercial zoning district
- The Residential Growth zoning district
- Industrial-Commercial zoning district
- The Rural zoning district
- Village zoning district



Map 9: 2011 Zoning Map Jefferson County, WV, Source: Jefferson County, WV GIS/Addressing *(A larger version of this map can be found in Appendix E).*

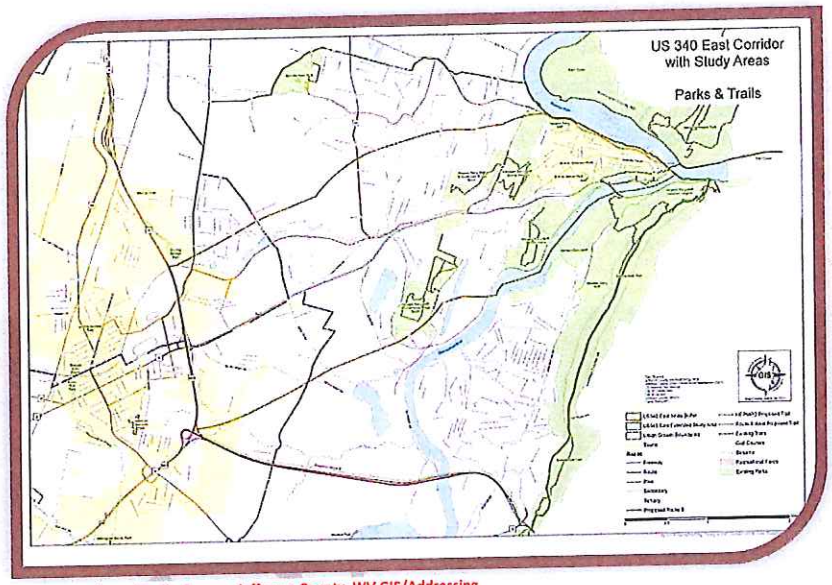
Nearly all of the current zoning classifications along the corridor were established in 1988. As such, the development that has occurred could have and should have been expected. Only very recently have there been Zoning Map amendments along the corridor.

The majority of land located south of U.S. Route 340 is within the Rural zoning district. The next prominent zone is the Residential-Light Industrial-Commercial zoning district followed by the Industrial-Commercial zoning district and the Residential Growth zoning district.

North of US 340, the majority of land is falls into the Residential Growth zoning category. The remainder of property falls into the Residential-Light Industrial-Commercial zoning district, then the Rural Zoning district and then the Industrial-Commercial zoning district.

3.6 Parks, Trails and Greenways

The Jefferson County Parks and Trails system (Map 10) plays an important role in the US 340 Corridor Study Area.
The US 340 Study Area includes three parks, as shown on the map below.



Map 10: Parks and Trails, Source: Jefferson County, WV GIS/Addressing

1. Flowing Springs Park (City of Ranson)
   The 29.7 acre Flowing Springs Park is located between Home Depot and Flowing Springs Road, adjacent to WV 9. According to the City's website, the park is intended "to provide wildlife viewing areas, a pedestrian trail network, a bike route, and interpretive markers, while maintaining a more natural environment in this future urban area."
2. Sam Michael's Park (Jefferson County Parks & Recreation)
3. This 131-acre park, located south of Job Corps Road, features the Jefferson County Community Center as well as a public picnic pavilion, including picnic tables, kitchen, and grill. The park also contains little league fields, a playground, horseshoe pits, and a sand volleyball court; and has a ½ mile walking trail and dog park area.
4. Harpers Ferry National Historical Park
   This nearly 4,000 acre park is managed by the National Park Service and includes the historic town of Harpers Ferry. Restored 19th century buildings in the Lower

Town Historic District provide space for several historical museums. The Appalachian Trail runs through Harpers Ferry. A footbridge across the Potomac River connects trail users to the continuation of the trail in Maryland, as well as to the C&O Canal. Nearly half a million people visit the Harpers Ferry National Historical Park annually.

The US 340 Corridor Study Area contains at least nine individual trails. These trails are located in the primary and secondary study areas. In addition to current existing trails, the Parks and trail map shows both the proposed WV 9 East trail and the HEPMO trail.

Trails found within US 340 Study Corridor include:

- Appalachian National Scenic Trail
- Harpers Ferry Schoolhouse Ridge
- Loudoun Heights
- Murphy Farm
- Bolivar Heights
- Bolivar Nature Park Trail



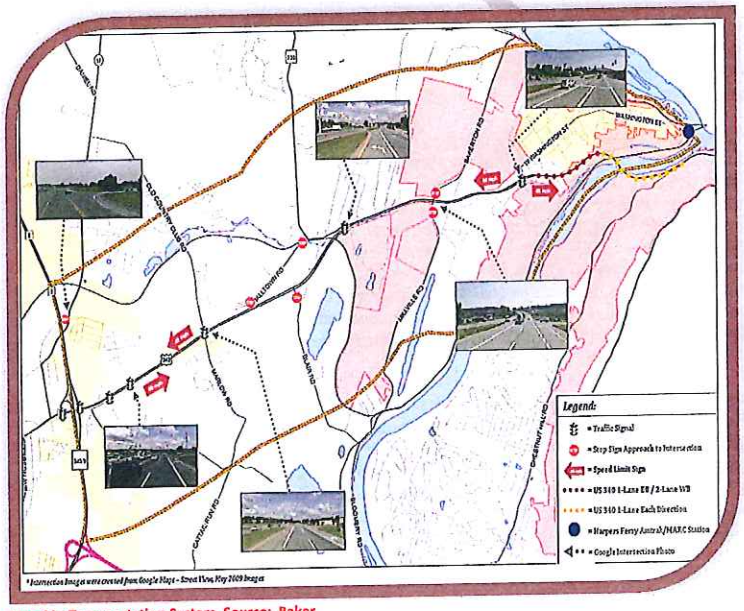


Source: Joe Liles

3.7 Transportation

This section discusses the transportation system (Map 11) within the US 340 East Gateway corridor including key roadways and available transit bus and rail service. Although they can have an impact on regional transportation, bike and pedestrian trails are not addressed within this section. Such improvements and associated discussions are included within the *Parks, Trails and Greenways* section of this study.

Data was collected from available sources such as aerial photos, land use information, roadway geometry and land configurations, truck percentages, posted speed and operating speed limits, traffic signal and other traffic device parameters, and available traffic volume data. Speed observations from 2008-2010 along the corridor was collected from TomTom GPS (Global Positioning System). Consultants also conducted field visits and worked closely with County staff to collect key observations and insights regarding corridor congestion and future corridor traffic volume growth. Regional travel modeling was used to assess traffic volume growth and intersection turning movements along the corridor. The model utilized the latest version of the HEPMPO regional 3-county travel demand model (includes Washington County, MD; Berkeley County, WV; Jefferson County, WV).



Map 11: Transportation System, Source: Baker

Summary Brief of this Section

The following existing conditions have been identified:

- US 340 is the primary route through the corridor and carries on average between 29,000-38,000 vehicles per day
- US 340 serves many travel purposes including regional throughfare, seasonal and recreational, and work commute travel.
- A large number of corridor residents work in Maryland and Virginia.
- Regional transit service within the corridor is provided by PanTran, MARC and AMTRAK; however service schedules are limited.

The following transportation issues and concerns have been identified:

- There are significant safety concerns at un-signalized approaches to US340 that will become an even greater concern with future corridor development.
- The bridge crossing capacity deficiencies result in significant weekday and weekend traffic congestion that impacts eastern portions of the corridor.
- US 340 congestion and safety concerns exist on western portion of the corridor near the Patrick Henry Way intersection due to existing and future growth in commercial development.
- Future development will continue to degrade corridor operations and safety during peak periods.
- Viable transportation options including bike, pedestrian and transit modes must be improved within the corridor to reduce vehicular travel and promote a more livable community.

The Transportation System (Map 11) illustrates key roadways, signalized intersections, speed limits and travel lanes along US 340, the primary roadway within the corridor and part of the U.S. Highway System. The highway links Frederick County, Maryland and Loudoun County, Virginia with Harpers Ferry and Charles Town and continues south to the West Virginia/Virginia state border. The east-west stretch of US 340 between Charles Town and Harpers Ferry is designated the William L. Wilson Freeway, although it does not share the same characteristics as a traditional freeway and includes traffic lights, at-grade intersections, and speed limits ranging from 45-60 miles per hour (mph). Within the East Gateway corridor, US 340 is primarily a four-lane facility; however, there are key capacity constraints at the eastern and western termini. On the western side, a partial-cloverleaf interchange facilitates the movements between US 340, WV 9, and WV 51.

On the eastern side of the corridor, US 340 crosses the Shenandoah River at the Harpers Ferry Bridge. The bridge crossing and roadway sections in Virginia and Maryland currently have two travel lanes. The north-south roadways within the East Gateway Corridor are provided by lower class roadway facilities. CR 17 (Flowing Springs Road) and WV 230 (Shepherdstown Pike) provide connections from Shepherdstown in the north to WV 9 and US 340 respectively. Other north-south roadways provide access from residential and rural areas within the corridor to commercial development along US 340.

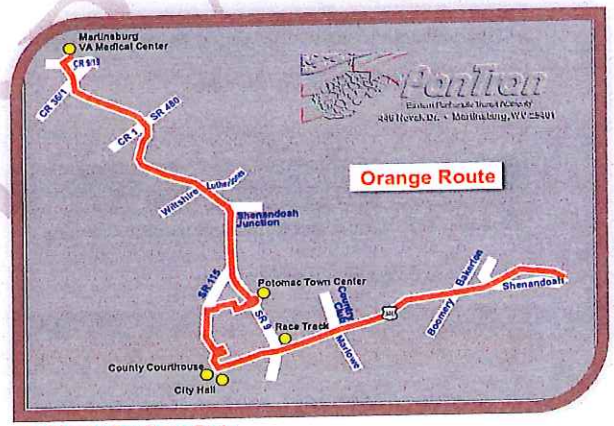
The East Gateway corridor includes access to several transit alternatives. The Duffields station lies just north of the corridor on the MARC Brunswick line and includes nearly 300 parking spaces. The MARC train service is a commuter rail system whose service areas include counties in West Virginia, Maryland, and Washington D.C. The MARC train service only operates Monday through Friday. The Brunswick Line (Table 4) operates between Brunswick, Maryland and Washington Union Station. This line also includes an extension to Frederick, Maryland and Martinsburg. The Harpers Ferry station (on Potomac Street) also provides access to the MARC Brunswick line as well as AMTRAK's Capital Limited train. The Capitol Limited train runs daily between Washington, D.C. and Chicago. These trains typically stop only once per day at the station and are not useful for daily commuting or shopping trips to Maryland or Washington, D.C. The National Park Service may initiate special train service during peak seasonal periods to assist in accessing the Harpers Ferry National Park.

BRUNSWICK LINE EASTBOUND Monday through Friday only

TRAIN NUMBER		P870	P890	P872	P874	P892	P876	P878	P894	P880
	AR/	S/Q	Q	Q	S/Q	S/Q	Q	S/Q	S/Q	S/Q
City/AM-PM	DP	AM	AM	AM	AM	AM	AM	AM	AM	AM
Martinsburg, WV	DP				5:26			6:30		
Duffields	DP				5:41			6:45		
Harpers Ferry, WV	DP				5:51			6:55		
Brunswick, MD	DP	5:00		5:38	6:02		6:33	7:07		7:40
Frederick	DP		5:12			6:05	[redacted]	[redacted]	7:10	
Monocacy	DP		5:18			6:11			7:16	
Point of Rocks	DP	5:10		5:48	6:13		6:43	7:17		7:50
Dickerson	DP		5:43				6:51			7:58
Barnesville	DP	5:21		5:58		6:39	6:55		7:44	8:03
Boyds	DP		5:51				7:02			8:09
Germantown	DP	5:30	5:56	6:08	6:33	6:49	7:07	7:36	7:54	8:14
Metropolitan Grove	DP	5:35	6:01	6:13	6:39	6:55	7:13	7:42	8:00	8:20
Gaithersburg	DP	5:41	6:06	6:18	6:43	7:01	7:19	7:47	8:06	8:26
Washington Grove	DP			6:21			7:22			8:29
Rockville	DP	5:49	6:13	6:26	6:52	7:08	7:28	7:58	8:13	8:34
Garrett Park	DP	5:54				7:13	7:33			8:40
Kensington	DP	5:58		6:33		7:17	7:38		8:21	8:44
Silver Spring	DP	L6:06	L6:27	L6:42	L7:09	L7:27	L7:47	L8:14	L8:29	L8:54
Washington Union Station	AR	6:26	6:45	7:00	7:28	7:45	8:05	8:30	8:47	9:12

Table 4: Brunswick Line Eastbound Monday through Friday only

The Eastern Panhandle Transit Authority (EPTA), known more popularly as "PanTran," operates bus routes (Map 12) in Martinsburg and in surrounding Berkeley and Jefferson counties. PanTran's Orange "Charles Town" route includes several service stops in or near the East Gateway corridor including the Hollywood Casino at Charles Town Races, Walmart (Patrick Henry Way) and the Harpers Ferry rail station. Bus service



Map 12: Pan Tran Orange Route

headways vary by the service stop location but typically range from 2-3 hours with no available nightly service.

Travel Characteristics

Understanding the current regional travel patterns is important in evaluating and addressing future transportation improvements in the corridor. The West Virginia Department of Highways (WVDOH) will be conducting future studies to identify operational issues and travel usage characteristics along the US 340 corridor, including an origin-destination survey. These studies and results will further improve the planning and evaluation process as they become available. Until then, other available data sources can be used to provide insights into regional travel patterns. The Longitudinal Employment Household Dynamics On-the-Map (LEHD-OTM) tool synthesizes the home to work commuting patterns for specified areas based on the Quarterly Census of Employment and Wages (QCEW) records. This data has some documented inaccuracies but can still serve as a valuable tool in understanding commuting patterns at levels lower than the county. Table 5 provides a summary of the LEHD-OTM data and illustrates that only a small share of work commuting includes both origins and destinations within the East Gateway Corridor. Future growth within the corridor may significantly alter these results as more jobs may become available for residents within the corridor.

Worker Inflow/Outflow for the East Gateway Corridor

Category	Share (%)
INFLOW	
Employed in the Corridor but Living outside Corridor	95.8%
Employed and Living in the Corridor	4.2%
Total	100%
OUTFLOW	
Living in the Corridor but Employed outside Corridor	96.5%
Living and Employed in the Corridor	3.5%
Total	100%

Table 5: Worker Inflow/Outflow for East Gateway Corridor, Source: US Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics (Beginning of Quarter Employment, 2nd Quarter of 2009)

In October 2002, the HEPMPO conducted a cordon survey at select border locations in the 3-county MPO area (Berkeley and Jefferson counties in West Virginia, and Washington County in Maryland). The survey was developed to support regional planning and the development of the MPO travel demand model. A video data collection and mail out survey was conducted at the Harpers Ferry Bridge to identify characteristics of travelers using US 340 during a sample weekday. For this location, 860 surveys were obtained and used to estimate vehicle occupancies, trip purposes, and the amount of trips "thru" the MPO (3-county) area. Figure 9 summarizes the survey results.

HEPMPO US 340 Corridor Survey (October 2002)

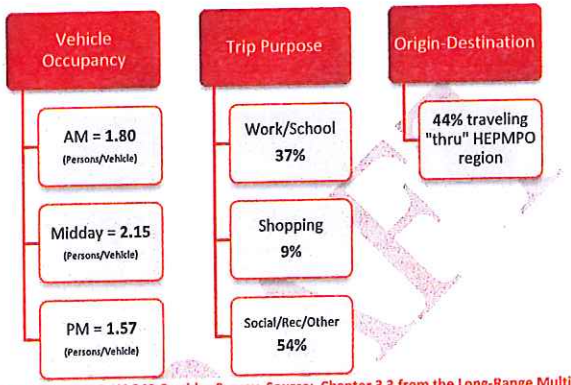


Figure 9: HEMPO US 340 Corridor Survey, Source: Chapter 3.3 from the Long-Range Multimodal Transportation Plan, HEMPO March 2005

The origin-destination information from the above survey does not provide sufficient detail to estimate the number of US 340 travelers driving "thru" the East Gateway Corridor. The information does indicate that nearly 45% of US 340 travelers at this location have both an origin and destination outside of Berkeley and Jefferson counties. Of these travelers most are traveling long distances to/from the southern end of US 340 and I-81 at the West Virginia/Virginia border. Based on these results, it may be inferred that a much greater percentage of travelers are simply traveling "thru" the East Gateway Corridor section of US 340. As expected, recreational and social trips are a high percentage at this location due to the various recreational opportunities and the Harpers Ferry National Park. In addition, work commuters are using US 340 on a daily basis, with the primary work destinations being outside the East Gateway Corridor.

As part of this study, public input was obtained using an interactive web site. The website included several questions to obtain travel characteristics of those who responded to the survey (approximately 160 responses obtained) including the location of residence/work and travel frequencies within the corridor. The results of these survey questions are summarized in Table 6. The majority of survey respondents regularly travel on US 340 and provided useful comments and corridor improvement recommendations that have been integrated within other sections of this plan document.

Summary of East Gateway Study Survey Responses

	Which option best describes where you live?	Percent of Total Responses
Where do you live?	*Within the East Gateway Corridor*	30%
	In Jefferson County	58%
	In West Virginia	6%
	Outside of West Virginia	5%
	Which option best describes where you work?	**Percent of Total Responses**
Where do you work?	*Along the 340 East Gateway cor*	8%
	In Jefferson County	26%
	In West Virginia	7%
	Outside of West Virginia	59%
	How often do you travel within the East Gateway Corridor?	**Percent of Total Responses**
Travel frequency	*5 or more days / week*	60%
	1 to 4 days / week	26%
	Less than once / week	9%
	Less than once / month	4%
	Never	1%

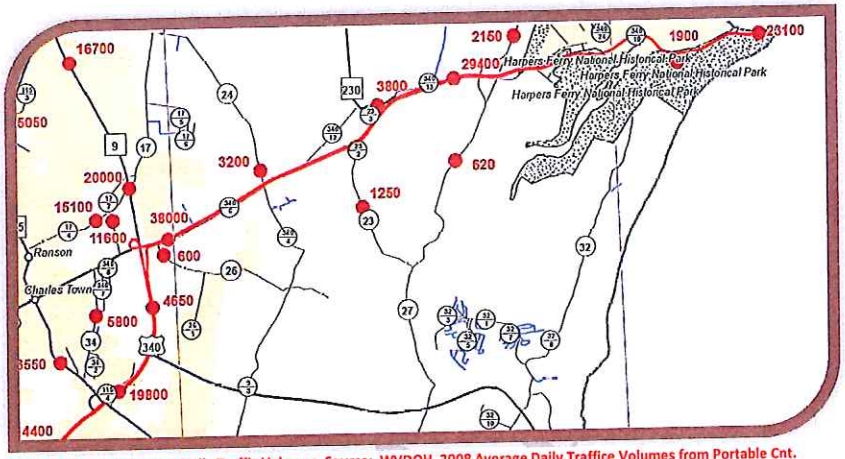
Table 6: Summary of East Gateway Study Survey Responses, Based on input received from 2011 interactive MetroQuest-based study website

Current Traffic Conditions

As illustrated in Map 13, the East Gateway Corridor section of US 340 has the highest traffic volume as compared to any other roadway in Jefferson County. Just east of the interchange with WV 9, US 340 carries its highest traffic volume, approximately 38,000 average daily traffic (ADT). This section is influenced by a high level of commercial traffic (e.g. Walmart, strip malls, etc.) mixed with regional "thru" travel. On the eastern sections of the corridor, US 340 carries approximately 29,000 ADT and is influenced heavily by traffic at the National Park especially during peak seasonal periods. These high traffic volumes, mixed with at-grade signalized intersections and lane reductions west of the Harpers Ferry Bridge, cause congestion and queuing during peak hours both on weekdays and weekends. Traffic volumes on the north-south roadways within the corridor are much lower than on US 340 and are generally lower than 4,000 ADT.

As part of this study, intersection traffic counts for weekday peak periods were also collected for all key intersections on US 340. These counts were used for traffic analyses. This included WVDOH intersection counts and several consultant counts at select intersection locations. The highest US 340 PM peak period count is at the Patrick Henry Way intersection, where the hourly count is over 2,600 vehicles per hour (about 7% of the daily volume) with truck percentages less than 5% of the total traffic. At this same intersection during the AM peak period, US 340 hourly counts are about 1,500 vehicles per hour. An evaluation and analysis of traffic count data is discussed in later sections within this study.

Existing Average Daily Traffic Volumes



Map 13: Existing Average Daily Traffic Volumes, Source: WVDOH, 2008 Average Daily Traffice Volumes from Portable Cnt. Machines, www.transportation.wv.gov/highways/programplanning/preliminary_engineering/traffic_analysis/trafficvolume/dists_4_5_6/

TomTom GPS speed data (2008-2011) was obtained for US 340 from Charles Town to the state border as an alternative to conducting travel time runs. The speed data was used to assess current congestion and served as a primary data source for the calibration of traffic analysis tools. The nearly 25,000 observations obtained from TomTom allowed for the assessment of travel speed variations across the corridor by season, day and time period. In addition, the level of detail of the data allowed for the evaluation of typical traffic queue lengths at individual intersections.

Figure 10 illustrates the variances of the average corridor speed on US 340 by season and time period. For the eastbound direction, the highest travel times (lowest speeds) typically occur during the summer weekends between 4-7 PM. This includes extensive traffic queuing from the Harpers Ferry Bridge back to as far as the Millville/Bakerton intersection. During weekdays, worst case conditions typically occur during the Fall PM Peak period. The TomTom data did not indicate substantial queuing during this period as averaged over the 2008-2011 years. However, public comments indicated that significant traffic queues often do occur on the weekday and may extend back to the W. Washington Street intersection.

For the US 340 westbound direction, the highest travel times within the corridor occurred during midday hours on summer weekends. The travel times are significantly better than the eastbound direction since much of the traffic queues occur outside of the corridor. Typical traffic queues on the weekend can extend back to the interchange with MD 67 in Frederick County, Maryland. Similar conditions occur during peak weekday conditions in the Fall PM Peak periods. For those time periods traffic queues have also typically extended east of the MD67 interchange.

Summary of US 340 Traffic Speeds by Season and Time Period

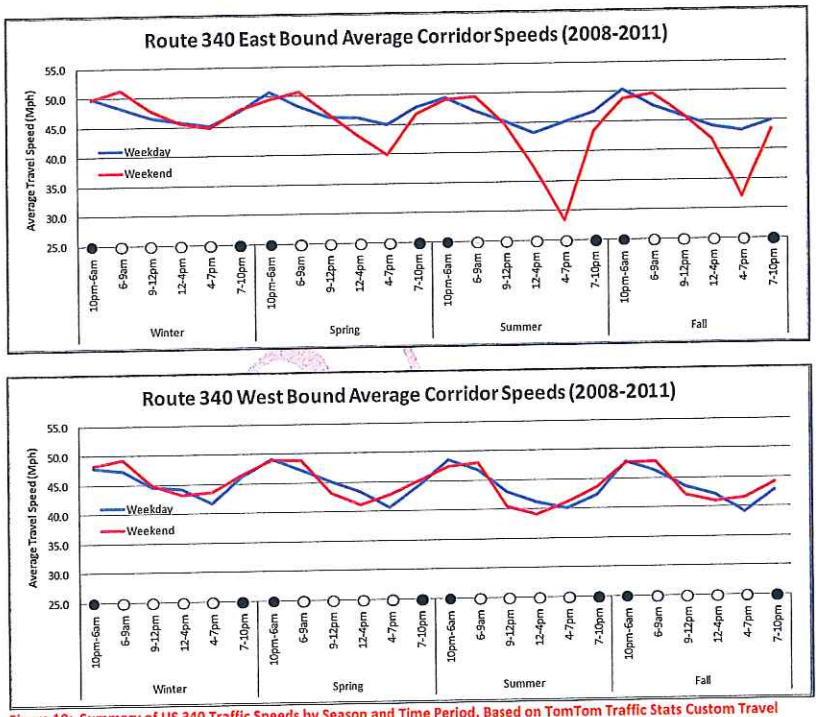


Figure 10: Summary of US 340 Traffic Speeds by Season and Time Period, Based on TomTom Traffic Stats Custom Travel Times (2008-2011 average conditions)

Assessing Current Conditions

An evaluation of the current transportation system is an important first step in identifying potential transportation needs and projects. This section has reviewed the transportation network, typical travel patterns, travel demand, and typical travel congestion in the corridor. The following sections of this study will evaluate these current conditions with future forecasts of demand and congestion based on the land use vision for the corridor. Those assessments will lead to an evaluation of transportation needs and priorities within the US 340 Corridor East Corridor.

Overview

This section discusses key operational issues and needs as related to the transportation system within the US 340 Corridor East Gateway. The transportation needs have been identified based on input from key stakeholders, public involvement meetings, interactive website responses, and technical traffic analyses. Issues are addressed for both current and future conditions based on the corridor land use vision. The traffic analyses have been conducted using existing traffic count data, assumptions on regional demographic growth, forecasts from the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) regional travel demand model, and other traffic analysis and simulation tools. Future efforts to be conducted by the WVDOH will supplement the analyses and recommendations provided in this report. Such efforts include a tri-state (West Virginia, Maryland, Virginia) US 340 operational study that will focus on operational needs along the entire stretch of US 340 including the 2-lane portion between the bridge crossings. This will include evaluating and addressing capacity restraints at the bridge crossings and at-grade intersections with Chestnut Hill Road and Virginia State Route 671. Discussion of improvements to the 2 lane section is in the preliminary stages. A resolution to this situation is not expected in the near future.

Prioritizing transportation needs ultimately depends on weighing factors that include the importance of addressing current and future congestion, providing access to regional employment and commercial sites for residents within the corridor, safety issues, meeting the capacity needs of special events and peak seasonal traffic, reducing vehicle trips within the region, and preserving the character of the corridor. In this section, transportation needs for the East Gateway corridor have been prioritized into the levels as illustrated in Table 7. These general priority levels may also be used to assist in evaluating the priority and timing of potential regional transportation projects as identified in the recommendations section of this report.

Priority Levels for Transportation Needs

Priority Level	
1	Short Term Safety Needs
2	Existing Congestion & Access Issues
3	Future Congestion

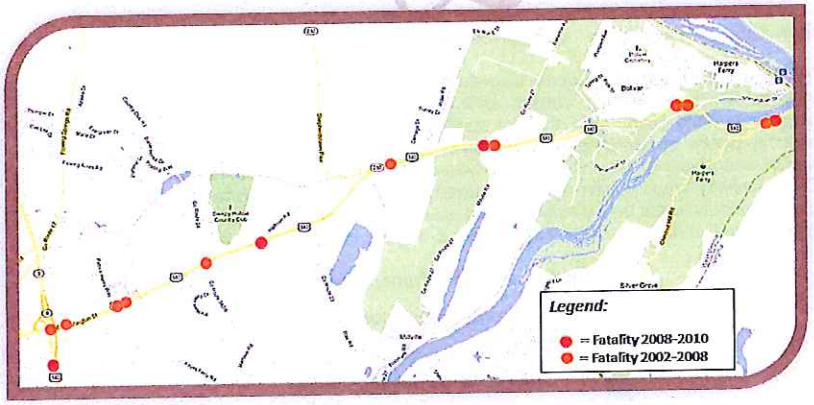
Table 7: Priority Levels for Transportation Needs

Transportation Safety

Increasing the safety of the transportation system for motorized and non-motorized users is one of the eight planning factors required for metropolitan transportation planning, and is a component of the regional HEMPO Long Range Transportation Plan (LRTP). The rate and type of vehicle traffic incidents are important transportation system performance measures that are directly affected by the design and construction of the transportation system. Vehicle crashes represent a major source of congestion, are a major health concern, and result in significant costs to society.

As a condition for obligating federal Highway Safety Improvement Program (HSIP) funds, states are required to prepare an annual report to FHWA that describes public road locations exhibiting the most severe safety needs (top 5 percent). In 2007, WVDOH listed US 340 as a high priority need noting safety concerns due to excessive speeds, aggressive driving and at-grade intersections. In addition, the US 340 intersection with Chestnut Hill Road (outside the East Gateway study area) was also noted as a significant safety concern. These roadway sections were each highlighted as safety priority sections within the HEPMPO LRTP, *Direction 2035*. Map 14 illustrates a summary of fatality information from the National Highway Traffic Safety Administration (NHTSA) within the East Gateway Corridor. The fatalities have primarily occurred at or near intersections along the corridor. Recent fatalities (since 2008) have occurred at US 340 intersections with Halltown, Millville, and Chestnut Hill roads.

Fatalities within the US 340 Corridor East Gateway



Map 14 : Fatalities Within the US 340 Corridor East Gateway, Source: Google Maps; Accident data from NHTSA Fatality Analysis Reporting System (FARS), www-nrd.nhtsa.dot.gov/departments/nrd30/ncsa/stsi/64_WV/2010/West%20Virginia_Map_11_GIS_DATA_200HTM; www://map.itoworld.com/road-casualities-usa

As part of this land use vision study and associated public input, the study team has worked to identify specific safety concerns that may need to be addressed with short-term solutions until larger capacity enhancement projects can be planned, designed and completed. Supporting technical analyses have been developed using accepted traffic tools (e.g. Highway Capacity Software, SYNCHRO) and current traffic volume turning movements to assess intersection and approach level-of-services (LOS) during peak periods. LOS is a measure used by traffic engineers to determine the effectiveness of elements of transportation infrastructure. At intersections, LOS equates to acceptable vehicle delays corresponding with safe driving conditions. LOS is measured on a qualitative scale from A (best) to F (worst). Based on an assessment of current conditions, several key areas of concern have been identified:

- ***US 340 Westbound Approaching Patrick Henry Way Intersection*** – According to observations and technical analyses, the intersection of US 340 and Patrick Henry Way is the most congested intersection in the study area due to commercial areas in the vicinity of the intersection. US 340 westbound traffic queues typically extend from WV 9 back to east of the intersection. Although, the speed limit is reduced on US 340 westbound to 45mph (just west of Country Club Road), aggressive driving in combination with the roadway down-slope create dangerous conditions approaching vehicle traffic queues. Local residents have stressed the need for better speed control in the area or possible flashing signs warning of the approaching intersection.

- ***Un-signalized Intersection Approaches to US 340*** - With high traffic volumes and speeds (60mph speed limit) on mainline portions of US 340, most of the un-signalized intersections create potential safety concerns during peak periods. Although the side road approaches to these intersections do not have significantly high traffic volumes, there is often limited traffic "gaps" needed to make left-turns, which require crossing two lanes of US 340 and merging with on-coming vehicles. Additional concerns also exist for vehicles turning right out of these intersections due to the speed of approaching vehicles and some locations of limited sight distance. The un-signalized approaches of concern include those in Table 8 .

Un-Signalized Intersection Approaches of Concern

US 340 Intersection Approach	PM Peak Approach LOS	Primary Concerns
Halltown Road	F	Left turns
Blair Road	E	Left turns
Frontage Road (East of US 340 / US 230 Intersection)	F	Left turns
Shipley School Road* (Left turns currently prohibited)	----	Right turns due to high speeds of oncoming traffic; school buses
Bakerton / Millville Roads	E/C	Left turns Millville has increased turning movements during summer weekends
Access to Quality Inn*	----	Left turns
Union Street	F	Left turns, no merge lane for right turns up hill
Shenandoah Street	D	Left turns

Table 8: Un-Signalized Intersection Approaches of Concern, noted intersections were not specifically analyzed due to limited data

The above safety concerns currently exist during peak periods of travel. The technical analyses were conducted for a typical weekday PM peak period but some intersections (e.g. Millville northbound approach to US 340) encounter greater turning movements during the summer peak season due to the recreational opportunities in the region.

Existing Traffic Congestion

Traffic congestion is a key concern for residents within the region and those traveling US 340 for other purposes. As described in the existing conditions section, significant traffic queuing occurs during the PM peak periods and during summer season weekends. The congestion during these time periods can be significant. Map 15 illustrates the average 2008-2011 queue lengths that have been estimated from TomTom GPS travel time data. Based on an assessment of current conditions, several key areas of concern have been identified:

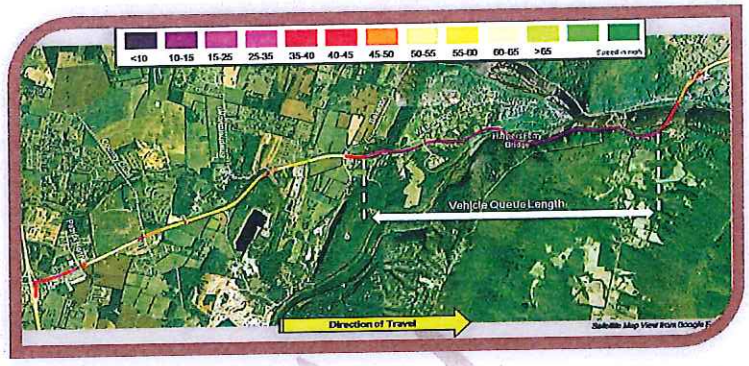
- ***US 340 River Crossings*** - A primary bottleneck affecting traffic operations in the East Gateway corridor are the bridge crossings over the Shenandoah and Potomac rivers. The bridges and the stretch of US 340 between them consist of two lanes of travel (1-lane per direction). The remaining sections of US 340 both in Maryland and West Virginia operate as a four lane facility. Within this section of roadway (outside of the East Gateway study area), several intersections also affect US 340 operations: Chestnut Hill Road (in West Virginia) and State Route 671 (in Virginia).



Source: Bill Cannon

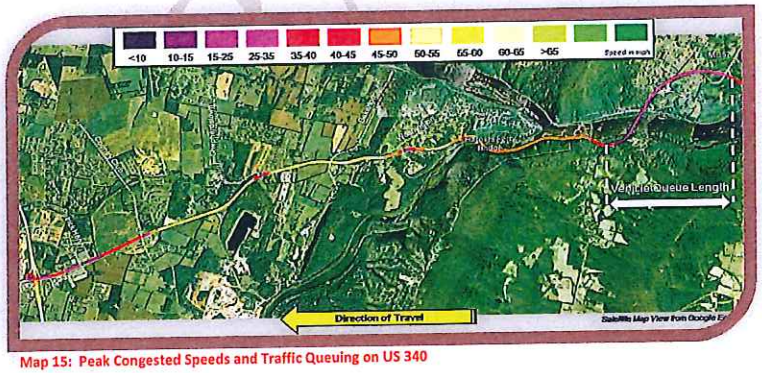
Peak Congested Speeds and Traffic Queuing on US 340

US 340 <u>Eastbound</u> Summer Weekend (4-7pm)



US 340 <u>Westbound</u> Fall Weekday (4-7pm)

TOMTOM



Map 15: Peak Congested Speeds and Traffic Queuing on US 340

TOMTOM

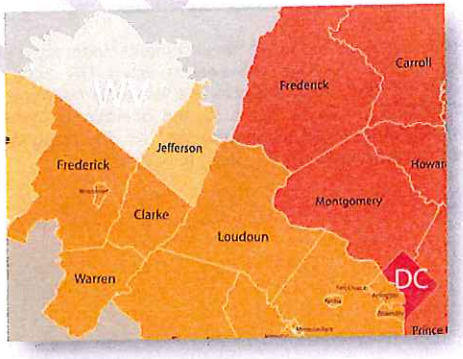
- ***US 340 between WV 9 Interchange and Patrick Henry Way*** –Patrick Henry Way is currently the most congested intersection within the corridor. During peak period traffic queues can extend from this intersection west to the WV 9 off/on-ramp signals in both directions. Both Patrick Henry Way and the intersection at Jefferson Terrace are used to access commercial and shopping destinations including Walmart. The commercial traffic when combined with regional "thru" travel on US 340 can create delays within the section.

- ***Alternative Parallel Roadways and Access to Commercial Areas*** – The current transportation system in the East Gateway corridor provides limited alternatives to US 340. Access to existing commercial areas require utilizing the western portions of US 340 during congested time periods. Although, portions of US 340 have frontage roads, an integrated system of roads does not exist that would allow residents to travel east-west through the corridor without accessing US 340. An integrated frontage road system would also provide options for eliminating left turns at un-signalized approaches within the corridor.

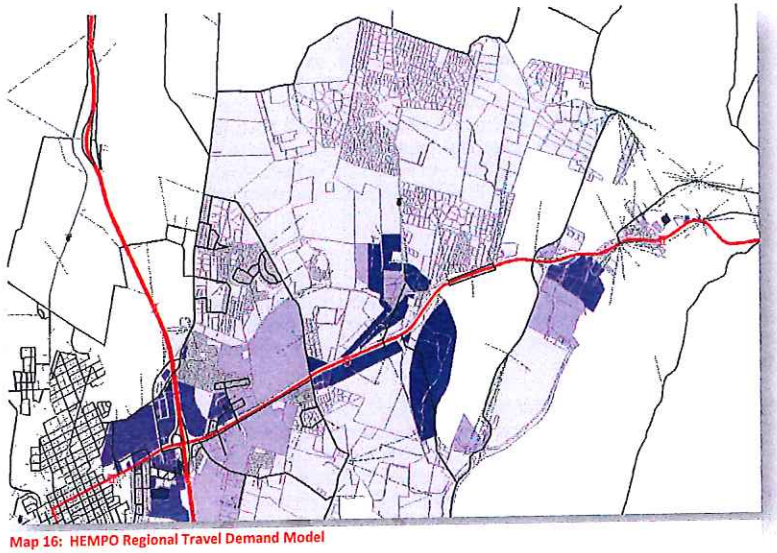
Future Traffic Congestion

Estimating future congestion is a difficult exercise considering the unknowns related to the type and timing of future development. A modeling exercise has been conducted to evaluate the ability of existing intersections in the study area to handle potential traffic growth if significant development were to occur.

Based on the land use vision for the corridor, land use types were translated to future demographics (e.g. population and employment) and input to the HEPMPO regional travel demand model (as illustrated in Map 16). Analyses were conducted for a 2035 horizon year assuming a 60% build-out of the land use areas. The travel model estimates vehicle trips based on the forecasted land use and assigns them to the highway network. The future scenario also includes growth outside the East Gateway corridor and a continued growth in regional "external" traffic from/to Maryland and Virginia.



HEMPO Regional Travel Demand Model



Map 16: HEMPO Regional Travel Demand Model



The growth in traffic volumes forecast from the travel demand model were used to grow existing turning moveent traffic counts for each intersection along US 340. These forecasted intersection counts were analyzed using available analysis tools (Highway Capacity Software, SYNCHRO, and SIMTRAFIC) to identify key LOS and operational criteria for the PM peak period. Table 9 summarizes the results of the analyses. As discussed for existing conditions, LOS is measured on a qualitative scale from A (best) to F (worst).

Analysis Results of Future Traffic Growth Scenario

Intersection Capacity Analysis – Future No-Build PM Peak (2035)

ID	INTERSECTION with US 340	Sig/ Unsig	Approach LOS				Intersection	
			EB	WB	NB	SB	LOS*	Delay**
1	Shenandoah St		C	-	-	F	F	2.6
2	Union Street		C	-	-	F	F	15.9
3	W. Washington St / Shoreline Dr		F	A	E	E	E	57.9
4	Bakerton Rd / Millville Rd		C	B	F	F	D	-
5	Co Rt 340/13 / Shipley School Rd		C	B	F	F	F	-
6	Shepherdstown Pike / S. Frontage		B	C	D	E	C	21.4
7	Blair Rd		-	B	F	-	D	1144.3
8	Halltown Rd / Rion Hall Farm		D	D	F	F	F	-
9	Old Country Club / Marlow Rd		F	F	F	E	F	138.5
10	Patrick Henry Way		F	F	F	F	F	221.2
11	Jefferson Terrace Rd		B	C	F	C	E	78
12	Ramps to/from NB WV9		E	A	F	-	D	48.2
13	Ramps to/from SB WV9		F	C	-	F	F	111.7
14	Flowing Springs Rd & E. Wash.St		B	A	D	D	B	18.6

** Signalized Intersection LOS = HCM; Unsignalized Intersection LOS = ICU (Synchro)*
*** Average delay in seconds per vehicle averaged over all approaches*

Simulation Travel Speeds – Future No-Build Peak (2035)

ID	INTERSECTION with US 340	Sig/ Unsig	Simulation Travel Time (sec)			
			Eastbound		Westbound	
			AM	PM	AM	PM
1	Shenandoah St		40	32	46	28
2	Union Street		40	28	41	31
3	W. Washington St / Shoreline Dr		43	25	24	24
4	Bakerton Rd / Millville Rd		55	51	56	57
5	Co Rt 340/13 / Shipley School Rd		53	59	51	52
6	Shepherdstown Pike / S. Frontage		29	34	22	28
7	Blair Rd		53	57	57	52
8	Halltown Rd / Rion Hall Farm		48	53	52	51
9	Old Country Club / Marlow Rd		8	34	10	12
10	Patrick Henry Way		16	17	28	18
11	Jefferson Terrace Rd		16	4	31	23
12	Ramps to/from NB WV9		26	5	30	34
13	Ramps to/from SB WV9		17	7	17	20
14	Flowing Springs Rd & E. Wash.St		24	10	21	26

Table 9: Analysis Results of Future Traffic Growth Scenario

The analysis of future year conditions indicates several key issues that should be considered in planning for future longer term transportation improvements within the corridor:

- ***Increase in North-South Vehicle Trips*** – Continued growth in residential developments will significantly increase traffic on many of the corridor's north-south roadways. Un-signalized intersections, which are already considered a safety concern during peak periods, will not have the capacity to handle the future demand, resulting in significant delays. The timing and location of future development will determine which intersections will be of the most concern over the next 10 years. Identified commercial development south of US 340, including that at the Old Standard Quarry, could dramatically increase the traffic at the Millville and Blair Road intersections, which currently have very low traffic volumes. Signalized intersections will also be impacted by future growth. The intersection at Old Country Club Road may see future traffic growth that may alter signal timings creating less capacity on the US 340 mainline.

- ***More Turning Vehicles on US 340*** – Increased development within the East Gateway Corridor will create more turning vehicles for those traveling on US 340. This, in turn, will require signal timing changes that will degrade mainline "thru" operations. During peak periods, additional capacity or alternative parallel roadway facilities (e.g. frontage roads) may be needed to provide access to commercial areas along US 340.

Other Transportation Modal Needs

Addressing the transportation needs related to future land use growth should consider other modal options including transit, walking and biking. The potential benefits of transportation options within the East Gateway corridor are summarized in Table 10 .

Benefits of Transportation Options

Benefit	Description
Traffic Congestion Reduction	Helps reduce traffic congestion, facility costs, and environmental impacts.
Consumer Benefits	Provides consumers with choices to choose the most efficient option for each trip.
Equity	Allows transportation options for people who are physically, economically or socially disadvantaged.
Livability	Helps communities become more "livable", resulting in increased property values and commercial activity.
Security and Resilience	Results in a more diverse and flexible transportation system that can accommodate variable and unpredictable conditions.

Table 10: Benefits of Transportation Options, Source: Victoria Transport Policy Institute (TDM Encyclopedia)

PanTran is the public transportation service of the Eastern Panhandle Transit Authority serving Berkeley and Jefferson counties. PanTran operates two different bus services – flex-route service and demand-response service. PanTran's Orange "Charles Town" route includes several service stops in or near the East Gateway corridor including the Hollywood Casino at Charles Town Races, Wal-Mart (Patrick Henry Way) and the Harpers Ferry rail station. Bus service headways vary by the service stop location but typically range from 2-3 hours with no available nightly service.

The HEPMPO LRTP, *Direction 2035* includes a transit component that has identified key regional transit needs for PanTran. For the LRTP, various transit demand estimation techniques were used to determine overall existing and future transit needs. Additional needs have been identified through stakeholder and public input. Key issues that relate to the East Gateway Corridor include the following:

- ***No Demand-Response Service*** – The East Gateway Corridor is not currently covered by Pan Tran's demand response service. The primary service coverage only includes areas in Berkeley County.

- ***Limited Fixed-Route Service to Activity Centers*** – PanTran's Orange Route has a long route length since it is functioning both as a regional service and local route. Key issues include headways greater than 45 minutes (considered ideal), limited weekend service, running delays, and limited stops at major employment and shopping centers.

- ***Limited Fixed-Route Service to Regional Rail and Commuter Bus Service*** – The PanTran Orange route does provide service to Harpers Ferry Station, though additional service runs and reduced headways would allow for more connections with MARC and AMTRAK service schedules. There is currently no PanTran service that provides connections to other bus services in Maryland and Virginia.

- ***Additional MARC Service and Possible Station Relocation*** – Future residential and commercial development in the corridor will increase demand for additional MARC service from Martinsburg to Washington, D.C. This may include expansion of midday service schedules. The relocation of the existing Duffields train station has been included in long range planning efforts for the City of Ranson to improve regional access and promote transit-oriented development.

In addition to transit, bike and pedestrian trails/paths have been identified as an important need within the East Gateway Corridor. Although covered under separate sections in this report, they potentially serve as an alternative transportation option that can reduce vehicle trips within the region, especially in combination with compact and mixed-use development. Specific needs related to this mode include:

- ***Integrated Bike/Pedestrian Trail System from Charles Town to Harpers Ferry*** – An integrated east-west bike and pedestrian trail has been indicated as a primary need within the corridor. The trail would serve recreational purposes but also provide access to Harpers Ferry, key commercial areas along US 340, and the casino/racetrack. Spur trails/paths with linkages to key residential areas may be useful in reducing peak hour vehicle trips, improving air quality and promoting a healthy lifestyle.

- ***Bike and Pedestrian Access to Transit Stations and Stops*** - In city after city, transit agencies are rediscovering that good bicycle and pedestrian access is a critical component of the success of the transit system. Walking is the most environmentally friendly and low–

cost way to get people to and from public transportation. When given sidewalks, "traffic–calmed" streets to walk along, safe and convenient ways to cross streets, and a comfortable and attractive environment, most people are willing to walk farther to reach public transportation.

DRAFT

4.0 Goals and Objectives

A key element of any land use planning document is the development of a statement of realistic goals and objectives which lay the groundwork for the implementation strategies of the vision. For the purposes of the US 340 US 340 Corridor East Gateway Plan, these goals and objectives are focused on the seven topical areas, six of which were discussed at each of the five public meetings held in 2011-12 regarding this plan. The seventh category was created due to public comments related to Natural and Environmental Resources that where not adequately addressed in other categories. The topic categories are: Land Use, Transportation, Parks / Trails / Greenways, Environmental and Natural Resources, Community Services / Infrastructure, Economic Opportunities, and Historic Resources.

It should be noted that a land use plan such as this generally covers a twenty year planning horizon and as a result, the goals are intended to reach beyond current physical, political and institutional constraints. The process of developing goals commenced with examining existing conditions related to each of the categories listed above and the analysis of issues and opportunities within the corridor. Input from the five public meetings and periodic meetings with the TAC and CAC also influenced the refinement of these goals and objectives.

Note: Present constraints such as existing right-of-ways, funding, and agency/department policy were considered but were not the overriding factors when developing the goals and objectives.

4.1 Community Services and Infrastructure

Goal:

Preserve community service/infrastructure capacity by coordinating future land use and development approvals with the locations of existing community services, including, but limited to, water and sanitary sewer service, schools, libraries, parks, emergency services, broadband and cell service.

Objective: Enhance Emergency Services

Strategies:

- Enhance existing firefighting capacity by providing permanent, full time fire services
- Ensure availability and adequacy of fire hydrants
    - Provide hydrants in underserved areas, using dry hydrants at ponds and streams or other means
    - Improve hydrant water pressure
    - Ensure that standards and testing of hydrants are adequate
- Consider County funding of Harpers Ferry police for provision of first-responder services for accidents on 340 between the bridges
- Develop a long-range funding plan for area Fire and EMS services

Objective: Utilize and Enhance Existing Water / Sewer Service

Strategies:

- Enhance existing water and sewer service
    - Protect private well and septic systems
    - Ensure availability and affordability of adequate water and sewer capacity prior to approval of new development
    - Upgrade Harpers Ferry water system
- Develop future water and sewer infrastructure
    - Expand availability of water and sewer services in the US 340 corridor
    - Promote public ownership of water and sewer services
- Improve quality and safety of area water
    - Area water providers should ensure safety of water
    - Develop a countywide comprehensive clean water plan
    - Improve water treatment
    - Limit the amount of new development served by septic systems

Objective: Enhance Area Schools and Libraries

Strategies:

- Work with the Jefferson County Board of Education to ensure that area schools are adequately funded
- Develop safe routes for children to walk and bike to school
- Encourage programs promoting environmental awareness, school gardens and beautification projects (similar to Page Jackson school model – available for public use during non-school times)
- Improve school organization, communication with the local community, and size planning
- Improve public library access/technical access for those persons without internet access
- Promote use of libraries as community centers

Objective: Promote Expanded Health Services

Strategies:

- Increase availability of mental health services
- Expand WVU Health & Wellness Association with Jefferson Hospital toward Route 340
- Promote quality of local medical and dental care

Objective: Improve Wireless Service in the 340 Corridor

Strategies:

- Work with service providers to improve service between bridges, in Harpers Ferry, and in Halltown area
- Work with service providers to improve broadband capacity throughout corridor
- Work with community stakeholders to identify facility designs compatible with the historic and rural character of the corridor

4.2 Economic Opportunities

Goal:

Encourage and promote business creation and retention within the County's urban growth areas and at key intersections identified on the Future Land Use Map where utilities and appropriate access are in place or planned for.

Objective: Promote Economic Development along the US 340 Corridor

Strategies:

- Improve appearance of corridor (design of development, litter, wayfinding signage)
- Address traffic congestion (especially on weekends)
- Review the adequacy of current impact fee structure
- Create parking for recreational/tourism sites as well as for commuters
- Retain scenic beauty, historic resources and farming to promote natural and heritage tourism opportunities
- Weekend train between Harpers Ferry and DC and between Harpers Ferry and Charles Town
- Promote additional tourism and entertainment opportunities
- Encourage Harpers Ferry restaurants to stay open later in the evenings

Objectives: Promote Business Development and Retention

Strategies:

- Promote the development of a wide variety of types of businesses, including but not limited to:

  Small businesses, "Green" jobs, tourism / entertainment, high tech / data centers, white collar (professional, IT, clerical), medical office, agri-business and agri-tourism, and retreat/training/convention center
- Retain existing businesses
- Promote the creation of businesses that support Appalachian Trail, C&O Canal, and bike path users

- Achieve a balance of retail, federal, industrial and historical/tourism job opportunities
- Enhance educational opportunities and workforce development
- Identify incentives to encourage employment opportunities in historic facilities, and review the efforts of other communities in achieving this objective

4.3 Environmental and Natural Resources

Goal:

Protect environmentally sensitive areas such as ecological corridors, agricultural lands, wetlands, streams, inland lakes, steep slopes, and groundwater recharge areas from impacts of incompatible development.

Objective: Preserve Sensitive Natural Resources from the Negative Impacts of Development

Strategies:

- Preserve natural features, such as scenic beauty, rural viewsheds, significant tree stands, green infrastructure, the Shenandoah River and other water resources.
- Recognize the importance of trees in the suburban environment by encouraging the retention of existing native trees and the establishment of street and shade trees in residential neighborhoods and commercial developments (land use regulations amendments may be required).
- Incorporate Chesapeake Bay Watershed standards into development requirements
- Protect Karst geology
- Require vegetative buffers along US 340 in key areas to promote a parkway-like character along the corridor
- Protect the Elks Run Watershed, water source for Harpers Ferry and Bolivar
- Guide new development in a manner that conserves natural features and environmentally sensitive areas and meets the long term needs of the community.
- Encourage the integration of wetlands, woodlands and meadows into site development as aesthetics and functional features.
- Encourage the retention of agricultural lands, forest lands and ecological corridors through available mechanisms such as open space and farmland conservation easements, as well as zoning incentives.
- Encourage the use of native plant species and naturalized landscape designs, where appropriate, to enhance the communities' existing character.
- Preserve topography such as slopes, valleys and hills by limiting the amount of cut and fill during site development.

Objective: Preserve and improve the scenic quality along the corridor including rural/ agricultural and scenic/natural areas.

Strategies:

- Amend local land use regulations to address plan recommendations such as setbacks, signs, billboards, parking lots, screening, greenbelts, landscaping, lighting, deteriorating structures and dangerous buildings.
- Enforce regulations related to size and location of signs and billboards to minimize clutter, confusion, aesthetic degradation, and limit traffic hazards.
- Implement open space residential and commercial development design standards to preserve scenic views, rural character, farmland, meadows, woodlands, steep slopes and wetlands with a target of preserving characteristics within a development.
- Develop a species list of acceptable street trees to be planted on both public and private properties when development and redevelopment occurs.

4.4 Historic Resources and Viewshed

Goal:

Protect historic properties, buildings and sites from impacts of incompatible development.

Objective: Protect Historic Structures/Resources

Strategies:

- Identify existing historic resources within the US 340 Corridor
- Assist local, state and federal entities in their efforts to retain historic resources within the context of their original setting
- Educate land owners about the benefits of historic properties and the process for seeking listing on the National Register of Historic Places
- Educate and assist landowners with structures on the National Register of Historic Places regarding available funding mechanisms for the restoration and/or maintenance of historic resources
- Update current Zoning Ordinance requirements regarding development adjacent to historic resources
- Consider establishing a review process for demolition permits for historic structures
- Encourage rehabilitation and redevelopment of historic resources
- Create standards that require preservation of historic structures if land is developed

Objective: Enhance Cultural/Heritage Activities

Strategies:

- Promote heritage and recreational tourism near Harpers Ferry, including sites such as such as the location of the Battle of Harpers Ferry
- Coordinate with "Journey through Hallowed Ground" on tree planting along Corridor (part of National program)
- Explore opportunities for additional cultural events, including music- and food-related festivals
- Establish pedestrian trails to connect historic resources such as those sites along the Washington Heritage Trail

Objective: Protect the Rural and Historic Viewshed/Landscape

Strategies:

- Identify existing historic and rural landscapes, vistas and viewsheds in the Corridor and develop regulations to retain the same
- Prohibit neon, blinking signs or electronic message signs that are not static for a certain period of time
- Install landscaping buffers adjacent to existing development
- Establish standards to prevent light pollution
- Promote a variety of land uses to discourage duplication of services such as gas stations and small shopping centers

Objectives: Create Gateway/Entrance

Strategies:

- Encourage appropriate rural/historic design for new or redeveloped public buildings in the corridor
- Install historic signage at appropriate locations along the US 340 Corridor, such as the location of the Visitors Center
- Minimize development along the US 340 frontage in the vicinity of the battlefield, to preserve a prominent gateway feature for the entry into West Virginia
- Improve US 340 Corridor aesthetics by creating a continuous green gateway landscaped with native species providing all-season color, developed in cooperation with community groups, governments, schools, religious organizations, etc.

4.5 Land Use and Zoning

Goal:

Preserve, protect and enhance the character of the corridor, property values and the economic viability along the corridors by managing for growth and development.

Objective: Retain Open Space and Land in Agricultural Use

Strategies:

- Promote development that adequately balances the protection of key historic, agricultural and natural features with high-quality development
- Establish a Transfer of Development Rights program
- Work with National Park Service and residents to prioritize areas for land acquisition
- Identify mechanisms to allow for productive and profitable agri-businesses and agri-tourism.

Objective: Encourage Development within Existing Urbanized Areas and at Specific Commercial Nodes

Strategies:

- Provide development incentives for properties within the UGBs
- Develop new zoning categories in order to implement areas identified for mixed-use development at major intersections or along arterial roads within UGBs
- Identify areas for low- to high-density residential development within UGBs
- Establish design standards for new development (layout, facades, signage, lighting) that reflect a town center character to create a sense of place
- Use design standards to reduce typical strip commercial development image that lacks a sense of place
- Develop ordinance amendments that will enable mixed use developments to result in dense walkable communities based on New Urbanist/Smart Growth design principles

Objective: Permit Mixed-Use Development in Targeted Areas

Strategies:

- Develop a new mixed use zoning district that promotes quality mixed employment development (light industrial, wholesale, retail, office) with design standards
- Amend the current mixed use zoning district to eliminate industrial uses and to create a true mixture of uses based on New Urbanist/Smart Growth principles
- Allow properties to rezone to mixed-use development at key intersection
- Encourage mixed-use zoning for properties within the Urban Growth Boundaries
- Require commercial development to be blended within a mixed use context to achieve a balance between retail and residential uses
- Plan for a limited section of the Old Standard Quarry property to develop as a mixed use development

Objective: Encourage Appropriate Development Opportunities in Rural Areas

Strategies:

- Promote cluster development to preserve open space
- Identify additional agriculture-related land uses appropriate for the Rural District
- Allow flexible standards (such as gravel driveways and Low Impact Stormwater Design) for Rural land uses
- Promote heritage and recreational tourism and agritourism
- Establish design standards for any new development in the Rural District (layout, facades, signage, lighting) that replicates the architectural and contextual features found in rural settings
- Provide design elements that allow for view of mountains to not be blocked
- Protect the quality of life elements that are important to Jefferson County residents and visitors
- Establish standards to provide efforts to minimize blight control, deteriorating structures, and dangerous buildings

Objective: Improve Planning Coordination with Other Agencies

Strategies:

- Increase awareness of the historic and rural character of the US 340 Corridor in all planning phases (i.e. Comprehensive Plan, etc.)
- Collaborate with Federal agencies located in the County regarding "greening" of Jefferson County & energy use reduction
- Develop a consistent approach to development and signage specifications in this corridor (i.e. water treatment facility next to historic property)
- Explore options for applicability of local codes to Old Standard Quarry property
- Ensure coordination between appropriate agencies for the creation of a true Gateway transition
- Refer all proposed developments within designated UGBs or adjacent to incorporated areas to the municipality for comment and coordination of development
- Coordinate with the West Virginia Division of Highways to establish a master plan for the approval of new entrances onto US 340 and intersecting state roads
- Coordinate with local utility providers to establish standards for approval of water line and sewer line extensions
- Plan for urban level of service for police, fire, and school resources within the UGBs

4.6 Parks, Trails and Greenways

Goal:

Preserve, protect and enhance the park facilities and trails within the US 340 corridor, and enhance parkway-like characteristics to provide a more enjoyable traveling experience.

Objective: Improve Existing Trail Network

Strategies:

- Provide trail connectivity for health, exercise, recreation, ecotourism and access purposes in areas such as, but not limited to,:
  - Between Harpers Ferry and Charles Town
  - Between Harpers Ferry and WV 9 trail
  - Across US 340 from Bolivar to HFNPS resources such as Murphy Farm
  - Between rivers along Millville/Bakerton Roads
  - Linking parks, athletic fields and neighborhoods
  - Develop Greenways on the Blue Ridge that connect with the valley, and along the Shenandoah and Potomac Rivers
- Provide new connecting trails with all new development
- Where possible, trails should be separated by a green median from the road for safety of the users of the trail
- Provide trailhead parking
- Consider developing trails on "paper streets" (platted, unbuilt rights-of-way) in incorporated areas
- Provide Shenandoah River access at southern end of Old Standard Quarry property for recreational opportunities
- Upgrade bridge and C&O Canal / Harpers Ferry for easier bike portage to C&O Canal towpath
- Local trails in the County would assist in creating a regional Eastern Panhandle network that stretches across multiple counties and states

Objective: Beautify the US 340 East Corridor

Strategies:

- Retain existing landscaping and create additional landscape design along 340 to create a continuous "parkway" aesthetic
- Plant low maintenance native plant species along the US 340 corridor
- Plant trees along the corridor, such as a variety of flowering trees that change color at different times of the season to provide for continuous color change.
- Protect historic views

- Improve appearance of corridor by creating standards for the design of new development and signage and by reducing extraneous signage

Objective: Develop Additional Parks and Enhance Existing Parks

Strategies:

- Create new parks to serve a variety of users (such as passive recreation, sports, and dog parks)
- Improve access to rivers for fishing and recreation
- Restore recreational activities to lower Harpers Ferry (including picnics, swimming, fishing)
- Provide additional park/recreation resources on the Blue Ridge Mountain

Objective: Improve Signage and Mapping

Strategies:

- Provide "wayfinding" signage along the corridor and trails which indicate historic sites in addition to nearby shops, restaurants, towns, etc.
- Improve online availability of trail maps on the County's website, in addition to websites of other organizations
- Use Google Maps to upload trail information
- Utilize National Park Service education programs to build community awareness of County trails

Objective: Identify Financial Resources for Passive and Active Recreational Opportunities

Strategies:

- Identify public and private funding sources for trails, bike paths, parks and greenways

4.7 Transportation

Goal:

Preserve roadway capacity and the useful life of US 340, reduce crashes and crash potential/promote safety, decrease travel time and congestion, coordinate land use and transportation decisions by regulating safe and reasonable access between public roadways and adjacent land.

Objective: Maintain and enhance the efficiency and capacity of the developed and undeveloped segments of the corridor.

Strategies:

- Promote a land use pattern that is consistent with the capacity of roadway networks.

- Regulate the number, location and type of access points by implementing access management standards.
- Remove local traffic from through traffic lanes through the use of frontage and/or other parallel routes to reduce the speed differential of through traffic lanes.
- Increase the connectivity between existing and proposed neighborhoods and commercial developments to allow increased dispersion of local traffic
- Minimize the delay impact of traffic signals at intersections by setting the phase timing of the traffic signals to maximize capacities.
- Collaborate with HEPMPO and WVDOH on long range funding for improvements to the corridor.

Objective: Promote Traffic Safety

Strategies:

- Reduce the number of potential conflict points, particularly at unsignalized intersections, through the use of raised medians, underpasses, controlled left turn lanes, right turn lanes, combined access points, frontage roads and/or rear access drives, and connected parking facilities.
- Improve safety at signalized intersections along the 340 corridor through the coordination of signals
- Improve safety at all intersections by considering alternative design options
- Support the development of safe pedestrian & bike facilities through the use of medians and median islands, and bike lanes within and outside the right of way
- Signalized intersections should be upgraded to include pedestrian crosswalks and signals where there are existing sidewalks or trails
- Reduce the speed of traffic in urbanized areas with traffic calming practices such as green buffers with sidewalks, landscaping, green median islands, and street trees plantings
- Enhance enforcement of speeding and red-light running

Objective: Improve Traffic Flow

Strategies:

- Build frontage (service) roads or other parallel interconnected roads adjacent to US 340, to allow for separation of through traffic and local traffic
- Improve existing intersections to enhance capacity
- Develop connectivity, interconnectivity and improve other existing roads to divert traffic from 340
- Evaluate any needed improvements to Cattail Rd./Marlow Rd. following the opening of the new WV 9
- Minimize installation of new traffic lights
- Coordinate transportation improvements with US Customs & Border Patrol development

- Improve directional signage
- Improve access to US 340 from Bolivar (especially on weekends)
- Ensure that any required improvements to US 340 and surrounding roads occur concurrent with development activity
- Consider a variety of solutions to improve traffic flow, if recommended by transportation engineers, including, but not limited to, traffic circles ("roundabouts"); underpasses/overpasses (particularly at Route 27); eliminate "no turn on red" restriction at various intersections; synchronize stoplights, especially on weekends
- At signalized intersections sensors should be installed to allow for better flow of traffic depending upon traffic volume
- Improve Potomac Street to connect to Bakerton Road and work with CSX and other appropriate agencies to re-establish connection
- Develop western or northern bypass around Charles Town and Ranson

Objective: Promote Transportation Alternatives

Strategies:

- Increase the availability and frequency of Public Transit Connections
- Consider development of a Park and Ride/Commuter Lot
- Increase rail access to Charles Town and Ranson
- Provide weekend train service from Harpers Ferry to Washington, D.C., both directions

Objective: Develop an Access Management Strategy in Conformance with State Law

Strategies:

- Adopt zoning and access management standards compatible with the plan recommendations that regulate access points and encourage shared access through frontage roads, rear service drives, shared driveways and connected parking lots.
- Coordinate access management with local land use planning.
- Discourage strip commercial development along highways and direct development to commercial nodes with managed access points by inclusion in comprehensive plan and land use regulations.
- Educate local units of governments, businesses and general public on importance of coordinating access management with land use planning.

Objective: Improve Mobility for Pedestrians, Hikers, and Bicyclists

Strategies:

- Connect existing hike/bike routes, such as the C&O Canal path, the Ranson Flowing Springs Trail (under construction) and the WV 9 path; and construct new hike/bike routes
- Install pedestrian/bike crossings at intersections along US 340
- Build sidewalks in areas with pedestrian traffic

- Install speed bumps near area schools

Objective: Provide Safe and Convenient Transportation Opportunities

Strategies:

- Coordinate improvements to US 340 within the UGB to accommodate additional traffic volumes associated with new development
- Provide interconnectivity within and between developments to create a more continuous street network, including connections between neighborhoods and commercial areas where appropriate
- Coordinate improvements to US 340 outside the UGB to handle existing traffic and expected incremental increases in traffic volumes

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5.0 Plan Recommendations

Based on public comment received during public meetings and from the MetroQuest online survey, staff has provided recommendations for the following 7 topic areas: Community Services/Infrastructure; Economic Conditions; Environmental and Natural Resources; Historic Resources and Viewshed; Land Use and Zoning; Parks, Trails and Greenways; and Transportation. Transportation recommendations were developed by the consulting firm, Michael Baker, Inc.

Due to public input received, the preferred growth scenario for the US 340 Corridor East Gateway is based on the original "rural landscape with development in the urban growth boundary (UGB)" alternative with specific modifications that include acknowledging the development rights of the residential growth area northeast of Ranson (bordering Flowing Springs Road, Job Corps Road, and Old Country Club Road) and including specific commercial nodes along the US 340 Corridor.

This scenario supports the concept of the highest intensity development being concentrated inside the Charles Town and Ranson UGBs, where growth can be served by existing utilities and transportation infrastructure, but allows for limited, high-quality development to occur along the US 340 Corridor. The preferred scenario supports the concept that the area outside of these growth boundaries and the noted commercial nodes should be retained in agricultural land, open space, or low-density residential uses. This preferred growth scenario acts as the vision for this planning document.

5.1 Community Services and Infrastructure

Utilize and Enhance Existing Water / Sewer Service

Properties within the US 340 corridor planning area obtain water and sewer service by a combination of centralized water and sewer systems from a variety of public and private service providers, as well as on-site septic tanks and wells.

During the corridor planning process, stakeholders identified the need to enhance existing water and sewer service. Specific suggestions were made regarding the following:

- Ensuring availability of adequate water and sewer capacity prior to approval of new development
- Protecting private well and septic systems
- Upgrading the Harpers Ferry water system
- Ensuring affordability of water and sewer services

Participants also recommended the development of additional infrastructure to expand the availability of water and sewer services in the US 340 corridor. The provision of centralized water and sewer services for urban level density is a reasonable request for the protection of local water resources. Some participants expressed an interest in encouraging public ownership of water and sewer services. There is currently some concern locally regarding the number of

private package treatment plants that are approved by the Public Service Commission which result in the need for the Home Owners Associations (HOAs) or other private entities to operate and maintain them for years into the future. At times, the Jefferson County Public Serivce District (PSD) receives requests by the private operator of take over operation of these older private plants resulting in considerable upgrade costs. The local elected officials and Planning Commission, in cooperation with the PSD staff and Board, should review local land development regulations to consider a requirement that all potential private wastewater operators enter into an agreement with the PSD to ensure that all private plants are built to a standard that can be managed by the PSD if that is necessary in the future.

Comments received during the planning process indicated that residents of some areas felt that the quality and safety of area water supplies could be improved. Ideas expressed included improvements to water treatment, requiring area water providers to ensure the safety of water, and limiting the amount of new development served by septic systems. Additionally, stakeholders recommended the development of a countywide comprehensive clean water plan.

Improve Wireless Service in the 340 Corridor

Currently, there are some cellular antenna facilities in the US 340 corridor study area; however, participants in the planning process indicated that service is insufficient in some locations such as Harpers Ferry, the Halltown area, and the section of US 340 between the bridges. Public safety concerns were also expressed regarding the ability of river users to make calls to emergency services personnel. Additionally, some stakeholders recommended an expansion of broadband capacity throughout the 340 corridor area, to allow for high-speed wireless Internet access for residents and employers.

It should be noted that the US 340 corridor includes many historic resources, including the Harpers Ferry National Historic Park. Recent changes to the Jefferson County Zoning Ordinance may provide adequate protection to historic areas while providing incentives for antenna co-location with other cellular facilities that do not require construction of a tower.

Provision of cellular antennas is primarily a private-sector function; however, the County plays a significant role in the review and approval of wireless facility applications. It will be important for wireless service providers, community stakeholders, and the County to work together to identify facility designs compatible with the historic and rural character of the corridor.

Enhance Area Schools and Libraries

Participants in the planning process recognized the high quality of Jefferson County public schools and expressed appreciation for the area's library resources. Additionally, participants identified the following opportunities to improve existing school resources and services:

- Work with the Jefferson County Board of Education to ensure that area schools are adequately funded
- Develop safe routes for children to walk and bike to school
- Encourage programs promoting environmental awareness, school gardens and beautification projects (similar to Page Jackson school model – available for public use during non-school times)
- Improve school organization, communication with the local community, and size planning vis-à-vis planned residential development yields
- Improve public library access/technical access for those persons without internet access

- Promote use of libraries as community centers

Enhance Emergency Services

As the population of the US 340 corridor grows, the demand for emergency and fire services will increase as well.

The Jefferson County Emergency Services Agency (JCESA) is the County Commission's designated agency responsible for overseeing the county's fire suppression and emergency medical services (EMS), and ensuring the efficient delivery of these services to the residents of Jefferson County. The JCESA also establishes funding priorities among the county's seven member fire companies and administers the funding appropriations and allocations provided through the County Commission's annual budget and the county's impact fee program, as well as other funding resources.

JCESA's EMS/Fire and Rescue Five-Year Strategic Plan provides recommendations for maintaining and improving fire and EMS services in the County – services which are operated on an all-volunteer basis. The plan notes that "the fire companies continue to face ever-increasing challenges in their service delivery capabilities. Such challenges are centered on the recruitment and retention of qualified volunteers and the extreme financial burdens associated with maintaining and operating capital-intensive fire and EMS services."

Participants in the US 340 corridor planning process echoed this concern, and suggested that existing volunteer-based firefighting capacity could be enhanced by the provision of permanent, full time fire services. It was also suggested that a long-range funding plan for area Fire and EMS services be developed.

Stakeholders also expressed concern regarding the long-term adequacy of first-responder services for accidents on the section of US 340 located between the two bridges, and recommended consideration of County funding of Harpers Ferry police for provision of emergency services in this area.

Additionally, participants recommended ensuring the availability and adequacy of fire hydrants in the 340 corridor planning area, including the following recommendations:

- Providing hydrants in underserved areas, using dry hydrants at ponds and streams or other means
- Improving hydrant water pressure
- Ensuring that standards and testing of hydrants are adequate

Although participants in the planning process made recommendations related to fire suppression and EMS service provision within the 340 corridor planning area, it should be noted that these services are County-wide in scope, and any changes should be considered in the context of broader JCESA planning efforts.

Promote Expanded Health Services

Jefferson County is fortunate to be the location of the WVUH-East Jefferson Memorial Hospital, which is situated in near the US 340 Corridor in downtown Ranson. A new hospital will be built on property located near the intersection of WV 9 and US 340. Other health care providers within the corridor include Jefferson Urgent Care and Harpers Ferry Family Medicine.

During the planning process, stakeholders generally expressed support for enhancing existing health services in the County, including expansion of WVUH-East Jefferson Memorial Hospital services and increasing the availability of mental health services. Other comments made included the importance of promoting the quality of local medical and dental care.

5.2 Economic Opportunities

The US 340 corridor between Harpers Ferry and Charles Town is the principal business corridor in Jefferson County. Many participants in the planning process identified ways that the economic vitality of the corridor – as well as the County as a whole – could be strengthened.

The future land use plan for the corridor – which recommends additional areas for office and commercial opportunities – provides numerous options for expansion of economic activity. Some of these areas of opportunity are described below:

- **Potential redevelopment areas.** Some sections of the corridor are appropriate for commercial uses, but are not currently fully utilized. These areas include the Halltown area and the Shenandoah Quarry.
- **Properties within the Urban Growth Boundaries**. The land located inside the Urban Growth Boundaries of Charles Town and Ranson is the most appropriate area for development within the corridor.
- **Parcels near the intersection of Millville/Bakerton Road.** Where Millville and Bakerton Roads intersect US 340, mixed-use development at an urban level of density is recommended. Additionally, the northern section of the Old Standard Quarry property could be appropriate for mixed residential and commercial development.
- **Millville**. The unincorporated community of Millville is shown recommended for designation as Residential/Commercial Mixed Use to allow for redevelopment of existing uses, permit existing uses, and provide for opportunities not permitted in the current zoning classification. This area could be considered as a possible location for future Village District zoning.

The proposed land use categories provide a level of predictability for existing land owners, both residential homeowners and business owners, and allow potential business owners an understanding of what is permitted and how the corridor will develop. It is also envisioned that some of these areas would have design standards.

The following three objectives summarize comments heard regarding economic development during the planning process:

1. Promote Business Development and Retention in the US 340 Corridor
2. Promote Tourism and Entertainment Opportunities
3. Promote Economic Development Countywide

Regarding business development, participants identified several types of businesses and industries for potential location within the corridor. These include:

- Tourism / historical / entertainment
- High tech / data centers
- White collar (professional, IT, clerical)
- Additional Federal offices
- Telecommuting
- Industry
- Agri-business and Agri-tourism
- Medical office
- Retreat/training/convention center
- "Green" jobs
- Small businesses (generally)

Some of the business types listed above are currently represented along the US 340 corridor. Participants in the planning process emphasized the importance of retaining these existing businesses.

Because of Jefferson County's location within the Washington Metropolitan area as well as its distinctive historical and natural resources, the US 340 corridor has the potential to be the location of a variety of distinctive niche business types. Overall, diversity of business and employment types was identified as an important objective during the planning process, both within the corridor generally as well as within commercial developments.

Participants also identified numerous recommendations regarding tourism and entertainment opportunities. For example, some suggested the creation of businesses that support the Appalachian Trail, the C&O Canal, and trail/bike path users. Such businesses could take the form of a bed and breakfast; a lodge; a supply store dedicated to campers, hikers and bikers; or a hostel.

Recommendations include:

- Retaining the corridor's scenic beauty, historic resources and agricultural legacy in order to promote natural and heritage tourism opportunities
- Promoting the creation of businesses that support Appalachian Trail, C&O Canal, and bike path users
- Creating parking for recreational/tourism sites (as well as for commuters)
- Encouraging Harpers Ferry restaurants to remain open later in the evenings
- Improving the overall appearance of corridor, through improvements to the design of developments, cleanup of litter, and allowing appropriate commercial signage
- Installing directional signs and/or a welcome sign in order to greet and orient visitors

Many of those who contributed comments during the planning process expressed concerns that traffic congestion in the corridor may be a barrier to economic development, in addition to hindering the quality of life of area residents. To address weekend traffic congestion in particular, some participants recommended establishing weekend train service to Harpers Ferry from Washington, DC, as well as train service from Harpers Ferry to Charles Town. More recommendations that address congestion are included in the Transportation section of this chapter.

Participants in the planning process also noted potential actions to improve economic development on a countywide basis. These recommendations include:

- Enhancing educational opportunities and workforce development
- Identifying incentives to encourage employment opportunities in historic facilities, and review the efforts of other communities in achieving this objective
- Lessening regulatory barriers to development such as site plan review times
- Reviewing the current impact fee structure

Implementation of these recommends should take place in coordination with the Jefferson County Economic Development Authority

5.3 Environmental and Natural Resources

Participants in the planning process recommended that the County consider amending its development standards to preserve and enhance Jefferson County's scenic beauty, rural viewsheds, and significant tree stands. Meeting attendees and survey respondents also advocated for the protection of the Shenandoah River, the Potomac River, and other water resources.

The overall goal related to this element that emerged from the planning process is:

> Protect environmentally sensitive areas such as ecological corridors, agricultural lands, wetlands, streams, inland lakes, steep slopes, and groundwater recharge areas from impacts of incompatible development.

The two objectives related to this goal are:

1. Preserve Sensitive Natural Resources from the Negative Impacts of Development
2. Preserve and improve the scenic quality along the corridor including rural/ agricultural and scenic/natural areas.

Some of the significant strategies related to these objectives include:

- Preserve natural features, such as scenic beauty, rural viewsheds, significant tree stands, green infrastructure, the Shenandoah River and other water resources.
- Recognize the importance of trees in the suburban environment by encouraging the retention of existing native trees and the establishment of street and shade trees in

residential neighborhoods and commercial developments (land use regulations amendments may be required).

- Require vegetative buffers along US 340 in key areas to promote a parkway-like character along the corridor
- Protect the Elks Run Watershed, water source for Harpers Ferry and Bolivar
- Encourage the integration of wetlands, woodlands and meadows into site development as aesthetics and functional features.
- Encourage the retention of agricultural lands, forest lands and ecological corridors through available mechanisms such as open space and farmland conservation easements and conservation easements, as well as zoning incentives.
- Implement open space residential and commercial development design standards to preserve scenic views, rural character, farmland, meadows, woodlands, steep slopes and wetlands with a target of preserving these characteristics within a development.

The full list of recommended strategies appears in the Goals and Objectives section of this plan.

5.4 Historic Resources and Viewshed

As the existing character of the corridor changes, care needs to be taken to address the historic resources and natural resources. Historic resources provide a sense of place and heritage that fosters a connection to the community and has important economic, social, and education benefits. The aim of historic resource protection, therefore, is to retain the heritage and identity of a community or region as reflected in its natural and built environment and to ensure that the community's history and unique character, and the benefits they afford, are preserved for future generations. While the original setting of the historic resources may be diminished, it is hoped that the structures themselves can be saved. It is possible to incorporate significant resources into new developments. As noted above, the Beallair development has shown this to be possible.

The mechanism to achieve the balance between growth and preservation of community resources can occur in a number of ways. First there is a need to work with the local historical groups to identify and document historic resources in the corridor. Once resources have been identified, there should be an efforts made to encourage methods which allow the resources to be protected.

The Zoning Ordinance and Subdivision Regulations could provide incentives and standards to protect historic resources and natural resources when development occurs adjacent to such resources. Permitting adaptive reuse of historic resources should be encouraged. Incentives could include increasing the intensity of the property for protecting and preserving resources valued by the community. Transferring the density and/or intensity could occur on the same property or be transferred to another site. This could apply not only to historic resources, but for other resources, such as the preservation of mature wood lands or a riparian buffer protecting a water resource.

In many historic buildings, non-conformities routinely exist, as they were built before current zoning ordinance provisions were enacted. As a result, some historic properties have never

been in strict compliance with the zoning ordinance. As such they would remain "legally nonconforming." However, owners of such properties should be encouraged to not only preserve their historic buildings, but also to adapt them for other uses when the original use has become obsolete. A provision could be included for legally nonconforming historic structures. For example, administratively, there could be a 40% variance on code requirements for setbacks, lot size, green space, expansion of existing parking and or/loading requirements. Examples also include signage that has taken on a historic character such as Texaco, Coca-Cola and Mail-Pouch signs.

For home owners who have structures on the National Register of Historic Places, providing information and assistance of funding mechanisms available to them to restore and/or maintain historic resources would allow for the continued use of the resources. The State of West Virginia does have a program that assists private home owners in receiving assistance for repairs to their home that comply with Secretary of the Interior's Standards for the Treatment of Historic Properties so long as a public benefit for the repairs can be established.

Historic resources and natural resources could be promoted as community amenities for the developments in which they are located. The promotion of nominating historic structures on the National Register of Historic Places could possibly allow for financial incentives.

When historic properties are used for commercial purposes there are state and federal tax incentives to counterbalance the expense invested into the property. If permitted by the state taxation code, a reduction in land assessment may be an opportunity for historic resources that are protected during and after development. Conservation easements either in the form of farmland, historic or natural easement is an alternative option for protection.

Where historic resources are protected and conserved in a development, the area around the structure should retain an area that provides some context of the structure. This could be accomplished by establishing buffers that enhance the historic landscape and utilizing compatible screening material such as a wide lawn, existing vegetation, appropriate walls or fences, supplemental native trees and hedgerows. Enhancing the historic landscape could also occur by utilizing a site design that enhances views, such as the use of natural features, surface planes, building materials, design that compliments the existing resource, and unobtrusive parking areas.

In the area surrounding Towns of Bolivar and Harpers Ferry, there may be the opportunity for the National Park Service to prioritize areas for land acquisition.

5.5 Land Use and Zoning

Future Land Use Scenario

The following Preferred Land Use Scenario was developed after significant public participation and input resulted in the refinement of the 3 proposed growth scenarios. The 3 scenarios were (1) Growth within the Urban Growth Boundary, (2) Planned Mixed Use, and (3) Full Build Out. Each scenario has different land use implications and transportation impact on the corridor. (The 3 growth scenarios are discussed in Appendix C of this document). The urban growth boundary for Charles Town, as it applies to this study begins at the south side of US 340 just east of Marlow Road, and runs to the southeast following various properties, then returns to Cattail Road and continues south to the current two-lane WV 9 (Charles Town Road).

Background: Development of the Preferred Land Use Scenario

The Preferred Land Use Scenario was developed in an iterative process that included multiple public meetings. This process began with a public meeting on June 16, 2011 at which attendees were asked to describe their land use vision for the corridor. Based on the information gathered at this meeting, staff developed three alternative land use scenarios.

The September 17, 2011 meeting was the first opportunity for the public to comment on the 3 scenarios. From the September meeting and the public comments gathered from the MetroQuest website, the three scenarios were further modified to create one Preferred Land Use Scenario, which is described below. The three growth scenarios were designed to represent a projected 25 year build out.

Those who attended the September meeting were asked to comment on the 3 scenarios, to select their preferred growth scenario, and to recommend any changes they thought were necessary. There were four groups that went through this exercise. Two of the groups chose "Growth within the Urban Growth Boundary" and two groups chose "Planned Mixed Development". Each group made adjustments to their scenario. Those who chose "Growth within the Urban Growth Boundary" made changes to allow some additional growth outside the UGB. Those who chose "Planned Mixed Development" made changes to reduce the area of some of the development locations and mitigate some development impacts.

After this meeting the MetroQuest online tool went public and collected public feedback until mid-November 2011. The results that developed using MetroQuest were similar to the feedback received at the September meeting. While the "Growth within the Urban Growth Boundary" scenario was chosen most frequently on the online tool, comments provided by users indicated some additional growth outside the urban growth boundary was appropriate. Of those who chose a land use scenario on MetroQuest, the results of the 3 land use scenarios are 46% for "Growth within the UGB," 34% for "Planned Mixed Use," and 20% for "Full Build Out."

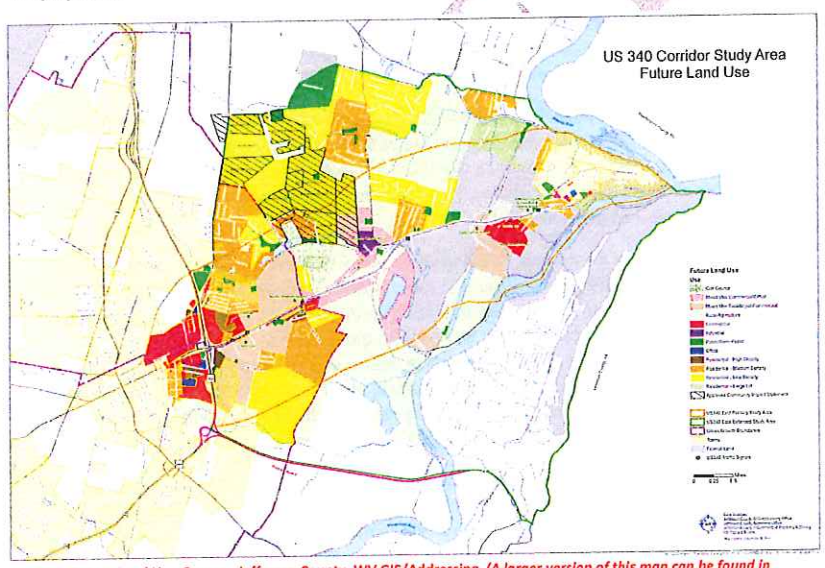
At the December 6, 2011 meeting, the preferred land scenario was presented to the public to ensure that their input had been accurately represented. This meeting gave the public one last

opportunity to hone the Preferred Land Use Scenario before a final land use scenario was publicly presented. Overall, there were very minimal changes suggested to the preferred land use. Changes that were considered and amended on the preferred land use map were near the Halltown Plant and Alstadts Corner, in addition to a more clear delineation of those properties that have an approved Community Impact Statement (CIS) but are not yet built out.

After the December 6th meeting and subsequent changes to the Preferred Land Use Scenario, the Final Land Use Map was finalized and presented to the public on January 19, 2012. There were no suggested changes to the land use option at the meeting.

Future Land Use Map

The Future Land Use Map (Map 17) is an attempt to strike a balance by allowing additional growth beyond the urban growth boundary, while also respecting the area's rural character, environment, and history. The scenario combines commercial, housing, rural development, and employment.



Map 17: Future Land Use, Source: Jefferson County, WV GIS/Addressing ***(A larger version of this map can be found in Appendix E).***

The Future Land Use Map shows urban level density within the Urban Growth Boundary. For the underdeveloped parcels within the Urban Growth Boundary, much of the land use is shown as Residential/Commercial Mixed Use and Medium Density Residential. It is anticipated that development, particularly in the residential/commercial mixed-use area would be walkable, landscaped and architecturally attractive. In order to allow such uses, design standards would

play an important role in site development. For example, a typical suburban style retail center disjointed from a mix of housing types is not envisioned.

Generally, to the north and east of the Ranson Urban Growth Boundary, oproperties are shown as Low and Medium Density Residential. The residential land use designation reflects the existing land use rights and entitlements in that are currently in place.

The proposed land uses along the north side of the corridor from Old Country Club Road to Halltown Road recognize the existing land uses in that location and provide a small area of Commercial/Office Mixed Use on the corner of Old Country Club Road and US 340. On south side of the corridor from Marlow Road to Blair Road, the existing land uses are recognized near Marlow Road while the existing large farm on the south side of US 340 near Blair Road allows Commercial/Office Mixed Use along the front of the property. Permitting this Commercial/Office area would achieve two purposes. First, such an intense land use would provide for the extension of a frontage road to be built with the development. Second, this level of development would allow the rear of the property to retain its rural character, including possible allocation for future agriculture use, recreational opportunities, or a residential cluster development. This is an example of allowing greater land use intensity in one location to offset a less intense development pattern elsewhere.

Located to the south and east of the US 340 and Blair Road intersection is a vacant quarry. It is envisioned that the area surrounding the quarry could be an office and commercial area. A section of this property has been shown as Rural in order to preserve some of the woodlands to retain the natural landscape and viewshed, and to provide a less developed feel to the corridor. While the active quarry along Blair Road is shown as Rural, this proposed land use designation will not and does not affect the ability to mine that area.

The land uses in the Halltown area includes maintaining the Halltown paper plant's designation as Industrial/Commercial. The area surrounding the plant and along Halltown Road is shown as Commercial/Office Mixed Use. The commercial and office designations are intended to provide for and promote redevelopment opportunities. There are a few historic resources within the unincorporated Halltown community that should be protected during any redevelopment. On the Future Land Use Map, there is a small strip of shown as Rural between US 340 and the Commercial/Office uses proposed on Halltown Road. The purpose for this area is to protect the woodlands that would act as a buffer to the uses on Halltown Road, to retain the natural landscape and viewshed, and to provide a less developed feel to the corridor.

The node at Bakerton/Millville is proposed as a Residential/Commercial Mixed Use area, and is buffered by existing residential uses. This future land use category is also shown on northern section of the Old Standard Quarry property. This designation would facilitate some development of the property while retaining the remaining portion in its current Rural designation. Additionally, the viewshed on the remaining Old Standard Quarry property would not be affected as a result of this dual land use designation. However, there has been some feedback, particularly on the part of the National Park Service, that development should occur between Millville Road and the quarry lake. This would retain the viewshed on the higher elevations, reduce development cost by locating commercial activity on more level toporgraphy, and provide greater road frontage for businesses. The existing land use for the area near the

Quality Inn is recognized in the Future Land Use Map. Much of this property is designated as commercial use and currently supports recreational opportunities.

The federal land areas made up of the US Customs and Border Patrol property and the Harpers Ferry National Park represent land uses that are so amalgamated into the fabric of the County that is easy to take them for granted. There may be options for the Harpers Ferry National Park to acquire additional property. The US Customs and Border Patrol are in the process of major site construction during which an extensive landscape berm is proposed to be in place along the front of that site when construction is complete. While the US Customs and Border Patrol serve a different need than the Harpers Ferry National Park, there may be opportunities for land acquisition as well.

It is acknowledged that additional development may result in a reduction in some of the area's rural character, environment, and historic resources. However, some elements may be counterbalanced. For example, a historic home may require continued maintenance that can be costly, but allowing for some development around the structure could yield an infusion of funding for the maintenance of the structure, which could be a feature of the development. While the context of a home located on an open farm would be lost, the structure could still be saved.

A key component of this Future Land Use Plan is to couple these proposed land uses with design standards. Such standards will assist in reducing the impact on natural and scenic views. A key recommendation of this plan is to establish design standards for new development (layout, facades, landscaping, signage, lighting) that reflect a town center character to create a sense of place. Further, a key comment voiced at many public outreach meetings was that the proposed land uses would be palatable County residents, provided that the design is appropriate to the context of the area. It should be noted that design standards do not imply reduced density or intensity of use. These standards are to be developed in the implementation stage.

The types of development shown in the Future Land Use Plan would allow for some private funding of road improvements, parks, pedestrian and bike paths as development occurs. Where there is development, there may be a need for transportation improvements to maintain current levels of service. With the nature of growth and development in this case, the extension of trails and parks through the various developments could be provided.

In carrying out the objectives of the Future Land Use Plan, it may be necessary to refer all proposed developments within designated UGBs or adjacent to incorporated areas to the municipality for comment and coordination of development.

Use of the Future Land Use Map

It should be noted that the Future Land Use Map represents an advisory document to be used by Jefferson County's staff, boards, commissions, and elected officials in making land use recommendations. The map does not constitute a proposal to rezone properties. Following adoption of this plan, all properties with the planning area will retain their existing zoning.

Land Use Goal and Objectives

In addition to providing input regarding the land use map scenarios for the US 340 corridor, participants in the planning process also offered other comments related to land uses in the corridor. These comments resulted in the overall land use vision for this plan (below).

- Preserve, protect and enhance the character of the corridor, property values and the economic viability along the corridors by managing for growth and development.
- Many participants in the planning process expressed the importance of preserving the County's agricultural heritage. In addition to maintaining the viability of working farms and preserving open spaces, many comments also emphasized the importance of rural economic development.
- Based on comments received at public meetings, as well as results from the MetroQuest online surveys, the plan recommends that new development should be concentrated either within the Urban Growth Boundaries of Charles Town and Ranson, or located at major intersections on US 340. Generally, it is preferable for growth to occur in locations where it can be served by existing infrastructure. New development should have design and layout characteristics that allow for walkability and create a sense of place.
- Mixed-use development is recommended in various locations along the corridor. In contrast to development that contains either solely residential or commercial uses, mixed-use development allows for a reduction in car trips, lower levels of road congestion, and an improved quality of life for residents of these developments. Mixed-use developments are typically characterized by a pedestrian-oriented design, and are sited to provide an attractive streetscape area located between a development and the street on which it fronts.
- The County has an existing mixed-use district, but it is lacking in the standards that would result in a quality mixed-use development. As such, this plan proposes new mixed-use districts that would require a percentage of both commercial and residential development types, allow for an appropriate list of permitted uses, allow for pedestrian-oriented site design, and would include design standards.
- Where there is an opportunity for development in properties designated Rural on the corridor plan, such uses should have appropriate standards that are compatible with that land use. There may be site standards that are tailored to the needs of rural activities. The design elements in this environment may reflect traditional agricultural character. Site standards may be less conventional in this setting to retain the rural atmosphere. Potential rural development may include, but not be limited to cluster developments, agri-business and agri-tourism and other forms of tourism that is in keeping with the rural environment. Encouraging and permitting such uses would provide a mechanism to promote the rural quality of life that is valued in Jefferson County.

- Just as this plan has been undertaken with coordination and cooperation of several other organizations and agencies, such efforts should continue and improvements made where possible. It is through such collaboration that ideas and solutions can be found to improve both the quality of the corridor and the quality of life in Jefferson County. There will be further opportunity for coordination in the future as elements of this plan are implemented.

Vested Rights

Along the corridor there are existing vested rights in the form of approved developments that have not yet started construction and properties with existing zoning. The former land use rights are the biggest concern among property owners. Particularly there are residential developments on Flowing Springs Road and Old Country Club Road that have approval for development of homes. One of the concerns of the property owners is that the proposed density shown in this plan is less than their existing zoning allows. However, the density proposed in this plan would allow for their developments to be built. While the owners of the property are appreciative that the density permitted in the corridor plan does allow for their projects to be constructed, they would like some assurances that some level of change can be permitted in their developments. Ultimately the zoning in place will govern density. Staff has stated that under the proposed plan, density could be rearranged on the site. For example, if the applicant is allowed 3 units per acre, the development could be in the form of townhomes, single family or apartments. The overall density of the property should not be greater than 3 units to the acre.

Design Guidelines and Standards

Design guidelines are a set of standards that aims to maintain a certain level of quality and architectural or historic character, addressing features such as building facades, public spaces, or landscaping. The goal is to address form-based standards, or building height and size elements rather than only by zoning classifications. In addition to building standards, the street design impacts the form of the development. Street guidelines and standards related to travel-lane width, bike lanes, on-street parking, medians, sidewalks, landscaping, lighting, crosswalks, pedestrian refuge islands, and accessibility ramps.

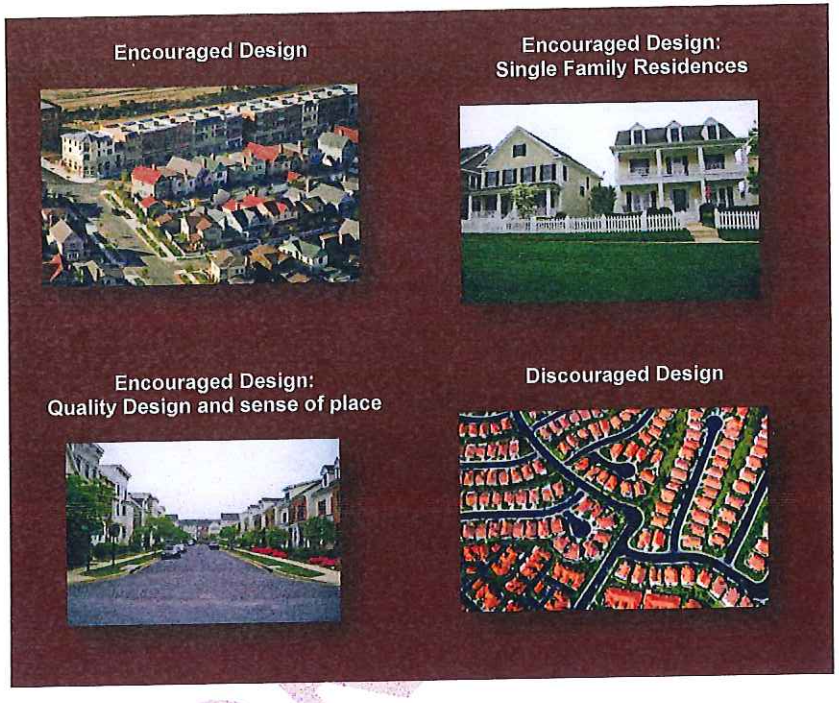
One of a few mechanisms to carry out the design guidelines is a zoning overlay district which is a set of zoning ordinances, optional or required, specifying land use and/or design standards for a designated portion of the underlying zoning within a defined district; typically used to keep architectural character and development form consistent, make adjacent uses compatible, and/or accelerate the conversion of non-conforming land uses. It is possible that there may be incentives for using the design standards, with or without the creation of an overlay district.

A real potential and advantage of the design standards for a developer is that with reduced setbacks, greater building height, and increased commercial intensity and residential density, there are financial compensations over traditional development patterns.

Major guidelines and standards covered include, but are not limited to:

Major guidelines and standards	
• Building Setbacks	• Building Height
• Lot Dimension	• Parking
• Building Orientation	• Building Materials
• Architectural Detailing	• Building Style and Form
• Landscaping	• Grading
• Site Amenities	• Preservation of Natural and Cultural Features
• Pedestrian and Vehicular Access and Circulation	

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Promoted design: Rear loaded garages and structures having a street presence



Discouraged design: Townhomes with front loading garages



Encouraged Design: Example of a commercial boulevard in a development of a double loaded frontage road



Promoted Designs: Commercial buildings oriented to the street





Promoted Design: Encourages a mix of uses along the street and residential units above



Promoted Designs:
Keeping with the purpose of the plan







Discouraged Designs:
Lacks quality of place



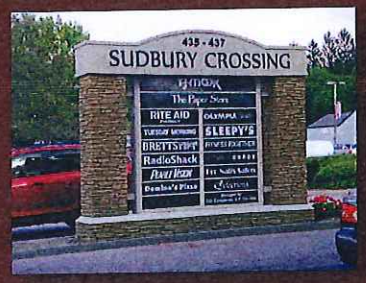




Encouraged Design:
Low signage for individual businesses



Encouraged Design:
Entrance signage for multiple businesses and services



Encouraged Design:
Signage that is uniform and designed well



Discouraged Designs:
Signage that lacks uniformity and design





Promoted Designs:
To blend essential services into the development pattern





Promoted Design Example:
While the street fronts of structures offer as sense of place and quality street presence, the rear of the structures, when screened from view or not seen from a public right-of-way, can be functional and less detailed.



5.6 Parks, Trails, Greenways

Many participants in the planning process identified parks and trails as an important element for enhancing transportation choices, recreational options, and overall quality of life for Jefferson County residents and visitors. Stakeholders identified the following goals for enhancing parks, trails and greenways in Jefferson County:

1. Improve the existing trail networks
2. Beautify the US 340 East Corridor
3. Develop Additional Parks and Enhance Existing Parks
4. Improve Signage and Mapping
5. Identify Financial Resources for Passive and Active Recreational Opportunities

These goals are described in more detail below.

Improve the existing trail networks.

Although some trails currently exist within the US 340 corridor study area, improvements to the trail system are needed to achieve connections between trails and between destinations. Based on stakeholder comments during the planning process, priority areas for improved trail connectivity include:

- between Harpers Ferry and Charles Town
- between Harpers Ferry and WV 9 trail
- across Route 340 from Bolivar to park resources such as Murphy Farm
- linking trails to commercial areas
- connection between rivers along Millville/Bakerton Roads
- trails linking parks, athletic fields and neighborhoods
- Local trails in the County would assist in creating a regional Eastern Panhandle network that stretches across multiple counties and states

Other comments included the importance of creating new trails concurrent with new development. Local planning and zoning regulations should be amended to require the dedication of or reservation for trail easements in conjunction with proposed residential and/or commercial development and/or redevelopment plats and plans. It was also noted that roadways should be accompanied by adjacent bike lanes to provide additional transportation options. The appropriate regional and state transportation planning entities should be made aware of the proposed trails plan so that it can be utilized as a part of the design of future road improvements. Where possible, trails should be separated by a green median from the road for safety of the users of the trail. Signalized intersections should be upgraded to include pedestrian crosswalks and signals where there are existing sidewalks or trails. Another suggested location for trails was "paper streets" (platted and un-built rights-of-way). An upgraded bridge connection between Harpers Ferry and C&O Canal was also suggested, to facilitate bike portage. Sufficient parking should also be provided for trail users.

Members of the Eastern Panhandle Trailblazers, a non-profit organization dedicated to facilitating "walking, running, bicycling and wheeling opportunities" in West Virginia's Eastern Panhandle, attended public meetings for the US 340 Corridor Plan and contributed comments regarding trails. Input received related to proposed trail connections and new trails in the 340 Corridor have been compiled in draft format on a proposed future trails and park/open space map as a part of this Plan (Map 18). Amendments to the local planning and zoning regulations related to provisions of trails should be tied to the proposed trail alignments and future park sites found on this Map, within the current or future Comprehensive Plan, and/or within a Parks Master Plan.

Beautify the US 340 East Corridor

Many sections of the US US 340 Corridor are notable for their scenic beauty and rural landscapes. However, participants in the planning process identified several opportunities to maintain and enhance the attractiveness of the US 340 Corridor.

Preserving and improving landscaping is a key element for beautifying the corridor. In addition to preserving the existing landscaping, stakeholders recommended designing a landscaped area along 340 to create a "parkway" aesthetic. This would include the planting of trees as well as low maintenance native plant species. Such a tree planting effort would further support the locally adopted Urban Tree Canopy Plan and should be coordinated with the Division of Forestry's tree planting efforts. This is a unique opportunity for a collaborative effort between the WV Department of Transportation, the WV Department of Environmental Protection, the WV Department of Forestry and local officials interested in tree canopy restoration and enhancement efforts. The of the Urban Tree Canopy Plan qualifies the Canopy for some grant resources that may be useful in implementing this goal.

Another important factor is protecting the historic and rural character of the corridor. This element includes the protection of historic and rural views as well as the adoption of standards to create aesthetic continuity along the corridor. Such standards would address the design of new development and signage, and would encourage the reduction of extraneous signs.

Develop Additional Parks and Enhance Existing Parks

The US 340 Corridor – East Gateway Plan study area includes three park areas (Flowing Springs Park, Sam Michael's Park, and the Harpers Ferry National Historical Park). Participants in the US 340 Corridor planning process indicated a need for additional parks and improvements to existing parks. Parks should serve a variety of functions, such as recreational parks, sports parks, and dog parks. The Blue Ridge Mountain was identified as an area where additional park/recreation resources are needed. Improved access to the two rivers for fishing and other recreational activities was also identified as a need. Local planning and zoning regulations do currently require the dedication of parkland in future neighborhoods. These provisions should be reviewed to enable coordination with proposed future park sites found on Map 18, within the current or future Comprehensive Plan, and/or within a Parks Master Plan.

(It should be noted that, currently, the Jefferson County Parks and Recreation Department is considering the feasibility of conducting a master plan for the Jefferson County parks system, including both public and private facilities. The Department intends to conduct a needs assessment during the coming year, and subsequently conduct a master planning process.)

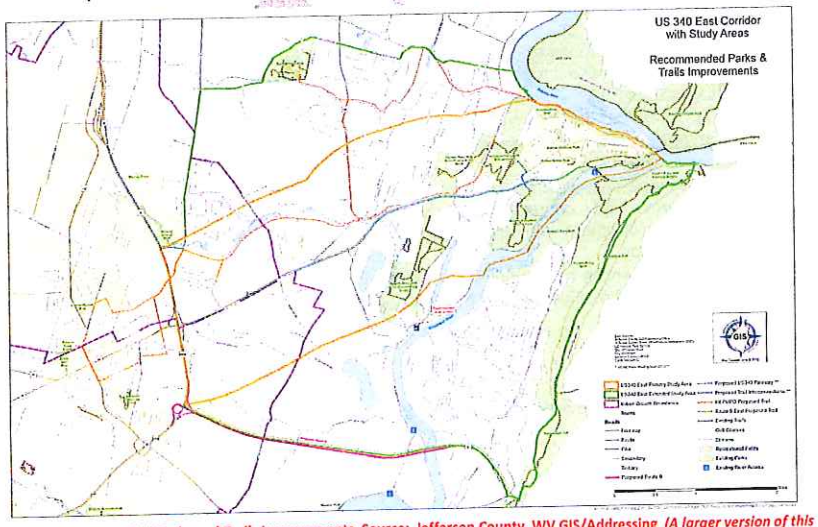
Improve Signage and Mapping

Improvements to signage and mapping will allow residents and visitors to locate and enjoy trails, parks, and other recreational opportunities in Jefferson County. Suggested enhancements to signage and mapping include:

- Ensuring that trail signage indicates historic sites in addition to nearby shops, restaurants, towns, etc.
- Improving online availability of trail maps on the County's website, in addition to websites of other organizations
- Using Google Maps (and similar services) to make trail information available to the public
- Utilizing National Park Service education programs to build community awareness of County trails
- Providing "way finding" signage

Identify Financial Resources for Passive and Active Recreational Opportunities

Funding will be required for the acquisition and development of land for trails, bike paths, and parks. The County and other organizations should identify public and private funding sources for trails, bike paths, parks and greenways. In some cases, trails or trail easements may be provided in association with new developments. Local regulations should be amendmed to incorporate this requirement to to tie it to proposed alignments in locally adopted land use and recreation plans.



Map 18: Recommended Parks and Trails Improvements, Source: Jefferson County, WV GIS/Addressing ***(A larger version of this map can be found in Appendix E).***

5.7 Transportation

This section provides transportation improvement projects that address the transportation goals presented in Section 4.7 including future safety, congestion and transportation mobility needs within the East Gateway Corridor. Specific recommendations for trails and bike paths are not provided in this section, but will ultimately play a key role in providing alternative transportation options that can address mobility and congestion needs. The projects were identified through a collaborative process involving regional planning staff, public involvement, and consultant recommendations.

The projects outlined in this section are intended to serve as key input to future local and regional planning efforts, initiate further discussions and evaluations of project alternatives, and lead to more detailed project-level feasibility studies. Several of the projects are conceptual in nature, particularly the recommendations for new roads. Although alignments have been provided on maps, more detailed examination will be needed to address difficulties associated with right-of-way, environmental considerations, and other public concerns. Some of these key issues are discussed for certain projects based on input received during the public involvement process for this study.

The projects identified, as a whole, represent a significant financial cost that exceeds the past amount of federal and state transportation funds that have been allocated to this corridor. As a result, a prioritization process is useful to evaluate which projects are most important to the residents and travelers within the corridor. For this study, a preliminary effort has been conducted to gain stakeholder and public input into project priorities and needs. Such information has been used to classify projects into short- and long-term categories.

Summary Brief of this Section

- Local planning efforts and public input are important to ensuring that corridor improvements make it to the regional long range transportation plan.
- Future studies will be needed to address improvement alternatives and environmental issues at the current river crossings between West Virginia, Virginia and Maryland.
- Short term improvements are needed to address key safety concerns along the US 340 corridor.
- An integrated east-west frontage road system would provide options to traveling on US 340, improve traffic congestion due to existing and future development, and can be designed to integrate with other transportation modes and to preserve the attractiveness of the corridor.
- New transit service connections and service levels will provide more transportation options to local residents within the corridor.

The Project Development Process

The transportation recommendations provided in this study will serve as key inputs to other regional and state planning processes. Figure 11 illustrates the key steps in the transportation planning process.

At the state level, the West Virginia Department of Transportation (WVDOT) is required to develop and maintain a statewide, multimodal transportation planning process. Broad

categories of highway improvement needs are defined based, primarily, on ongoing examinations of roadway pavement conditions and estimates of current and future traffic demand. The state selects improvement projects based on regional long range plans and includes them in the Statewide Transportation Improvement Program (STIP).

State efforts are supplemented in urbanized areas through the metropolitan transportation planning process. The Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) is responsible for developing a regional Long Range Transportation Plan (LRTP) for Berkeley, Jefferson and Washington (Maryland) counties. The LRTP is updated every four years incorporating the latest data and information. The next update is anticipated in the Spring of 2014. The plan not only defines the region's multimodal transportation needs, but also identifies the funding sources that will be needed to implement the identified projects. The HEPMPO also uses this information to prepare a shorter, more detailed listing and prioritization of projects for which work is anticipated within the next 3 to 5 years. The listing of these projects is referred to as the Transportation Improvement Program (TIP), which becomes incorporated into the STIP.

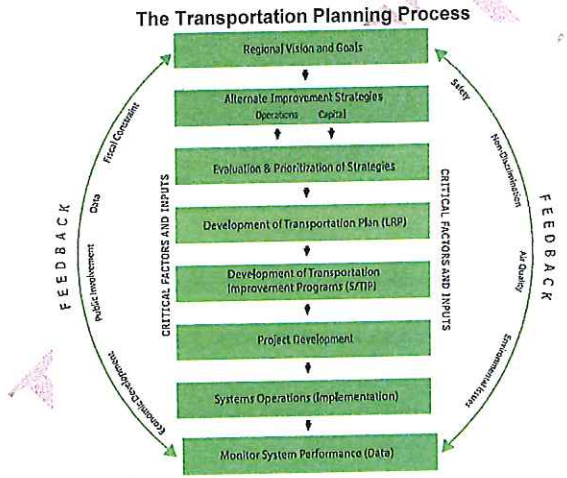


Figure 11: The Transportation Planning Process, Source: The Transportation Planning Process: Key Issues, FHWA-HEP-07-039

This county initiated land use study provides a local level assessment of transportation needs within the US 340 Corridor East Gateway. The study and its recommendations do not represent a commitment or obligation of funds by either the HEPMPO or WVDOT; however, it will serve as key input to future regional and state planning efforts including the update of HEPMPO's LRTP.

Process for Identifying Conceptual Projects

Strategies have been developed to address the transportation needs identified within the US 340 Corridor East Gateway (see the Issues Identification and Concerns section of this report).

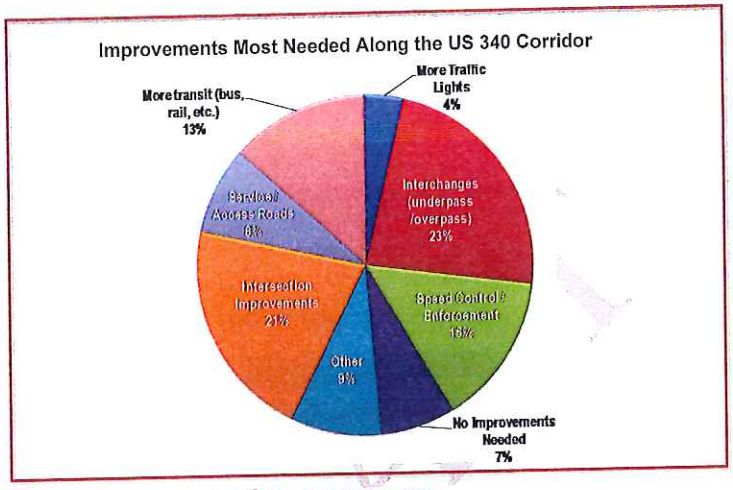


Figure 12: Improvements Most Needed Along the US 340 Corridor

The process used to identify these strategies included input from local and regional planning agencies, consultant staff and public involvement activities. This has included an assessment of regional priorities, the development of an interactive website to collect insights on transportation needs and improvement strategies, a January 19th public work session to identify transportation strategies, and a prioritization worksheet aimed at identifying what projects are most important to the region.

The website data surveys and public work session were valuable in obtaining important insights on general strategy recommendations and specific comments regarding safety concerns, right-of-way issues, and the alignments of proposed new roads. Figure 12 illustrates input on recommended strategy types obtained through the website. An evaluation of the public responses was conducted and used to identify a final project list. Some identified project types, like US 340 roundabouts, were not considered due to high traffic volumes, high speed limits, right-of-way issues and safety concerns with double-lane roundabouts. Additional analyses were conducted by the consultant to determine alternative intersection configurations to address the possible removal of left-turns to improve immediate safety concerns at key locations.

Strategy Recommendations - Overview



Figure 13: Harpers Ferry Bridge at Shenandoah River, Source: Google Maps

As indicated in the transportation needs section, the US 340 river crossings are primary bottlenecks just outside the East Gateway Corridor study area. The existing two-lane bridges (Figure 13 shows the Harpers Ferry Bridge) are a source of significant peak period congestion that affects regional access. Although very important to corridor operations, studies of alternative bridge crossings, which require substantial data collection efforts and a detailed assessment of environmental and construction options, were beyond the scope of this land use vision plan. West Virginia will be working with Maryland and Virginia in conducting future studies to address these, and other operational issues along US 340. Due to the excessive costs and environmental concerns, such projects, even if planned, may not be built for many years.

This study focuses on addressing key transportation operation, safety and mobility options within the East Gateway Corridor as related to future land use growth. Recommended transportation strategies were identified for the corridor. These strategies include lower-cost safety improvements, intersection signalization and reconfiguration, additional lanes on existing facilities, new road construction to improve regional connectivity and transit service improvements. A short description of each specific roadway improvement project is provided in Table 11. These roadway improvement projects are also summarized on Map 19. Transit projects are discussed and summarized in a separate section below. Strategies focused on bike and pedestrian trails are a key priority in this corridor with significant public support. These strategies are discussed in the *Parks, Trails and Greenways* portion of this document, though it is expected that these modes will need to be addressed in the design and upgrade of the roadway system and intersections within the corridor.

In addition to the specific projects presented in Table 11, other more general strategies are recommended to address identified transportation and mobility goals for the corridor. These include future efforts to develop access management standards, speed control options to improve safety, and highway beautification to promote and preserve the nature of the corridor.

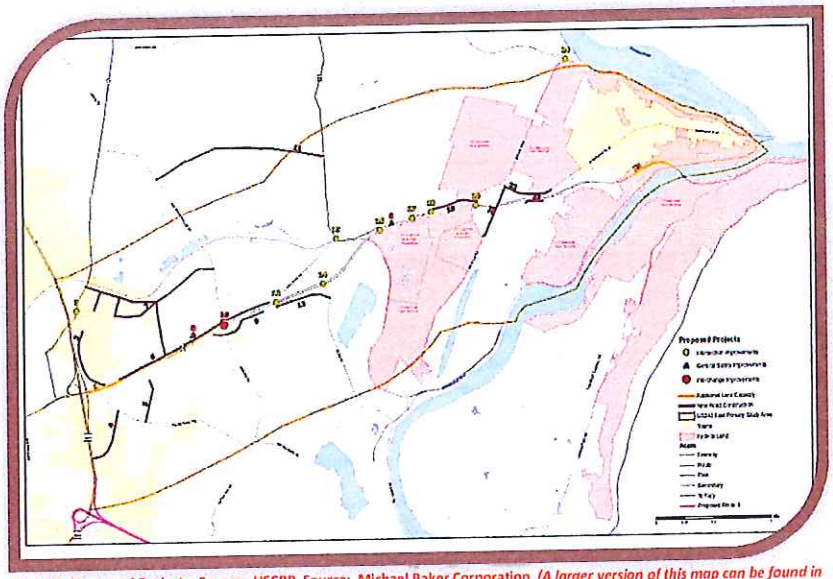
Summary of Recommended Roadway Improvement Projects

Projects ID Relates to Location in Corridor (Numbering Starts on Western Portion)
Project ID is not based on project ranking or priority

Project ID	Project Type	Project Description
1	Roadway Widening	Extension of turn lanes on US 340 between the WV 9 interchange and Jefferson Terrace Road.
2	New Road Construction	North-South roadway from Shenandoah Springs development connecting to Jefferson Terrace Road.
3	Intersection Improvement	Improvements at Flowing Springs Road / WV 9 / WV 9 Ramp. Includes possible signalization and merge lanes.
4	New Road Construction	North-South roadway connecting US 340 (south of WV 9 interchange) with Keyes Ferry Road.
5	New Road Construction	North-South roadway connecting Keyes Ferry Road to Somerset Blvd.
6	New Road Construction	East-West frontage road on northern side of US 340 from Jefferson Terrace Road to Halltown Road.
7	New Road Construction	Road connections from Shenandoah Springs to Old Country Club Road. Frontage road from Old Country Club to Patrick Henry Way.
8	Safety Improvement	Signal flashers warning of approaching intersection on west-bound US 340 approaching Patrick Henry Way and Shepherdstown Pike (230).
9	New Road Construction	East-West frontage road on southern side of US 340 from Marlow Road to Rion Hall Farm entrance.
10	New Interchange	Construct interchange at US 340 and Old Country Club Road. Interchange may be located west of current intersection requiring roadway reconfiguration.
11	New Road Construction	East-West road north of the rail line connecting Old Country Club Road and Shepherdstown Pike.
12	Intersection Improvement	Intersection reconfiguration and/or signalization at US 340 and Halltown Road. Address concerns for left-turn vehicles during peak periods.
13	New Road Construction	East-West frontage road on southern side of US 340 from Rion Hall Farm entrance to Blair Road.

14	Intersection Improvement	Intersection reconfiguration and/or signalization at US 340 and Blair Road. Address concerns for left-turn vehicles during peak periods.
15	Intersection Improvement	Intersection signalization at Halltown Road and Shepherdstown Pike.
16, 17, 18	Intersection Improvement	Intersection reconfiguration and signalization at intersections in vicinity of the US Customs & Border Protection relocated entrance.
19	New Road Construction	East-West frontage road from Shipley School Road to Bakerton Road.
20	Intersection Improvement	Intersection reconfiguration and/or signalization at US 340 and Bakerton-Millville Roads. Address concerns for left-turn vehicles during peak periods.
21	New Road Construction	North-South roadway from Alstadts Hill Road to Bakerton Road. The roadway includes an underpass under US 340.
22	New Road Construction	East-West frontage road on northern side of US 340 from Bakerton Road to W. Washington Street.
23	New Road Construction	East-West frontage road on southern side of US 340 from Alstadts Hill Road to Old Taylor Lane.
24	Railroad Underpass	Widening of Bakerton Road railroad underpass.
25	Roadway Widening	Extension of US 340 westbound truck climbing lane from Shenandoah Street to the existing two lane section.

Table 11: Summary of Recommended Roadway Improvement Projects



Map 19: Proposed Projects, Source: USCBP, Source: Michael Baker Corporation *(A larger version of this map can be found in Appendix E).*

Short Term Highway Project Recommendations

Several corridor safety and operational concerns were identified as priority needs that will only worsen with future traffic growth. These include aggressive driving approaching signalized intersections on US 340, left-turns and through movements at un-signalized intersections on US 340, and intersection improvements to accommodate the proposed entrance relocation for the US Customs & Border Protection (USCBP) Advanced Training Center. These concerns were identified through analytical analyses, field observations and public involvement efforts associated with this study.

Intersection Approach Warnings

Aggressive driving and high speed limits on portions of US 340 create safety concerns at several signalized intersections along the corridor. In particular, westbound approaches to both the Patrick Henry Way and Shepherdstown Pike intersections were highlighted as major concerns by the public. Vehicles approach these particular intersections at high speeds, resulting in quick decelerations. This becomes an even greater concern as traffic queues develop during peak periods from WV 9 to east of the Patrick Henry Way intersection. Quick truck decelerations also create noise disturbances in and around these intersections.

Low-cost solutions, including the addition of signage, may assist in addressing these safety concerns. Advance-warning flashers, as illustrated in Figure 14, can forewarn drivers when a traffic signal is about to change to the yellow and red phases. These warning signs can also be operated to flash continuously, and in these cases do not need to be connected to the signal controller. Research indicates that warning flashers are effective in reducing approach speeds to intersections and reducing accidents.

Examples of Advanced Warning Flashers

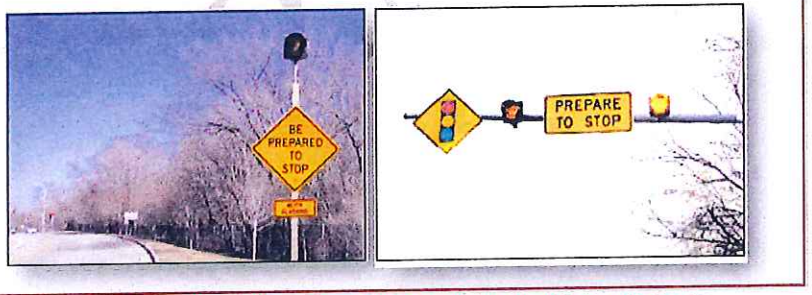


Figure 14: Examples of Advanced Warning Flashers, Source: Making Intersections Safer: A Toolbox of Engineering Countermeasures to Reduce Red-Light Running; ITE 2003

Intersection Improvements at Un-Signalized Locations

During peak periods, making left-turns or through movements at the un-signalized intersection approaches to US 340 becomes very difficult and even un-safe. Key un-signalized approaches which allow such movements include Blair Road, Halltown Road, and Millville-Bakerton Road. Although these approaches to US 340 do not carry significant traffic volumes, limited gaps and high speeds (e.g. 60mph speed limit) on US 340 make it difficult to safely conduct such movements.

Improvement projects at the US 340 and Millville/Bakerton Roads intersection were rated as the highest priority projects in the corridor (per public input received from meetings and website). This intersection has higher traffic volumes during the summer season as it is used for access to river recreation opportunities and the outdoor flea market. Future growth along Millville Road, including Old Standard Quarry, will severely degrade intersection operations.

As shown in Table 12 , several project types were considered as possible improvements for the un-signalized intersection locations. At the US 340 and Millville/Bakerton Roads intersection, an underpass is identified as a solution to increase safety. However, public comments have stressed that if funding is not currently available for an underpass, then shorter term options should be considered until such a project can be completed.

Traffic Sensors

At signalized intersections sensors should be installed to allow for better flow of traffic depending upon traffic volume.

Pedestrain Crossings

Signalized intersections should be upgraded to include pedestrian crosswalks and signals where there are existing sidewalks and trails.

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Improvement Project Types for Un-Signalized Intersections

Project Type	Positive	Negative
Signs to Prohibit Left-Turns / Through Movements	Low-Cost	Does not prohibit illegal movements; Requires U-Turn downstream of intersection
Signalization	Low-Cost; Safe Left Turn and Through Movements	Degrades traffic flow on mainline US 340
Intersection Reconfiguration (RCUT)	Clearly directs vehicles ; separates movements for additional safety	Medium Cost; Requires U-Turn downstream of intersection
Underpass / Overpass	Restricts Left-turns; Safe through movements	High Cost Completion Schedule

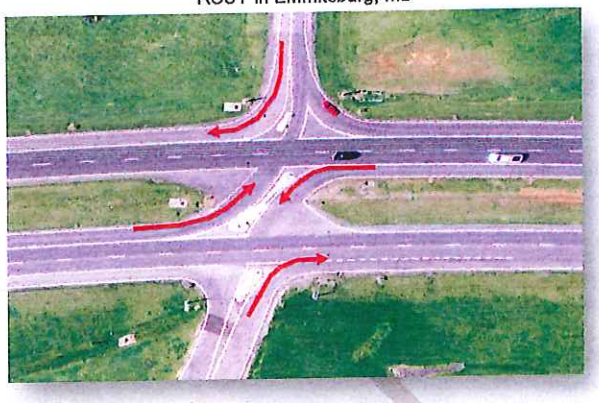
Table 12: Improvement Project Types for Un-Signalized Intersections

Restricted Crossing U-Turn (RCUT) intersection design has been successfully used for conditions similar to US 340 (e.g. arterial roadways with more dominant flows on the major road). The RCUT intersection works by redirecting left-turn and through movements from the side street approaches. Instead of allowing those movements directly through the intersection, as in a conventional design, a RCUT intersection accommodates those movements by requiring drivers to turn right onto the main road and then make a u-turn either at the next downstream intersection or at a one-way median opening 400-1,000 feet downstream. If traffic volumes warrant signalization, traffic signal control on a RCUT intersection requires fewer phases to accommodate higher movement of vehicles. Figure 15 provides several examples of RCUT intersections including one with additional median openings to accommodate u-turns.

A traffic analysis was conducted at the US 340 intersections with Millville and Blair roads based on forecast turning movements related to the land use vision growth scenario. The analysis eliminated left turns at each intersection forcing travelers to make a U-turn at the next downstream intersection. The results indicated that downstream intersection operations were not significantly worsened by these additional U-turns, indicating that an additional median opening on US 340 may not be required.

Example RCUT Intersections

RCUT in Emmitsburg, MD



RCUT in Troy, MI



Figure 15: Examples of Restricted Crossing U-Turn (RCUT) Intersections, Source: Google Earth

US 340 Improvements at US Customs & Border Protection (USCBP) Entrance -

A recent study, conducted by USCBP, examines transportation improvement strategies for the US 340 intersections near the proposed entrance to the USCBP training center. Operational and safety concerns are forecasted at the current un-signalized intersection based on projected peak hour traffic volumes. Map 20 illustrates one of the four options that were examined. All of the options included the addition of a new traffic signal at the USCBP access location. The improvements are focused on providing safe access to US 340 from the expanded training facility and from the Shipley School Road approach. Additional alternatives are being evaluated for traffic routing options for Shipley School Road.

US Customs & Border Protection Proposed Intersection Improvements: Option 1



Map 20: US Customs & Border Protection Intersection Improvements: Option 1, Source: USCBP Transportation Alteernatives Assessment, July 15, 2011; Kittleson & Associates, Inc.

Improvements may also be considered just east of the new USCBP access intersection where Shipley School Road intersects with US 340 near the elementary school. At this location, left turns are currently prohibited due to limited sight distance and high speeds on US 340. A new downstream traffic signal may also warrant closing this intersection for right turns.

Recommendations for Additional Travel Lanes

Traffic demand will increase with new residential and commercial development and more capacity will be needed along the US 340 corridor to address peak period demand. However, the addition of through lanes has not been recommended for the entire stretch of US 340 within the East Gateway Corridor. The primary reasons include:

- The benefits of any end to end US 340 mainline capacity increases would be diminished until the bridge crossing capacity is addressed.
- There is limited right-of-way for US 340 expansion near the Patrick Henry Way intersection to the west.
- The largest projected increase in traffic movements will be turning vehicles on US 340. Addressing such demand could include intersection reconfiguration, signalization or the possible integration of a frontage road system.
- Additional travel lanes on mainline US 340 may degrade the character of the corridor.

However, several sections of US 340 were identified for possible capacity expansion. Further studies may be needed to identify key right-of-way and construction issues with each conceptual project. Map 21 illustrates the possible extension of existing turning lanes between WV 9 and Jefferson Terrace Road.

US 340 Turning Lane Extension (WV 9 to Jefferson Terrace Road)



Map 21: US 340 Turning Lane Extension (WV 9 to Jefferson Terrace Road), Source: Background Map Google Earth

This project would provide additional capacity for turning movements and may provide some reduction in vehicle queuing between the two intersections. Further considerations may include carrying these additional turn lanes through to the intersection with Patrick Henry Way. This may be particularly valuable for the westbound direction, allowing a dedicated lane from Patrick Henry Way to the US 340 ramp to WV 9 North.

An additional travel lane may also be considered on the section of US 340 westbound just after the Harpers Ferry Bridge crossing. An existing truck climbing lane starts about 0.3 miles after Shenandoah Street. Field observations and public comments have noted slow truck speeds ascending the hill and resulting in some traffic queuing. A project is included to extend the truck climbing lane back to the Shenandoah Street intersection. Key issues regarding available right-of-way and the possible need for a turning lane at Union Street may affect the viability of this project.

Recommendations for New Integrated Road System

In lieu of capacity increases on US 340, many stakeholders and public comments have expressed support for an integrated frontage road system. The recommended new roads primarily provide additional east-west options to travel through the corridor. A frontage road system may also be important in providing access to regional commercial and employment centers during peak hours, providing more flexibility to limit left turns at un-signalized intersections with safety concerns, and integrating with a bike and pedestrian trail system.

Through the project identification and evaluation process for this study, all parties have stressed the need for attractive street design. These designs can be integrated with frontage roads as illustrated in Figure 16. Following the *Complete Streets* concepts being stressed by the City of Ranson, new roads should focus on roadway connectivity and allow everyone, whether on foot, bike, or public transportation, to reach community focal points. Those types of roadway designs will ensure that new roads help communicate the community's vision and ensure a safe, accessible, and attractive transportation system.

Stressing Options and Attractiveness for New Roadway Design

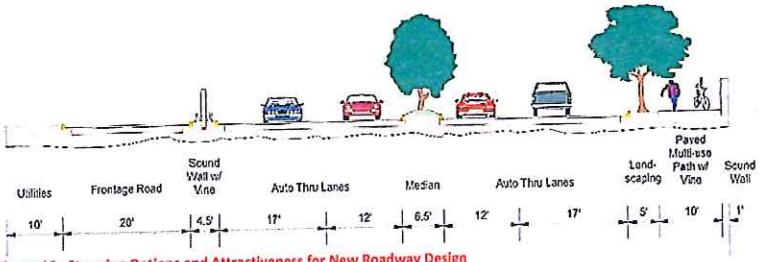


Figure 16: Stressing Options and Attractiveness for New Roadway Design (Source: Jessop Parkway Concept Plan, Solano Transportation Authority)

Such road designs may require a large amount of right-of-way especially when integrated with frontage roads and multi-use paths. The example provided in Figure 16 illustrates a design requiring about 115 feet of right-of-way. Figure 17 illustrates a portion of US 340 near Patrick Henry Way. This particular section (as illustrated by the red line in the figure) has about 280 feet of width, which may allow for frontage roads on each side of US 340 and beautification efforts. Future planning and design efforts will need to assess existing property lines and state-owned right of way associated with the US340 corridor.

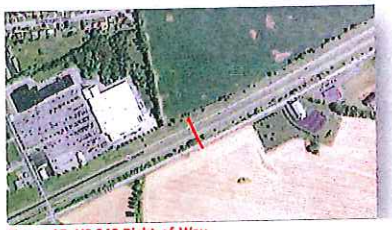
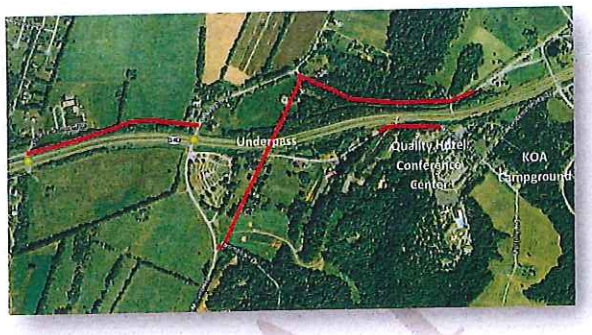


Figure 17: US 340 Right-of-Way

Bakerton-Millville Road Connections

Map 22 illustrates proposed new roadways near the intersection with US 340 and Millville/Bakerton Road. This intersection and the associated projects were the highest prioritized projects at the January 19th public work session. Short term improvements have already been discussed for this intersection.

Recommended Improvements Near US 340 and Millville-Bakerton Roads Intersection



Map 22: Recommended Improvements Near US 340 and Millville-Bakerton Roads Intersection, Source: Google Earth

Longer-term solutions include constructing a new portion of Millville Road as an underpass connecting to Bakerton Road. This would allow for the elimination of left turns and through movements at the current at-grade intersection and provide a safe north-south connection under US 340. There are several optional alignments for the underpass and further studies may be needed to identify potential costs and right-of-way issues with each alternative.

New frontage road connections from Bakerton Road east to W. Washington Street and west to Shipley School Road provide alternative access to Bolivar and Harper Ferry. With these connections, traffic to/from areas north or south of the corridor can access Bolivar and Harpers Ferry without traveling on US 340. Portions of these east-west frontage roads border on National Park Service property.

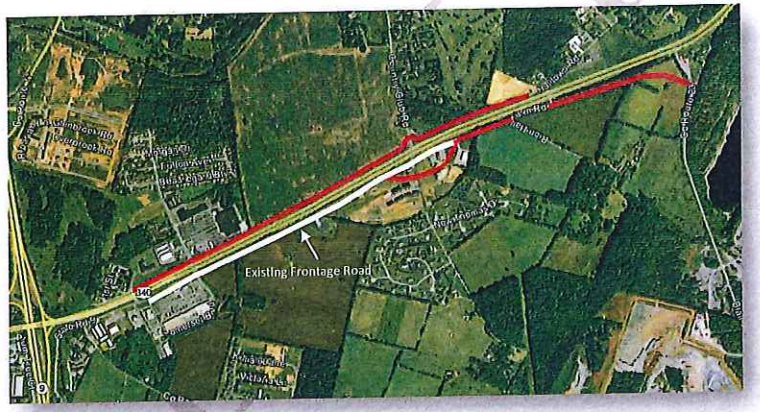
A frontage road linkage is also recommended to connect Alstadts Hill Road and Old Taylor Lane near the Quality Inn and KOA Campground. This connection would provide alternative access to the Millville Road underpass and Harpers Ferry National Park. Several public comments have addressed the safety concerns in making left turns out of the Quality Inn parking lot onto US 340 westbound. These safety concerns could be alleviated by providing alternative access options.

Frontage Roads on Western Portion of US 340

As part of the land use vision for the corridor, much of the corridor's future commercial, office and mixed use development will be focused on the western portion of US 340 (west of Blair Road). To ensure accessibility and to provide congestion relief on existing portions of US 340, a frontage road system has been recommended.

The existing (Somerset Blvd.) and recommended frontage roads are illustrated in Map 23. Frontage roads currently exist on the southern side of US 340 from Jefferson Terrace Road to just east of Old Country Club Road. A recommended project is to extend the existing frontage road to Blair Road. The extension may also include a relocation of existing portions of the roadway. This frontage road extension would provide additional access to land use growth along the corridor and provide some alternative intersection strategies at Blair Road. For example, the new frontage road would provide options for access to the US 340 and Old Country Club Road intersection if left-turns were restricted at Blair Road.

Additional Frontage Roads on Western Portion of US 340



Map 23: Additional Frontage Roads on Western Portion of US 340, Source: Google Earth

A frontage road is also recommended on the northern side of US 340 based on the corridor land use vision. The frontage road would extend from Patrick Henry Way and connect to Halltown Road providing an east-west route parallel to US 340. The design and construction of this frontage road may include a portion of the bike and pedestrian trail from Charles Town to Harpers Ferry.

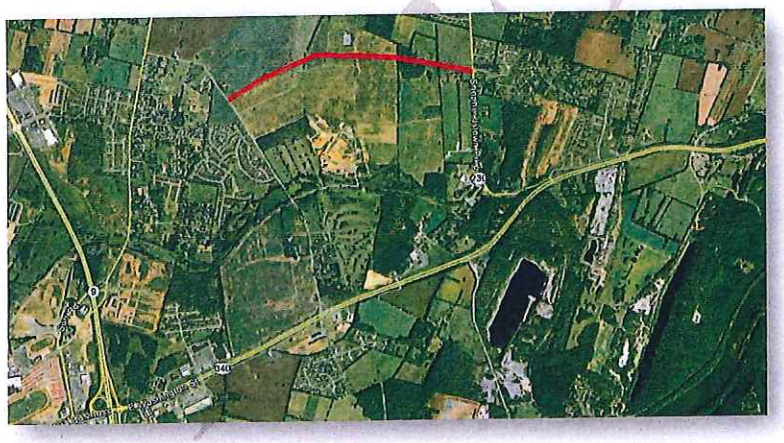
The design and operation of these frontage roads may serve as an important access to existing commercial development near Patrick Henry Way. This road may serve an even greater importance if larger scale investments are made to construct an interchange near the existing US 340 and Old Country Club Road intersection (as discussed later). That scenario could

include closing the US 340 at-grade intersections at Patrick Henry Way and Jefferson Terrace Road, while providing access directly from the frontage roads.

Other New Road Connections

Other new roads were recommended to provide residential linkages to commercial areas and to support regional access. A connection between Old Country Club Road and Shepherdstown Pike is recommended on the northern section of the East Gateway Corridor, as illustrated in Map 24. This new road would provide an east-west connection to support future development and to provide alternatives to the frontage road system along US 340. During the public workshops there were some discussions on creating an east-west route to Harpers Ferry along the northern section of the corridor. This incorporated the use of existing roadways including, Oregon Trail, Surrey Drive, Old Rider Road and Elk Run Estates Drive. However, such alignments are not currently recommended strategies and would need additional study and evaluation.

Alternative East-West Roadway Linkages in Northern Sections of Corridor



Map 24: Alternative East-West Roadway Linkages in Northern Sections of Corridor, Source: Google Earth

Connecting Keyes Ferry Road to US 340 and to Somerset Boulevard



Map 25: Additional Roadways Connecting Keyes Ferry Road to US 340 and to Somerset Boulevard, Source: Google Maps

Additional roadways connecting Keyes Ferry Road to US 340 (South of the WV 9 interchange) and to Somerset Boulevard (Map 25) would provide access to commercial areas on the western portion of the corridor. These projects could provide some traffic congestion reductions at the WV 9 interchange and the US 340 intersections with Jefferson Terrace Road and Patrick Henry Way.

Shenandoah Springs is a large development of townhouses and single family homes on the western portion of the corridor. Map 26 provides several new roads that are recommended to provide direct access from this development to commercial areas on US 340. This includes a north-south roadway abutting WV 9 that would connect to Jefferson Terrace Road. In addition, a recommendation is provided for an east-west roadway connecting to Old Country Club Road.

Additional Access Roads to Shenandoah Springs



Map 26: Additional Access Roads to Shenandoah Springs, Source: Google Earth

At the public work session, potential options regarding connections to existing roadways within the Patrick Henry Estates development were also discussed. This would provide direct access to the Walmart and other commercial sites on US 340. However, the Patrick Henry Estates Homeowner's Association is opposed to such options and has sued their developer to obtain the deeds to the roads and common areas in the development. The homeowners association is concerned that such access would severely increase traffic and decrease safety on the residential streets in the community. As an alternative, a possible north-south roadway is identified just east of the Walmart. This roadway could link to a future east-west frontage road on US 340 and provide additional access to new development in the area.

Recommendations for a New Interchange

An interchange represents a grade-separated junction of two roads. Along US 340 within the corridor, the only current interchange exists at WV 9. The addition of new interchanges can be valuable in addressing intersection traffic congestion and delays; however, such grade-separated junctions are very space-intensive and costly, due to the need for large physical structures such as tunnels, ramps and bridges.

An interchange is recommended at or near the intersection of US 340 and Old Country Club Road as a replacement to the existing at-grade intersection. Per the land use vision plan, future commercial and other employment growth will be concentrated along the western portions of US 340. The interchange can serve as a valuable basis to develop transportation system options to address future traffic congestion. It can be integrated with other projects including a frontage road system and possible intersection closures to address long-term growth in the region. The

interchange was identified in the past as a long-term transportation need and is included in the financially constrained portion of the HEPMPO LRTP, *Direction 2035*, which was completed in 2010.

If an interchange is determined to be a priority long term need, then efforts must begin now to preserve the right-of-way needed to construct the interchange. Map 27 illustrates potential locations of the interchange near Old Country Club Road. Development has already occurred at corners of the existing intersection limiting the right-of-way needed for construction. It is currently recommended that if relocated, the interchange be placed west of Old Country Club Road to ensure it is in proximity of the primary current and future commercial development along the corridor.

US 340 and Old Country Club Road Intersection



Map 27: US 340 and Old Country Club Road Intersection, Source: Google Earth

With an interchange in place near Old Country Club Road, additional options are available to address future congestion at the Jefferson Terrace Road and Patrick Henry Way intersections. These intersection locations currently have limited right-of-way to make significant improvements and their proximity to WV 9 prohibits an additional interchange being considered. With the addition of frontage roads along US 340, the Jefferson Terrace Road and Patrick Henry Way intersections could be closed and all traffic directed to the interchange. The frontage roads would be used to access the commercial areas. This strategy is often seen in commercial areas near highways. The linkages between the interchange and frontage road system would require additional right of way north and south of US 340.

Recommendations for Other Intersection Improvements

Un-signalized intersection improvements are addressed in the short-term recommendations section. Other key intersection improvements are also recommended. These include the intersection with Flowing Springs Road / WV 9 / WV 9 Ramp, which is impacted by recent and future development within the corridor including Shenandoah Springs. Figure 18 provides images of the current intersection configuration

Flowing Springs Road / WV 9 / WV 9 Ramp

Flowing Springs Road / WV 9 Ramp



WV 9 / WV 9 Ramp



Figure 18: Flowing Springs Road/ WV 9 / WV 9 Ramp, Source: Google Maps Street View

With future increases in traffic on Flowing Springs Road, a traffic signal may be warranted at the Flowing Springs and WV 9 Ramp intersection. Just west of this intersection, WV 9 Ramp intersects with WV 9 northbound as a stop-controlled approach. With future increases in WV 9 traffic and high speeds along this corridor, a merge lane has been recommended. These improvements have also been addressed in long range planning efforts conducted by the City of Ranson.

Future improvements are also recommended for the intersection with Halltown Road and Shepherdstown Pike if an integrated east-west frontage road system is developed. In that case, Halltown Road may experience greater traffic volumes. Currently, Halltown Road has a stop sign at the intersection with Shepherdstown Pike, and there is limited right-of-way to reconfigure the intersection or add lanes. However, a traffic signal may be warranted with increased traffic volumes to ensure safe turning movements and to reduce potential traffic queues at the stop sign.

Another recommended improvement involves addressing the current Bakerton Road railroad underpass in the northeastern section of the East Gateway Corridor. The current underpass is shown in Figure 19 and includes very narrow lanes. As future residential development expands to the north, projected traffic volumes will increase on Bakerton Road. The current railroad underpass represents a significant bottleneck and potential safety concern if such an increase in traffic volume were to occur. The project would need to include a widening of the underpass and the possible reconfiguration of the approaches.

Bakerton Road Railroad Underpass



Figure 19: Bakerton Road Railroad Underpass, Source: Google Earth

Recommendations for Transit Improvements

Significant public support was voiced for improving other transportation modal choices within the East Gateway Corridor. Within the Issues Identification and Concerns section of this report, transit needs have been identified. Determining recommended improvement strategies will require close coordination with transit providers including PanTran, MARC and AMTRAK. PanTran has undertaken planning efforts to identify potential service improvements within Berkeley and Jefferson counties. This study stresses those recommendations that are applicable to the East Gateway Corridor and provides additional strategy ideas obtained through stakeholder and public involvement efforts. The viability of these transit improvement strategies will be affected by available funding, capital investments, and potential ridership. Further

studies will need to be conducted by each transit agency to address these concerns and the details and framework of each conceptual strategy.

Table 13 summarizes transit strategy recommendations for the corridor. Several of these strategies were addressed in the HEPMPO LRTP and in other PanTran service planning efforts. PanTran's existing Orange Route currently has stops at the Walmart (Patrick Henry Way) and the Harper's Ferry Rail station. Future evaluations will be needed to determine if additional stops may be needed. Such stops could include new commercial or office centers within the corridor. Discussions with the USCBP may determine whether a stop at that location may generate transit riders.

Transit Improvement Recommendations

Provider	Strategy / Need Addressed	Addressed in HEPMPO LRTP
PanTran	**Add demand-response service for areas within the East Gateway Corridor.** / There is currently no demand responsive service in the corridor and other areas of Jefferson County. Provides transportation options for physically, economically or socially disadvantaged.	YES
	Restructure the PanTran Orange Route, improve headways to 45 minutes, and add service to MARC stations. / Current headways range from 2-3 hours. Some MARC train departures are not supported by the Orange Route. In addition, reliability issues due to long route lengths create concerns for meeting train schedules.	YES
	Provide new service linkages to other county commuter bus services in Maryland or Virginia. / Provides additional options for residents working in Maryland or the Washington D.C. region.	NO
MARC	**Provide additional MARC service between Martinsburg and Washington D.C. including enhanced midday service schedules.**	YES
	Investigate other locations for MARC stations to increase accessibility and promote transit-oriented development.	NO(Addressed in Ranson Planning)

Table 13: Transit Improvement Recommendations

Identifying new potential transit service will provide additional transportation options for the region. Table 14 illustrates typical work locations for residents within the East Gateway Corridor based on the CENSUS Longitudinal Employment Household Dynamics On-the-Map (LEHD-OTM) tool.

Where Workers Are Employed Who Live in East Gateway Corridor

Red = States

Blue = Two Highest Employment Counties in that State

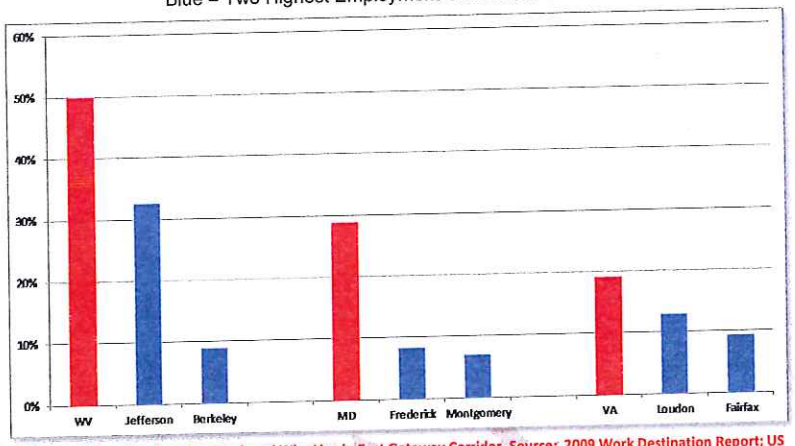


Table 14: Where Workers Are Employed Who Live in East Gateway Corridor, Source: 2009 Work Destination Report; US Census Bureau, OnTheMap Application; Custom area selection based on East Gateway boundary

The data indicates that 50% of the corridor residents work outside of West Virginia, in Maryland and Virginia. Such data supports recommendations for additional transit service linkages to other county bus or regional transit services. For example, Loudon County has an extensive commuter bus system that includes stops from Purcellville, VA to Washington, D.C. Thus, opportunities may exist to coordinate PanTran shuttle service with other available service in nearby counties.

Addressing Access Management

The extent to which the access points (driveways and intersections) are controlled or managed in a corridor dramatically impacts the capacity and character of the roadway. On state-owned roadways (like US 340), the state must balance the requirement to provide access to property with the need to maintain roadway function. The WVDOT provides guidelines for access management, including the spacing of intersections to optimize traffic flow and driveway spacing to avoid reductions in capacity due to traffic turning directly into and out of travel lanes. A variety of strategies, including dedicated turning lanes, signal coordination, and frontage roads, can minimize the negative impacts of new development on existing roads.

In West Virginia, only interstates have full access control and some high-level U.S. or State highways, such as the Route 9 bypass, are designed with partial control of access. Other facilities depend on local planning and development review processes to protect the capacity of existing roads. Adherence to the access management guidelines in the design of new development and in local comprehensive planning can improve the ability of existing roads to serve traffic as development occurs in the future.

Any municipality may, in cooperation and coordination with WVDOT, develop an access management plan for a specified state highway segment for the purposes of preserving or enhancing that highway's safe and efficient operation. Once adopted by the affected agencies, such plans will form the basis for all future access connection locations. The plan should include a combination of policy, design, and improvement actions aimed at achieving access management objectives. A corridor access management plan may include the following elements:

- Existing and future access locations,
- All major access-related roadway design elements,
- Lots or parcels currently having frontage on the highway segment,
- Pedestrian and bicycle amenities and associated safety implication,
- Transit facility considerations; and
- All supporting technical materials, if applicable.

Within this land use vision study, many of the identified transportation projects have focused on limiting additional access points along US 340. This has included an enhanced frontage road system to provide access to current and future residential and commercial developments along the corridor. Several new traffic signals have been identified within the corridor. This includes possible short term improvements at the Millville intersection and intersection improvements related to the new CBP entrance near Halltown Road. However, additional traffic signals and/or new intersection approaches are not recommended west of Old Country Club Road. Longer term solutions including a possible interchange at Old Country Club Road have focused on limiting access to US 340 and providing primary access points to a frontage road system.

Roadway Streetscape and Beautification

The importance of preserving the character and nature of the corridor has been identified as a key priority within the stakeholder and public involvement efforts conducted for this study. Complete Street concepts have been stressed for new roadway designs incorporating landscaping to improve attractiveness and function of the roadway system. Additional comments have focused on improving the landscaping along existing portions US 340.
Enhancements to the existing roadway system may include separate studies to identify the types and locations of streetscape improvements that would promote business growth and community pride within the area and address public safety issues such as drainage, infrastructure, and pedestrian access. Such efforts could include the following principles:

- Implement sustainable practices
- Develop complete streets
- Use cohesive design elements
- Promote security and safety
- Coordinate maintenance awith design and implementation
- Protect and enhance historic character

Figure 20 illustrates examples of key components in streetscape design which will vary based on the location and types of roadways.

1 Bus Stop
2 Street Trees (shade)
3 Coordinated Street Furniture
4 Planters
5 Median Refuge
6 Pedestrian Crosswalk
7 Colocating signs
8 Bicycle Lane
9 Public Art
10 Pedestrian Lighting
11 On-street parking

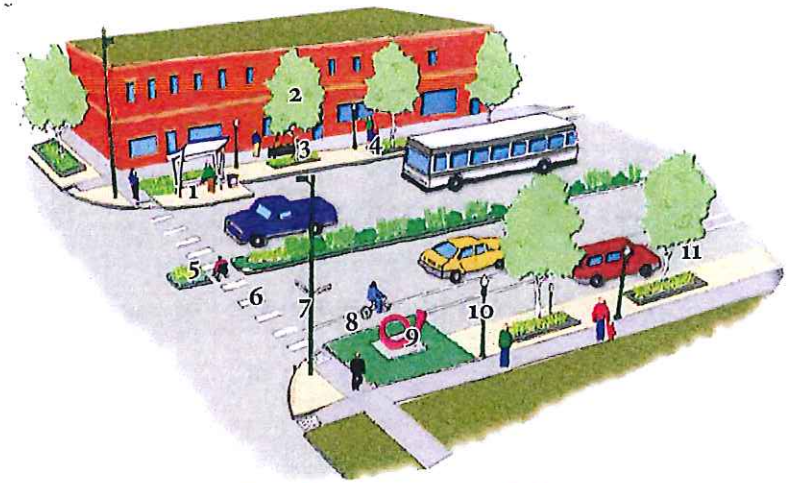


Figure 20: Components of Streetscape Design, Source: Omaha Streetscape Handbook

Transportation Project Funding Issues

This plan provides recommendations for a variety of transportation improvement projects. Table 15 illustrates that the estimated cost of all these improvements would exceed $90 million. These costs are estimates based on typical project costs; and can vary based on right-of-way and excavation issues. In addition, constructing projects with "Complete Street" concepts may escalate costs based on the need to accommodate other modes (bike trails), attractive roadway design, and extensive landscaping.

Estimated Cost of Recommended Improvements

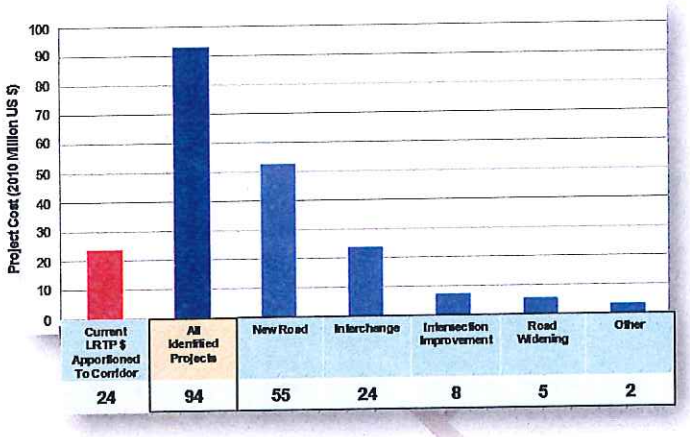


Table 15: Estimated Cost of Recommended Improvements

Only one project within the corridor is included in the financially constrained portion of the current HEPMPO LRTP. That project is the interchange at US 340 and Old Country Club Road, which carries an estimated cost of $24 million. Total federal and state funding for Berkeley and Jefferson counties (combined) was forecast to be $354 million. These funding constraints indicate that it may not be possible to fund many of the identified projects. These issues have prompted the HEPMPO to include a more robust prioritization process as part of the LRTP development process. As future updates are made to the LRTP, these project recommendations will be evaluated and prioritized. This process will utilize this study as key input in combination with stakeholder and public comments and other more focused project studies.

As Jefferson County continues to assess regional transportation strategies, other potential funding mechanisms will need to be evaluated. These may include public-private partnerships, developer funded projects or land donation, or development fees and tolls. The County will also need to work closely with WVDOH to identify whether federal and state dollars may be used for certain projects. WVDOH is responsible for many of the state and county routes; however, they may not accept the responsibility for all new roads. As a result, future coordination will be needed as projects are progressed through the planning phases.

6.0 Implementation Strategies

6.1 Introduction

This corridor plan provides a mix of strategies that are mutually reinforcing and consistent with the agreed-upon vision for the Corridor. It provides a set of well-defined goals, objectives and recommendations to carry the strategies forward into implementation.

The implementation section of this plan is the most important and iterative step in the planning process. The most accurate and well developed corridor plan will mean very little unless steps are taken to ensure the realization of its goals and objectives and its specific recommendations. From the point of view of the private sector, the term implementation means "making it happen." From the public sector point of view, the term means to assist and guide development, both public and private, by reasonable and prudent application of the various land regulatory measures adopted by the local community.

Proper implementation of this plan is important to realize the goals and objectives. A number of existing land use techniques will continue to be used and new techniques or modifications to existing ones should be analyzed to determine if they can be effective in addressing the adopted goals, objectives and strategies. It is important to note that the mere adoption of the Plan, its maps, and other details does not automatically amend the existing zoning ordinance, subdivision regulations and other approved regulatory tools that may be impacted the statements found in this Plan. The intent of this document and in particularly this implementation section is to provide general directions and guidelines to the Planning Commission and County Commission in the review of existing and development of new planning techniques that will most effectively carry out the objectives of the US 340 Corridor East Gateway Plan.

The US 340 Corridor East Gateway Plan recommends improvements in transportation, land use, protection of historical and cultural resources, environmental and natural resources, open space, parks, trails and greenways, community services, and economic development. An implementation section is needed to achieve the vision of the plan, as presented in the Plan Recommendations section.

The Plan addresses these themes and provides development guidance over a 20 year horizon. The US 340 East Gateway Corridor Plan will work with the County's Comprehensive Plan, Zoning Ordinance and the Subdivision Regulations, to provide for the orderly, efficient, and sustainable development of the corridor. This strategic corridor plan includes a package of recommended goals, objectives and strategies designed to ensure that future development is consistent with the intent of this Plan while recognizing the uniqueness of this gateway into Jefferson County.

This will allow will allow the County to identify and coordinate implementation strategies and policies for future land uses by balancing competing social, economic, resource, and environmental factors.

In order to implement the recommendations of this plan, each proposed action will require separate efforts by one or more agencies. Some recommendations may require joint action by

the public and private sectors, as well as non-profit organizations, civic associations, schools, and other local entities.

The Plan outlines implementation strategies for growth opportunities and challenges facing the corridor. The growth opportunities and challenges that are particularly relevant to the corridor include, but are not limited to:

- Highlight the assets of the area in promoting managed economic growth by attracting new businesses, jobs, quality retail and housing in the area
- Land use strategies such as zoning, subdivision regulations, land conservation, and access management must be consistent and compliment the functions of the goals for the Corridor
- Transportation improvements need to occur injunction with development and as funds are available.
- There should be close communication and coordination between the local, regional, and state transportation planning authorities
- There should be public involvement with affected property owners and local users of the transportation system
- Development of pedestrian and bikeway linkages in coordination with development as depicted in this and other plans
- Landscaping and preservation of right-of-way
- Management tools and processes such as development guidelines, design guidelines, and plan oversight and monitoring
- Promoting strategic growth concepts to effectively manage the County's future development
- Effective public-private partnerships are critical to encourage development in the area in accordance with the community's vision as well the policies of this plan; and, thus, should be encouraged
- Facilitating high-density, mixed-use development in areas as designated on the Future Land Use Map. Well-designed public amenities and infrastructure will attract development. Infrastructure improvements and other provisions should be made available through mutual cooperation and support. Adequate public facilities and amenities should be in place either in advance of or concurrent with, the development in the priority areas
- Enhancing the linkage between land use and utility providers to provide long term public management of public utilities
- Promoting and maintaining Jefferson County's quality of life

In anticipation of the commercial, residential, office, and tourism likely to increase in the coming years, the US 340 Corridor Plan considered these uses and planned for the appropriate development of these uses. Design standards and guidelines are needed to assure that there is a degree of continuity and compatibility between and among new and existing uses. The regulations should be structured to allow for design flexibility, yet within acceptable limits to meet the objectives of creating quality developments, protecting existing neighborhoods, natural and historic resources, and promoting the concept of the Corridor as an entrance to the County and State.

With this plan, the community has developed a vision of the future of US 340 Corridor East Gateway. Making the community driven vision a reality is possible through mutual cooperation.

All future development and redevelopment proposals in the US 340 Corridor planning area should be reviewed for consistency with the adopted plan.

6.2 Implementation Tools

Zoning

Zoning ordinances are established to ensure orderly and compatible land use development. To this end, the County has zoning districts that are designated throughout the County and illustrated on the County Zoning Map. The official zoning map divides the county into a series of zoning districts, and the zoning text describes the regulations for the use of land within those specified districts. Zoning is typically the primary tool used by local governments to implement various planning policies. The zoning ordinance should be effective at addressing subjects such as permitted uses within specific zoning districts, lot sizes allowed, appropriate setback distances, density standards, and design controls. Zoning also conserves and protects property values by prohibiting objectionable land uses in certain districts. Modern applications of zoning have broadened to provide orderly community growth, enhance and diversify a community's tax base, maintain or achieve beauty and variety in the physical environment, accommodate complex and unique land uses and, in sum, make a community livable.

With the US 340 Corridor East Gateway Plan, there may be an opportunity to create or amend existing zoning districts that would better facilitate the types of activity outlined. An overlay district or similar mechanism could be used on a section or the entire corridor to ensure development patterns is in keeping with the plan. Such a district could include design guidelines or other elements specific to this corridor. The adoption of a PUD (Planned Unit Development) or a mixed use district would provide the applicant an opportunity to create a project that could result in a better development and greater flexibility in design with less regulatory barriers. The community could gain a unique development that is appropriate for its particular setting. Mixed used developments that provide dense walkable communities with New Urbanism/Smart Growth design principles should be encouraged in locations delineate on the Future Land Use Map that is part of this Plan. The zoning ordinance could provide incentives or density/intensity bonus for development plans that preserve key features. All petitions for rezonings should be in conformance with the Plan.

Subdivision Regulations

Subdivision regulations are adopted to provide quality control for public improvements constructed by private development. Subdivision regulations also let a local government require minimum or maximum thresholds for improvements in a subdivision and site plans, such as roads, sidewalks, bike paths, storm water systems, sanitary sewers and open space. While zoning is often considered "what and where can I do an activity", subdivision regulations are considered "how do I build a project."

The 340 East corridor plan promotes efficient layout and design of new sites along the corridor. This permits greater and more intense use of the land. Standards should be established for design guidelines for new development (layout, facades, signage, lighting) that provide a sense of place. Design guidelines achieve a more consistent development by conveying preferences to the applicant for parking, building siting, design and architectural style. This would result in development patterns that are appropriate for the corridor. The Subdivision Regulations should promote road, trail, and sidewalk interconnectivity between and among developments. Active and passive open space standards should be reviewed to ensure proper amount of open space

is being created. The subdivision regulations should encourage development layout patterns that preserve key features, both natural and built, without losing any development rights.

Transportation

This Plan has been drafted with assistance West Virginia Department of Highways (WVDOH), Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) and Michael Baker Corporation. Their assistance has been vital to the analysis of the transportation components found in this Plan. Moving forward to implementation of the transportation improvements, the partners at the WVDOH and HEPMPO are critical in assisting with funding any projects. If an effort to create a parkway like setting and associated improvements for the corridor is to be implemented, the WVDOH assistance is needed to permit such activity. Both the WVDOH and HEPMPO are local links to federal transportation funding sources.

Efforts towards purchasing easements is an inexpensive way to protect land for public needs. The property owner retains ownership and use of the property, but the government gains the right to use it and make improvements on it. During development review, the applicant may grant an area or build around future transportation improvements. Such dedications or reservation of future improvement areas should not result in a loss of development rights to the applicant. Such development rights could be exercised elsewhere on the property. Maintain balance between public and private sector responsibility for transportation improvements. Require interconnectivity for roads, sidewalks and trails to other neighboring developments and property.

Jefferson County Development Authority

The Jefferson County Development Authority is a partner in implementing the Plan. If the Plan is a "how to grow" tool, the development community provides the ability to carry out the plan. The Future Land Use Map for the corridor shows significant areas for growth, business and job creation around nodes at transportation intersections. The plan promotes a variety of business expansion and retention opportunities such as retail, small business, office, commercial, and federal agencies. The regulatory agencies should ensure that development review and permitting processes are transparent and predictable for business investment.

State Enabling Legislation

Sections of State Law should be amended to provide for more land use planning tools and greater flexibility in review time frames. Currently the state law has prescriptive time frames that must be met in order to achieve some uniformity across the state for land development review process. While the attempt is well intended, the law has inadvertently resulted in some potentially mutually agreeable development options to not be considered since the mechanism cannot be fit into a rigid time frame or results in a process taking longer since the steps have to be broken into separate segments in order to meet state law. Changes in the State Law do not need to change existing language, but permit for additional options in addition to the codified language. There may be opportunities to amend State Law where the intent of the legislature is achieved, the needs of local community and applicants exercising their development rights are balanced.

The Capital Improvement Plan should be used to continue to increase emergency services as growth along the corridor increases. Police, fire and rescue response times would be improved as enhancements are made to these services.

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6.3 Table of Recommendations

1. *Community Services and Infrastructure*

REC. NO.	RECOMMENDATION	PAGE
1	Ensure availability of adequate water and sewer capacity prior to approval of new development	62, 74
2	Protect private well and septic systems.	62, 74
3	Upgrade the Harpers Ferry water system.	62, 74
4	Ensure affordability of water and sewer services.	62, 74
5	Develop additional infrastructure to expand the availability of water and sewer services in the US 340 corridor.	62, 74
6	Encourage public ownership of water and sewer services.	62, 74
7	Take steps to enhance the quality and safety of area water supplies, including but not limited to the following: a) Improve water treatment b) Require area water providers to ensure the safety of water c) Limit the amount of new development served by septic systems	62, 75
8	Develop a countywide comprehensive clean water plan.	62, 75
9	Review local land development regulations to consider a requirement that all potential private wastewater operators enter into an agreement with the PSD to ensure that all private plants are built to a standard that can be managed by the PSD if that is necessary in the future.	75
10	Work with the Jefferson County Board of Education to ensure that area schools are adequately funded.	62, 75
11	Develop safe routes for children to walk and bike to school.	62, 75
12	Encourage programs promoting environmental awareness, school gardens and beautification projects (similar to Page Jackson school model – available for public use during non-school times).	62, 75
13	Improve school organization, communication with the local community, and size planning vis-à-vis planned residential development yields.	62, 75
14	Improve public library access for those persons without internet access.	62, 75
15	Promote use of libraries as community centers.	62, 76
16	Enhance existing volunteer-based firefighting capacity by the provision of permanent, full time fire services.	61, 76
17	Develop a long-range funding plan for area Fire and EMS services.	61, 76
18	Consider County funding of Harpers Ferry police for provision of emergency services for accidents on the section of US 340 located between the two bridges.	61, 76
19	Ensure the availability and adequacy of fire hydrants in the 340 corridor planning area, including the following recommendations: a) Provide hydrants in underserved areas, using dry hydrants at ponds and streams or other means b) Improve hydrant water pressure c) Ensure that standards and testing of hydrants are adequate	61, 76
20	Work with service providers to improve service between bridges, in Harpers Ferry, and in Halltown area	63, 75
21	Work with service providers to improve broadband capacity throughout corridor	63, 75
22	Work with community stakeholders to identify facility designs compatible with the historic and rural character of the corridor	63, 75

2. Economic Opportunities

REC. NO.	RECOMMENDATION	PAGE
23	Improve appearance of corridor (design of development, litter, wayfinding signage)	63, 78
24	Address traffic congestion (especially on weekends)	63, 79
25	Review the adequacy of current impact fee structure	63, 79
26	Create parking for recreational/tourism sites as well as for commuters	63, 78
27	Retain scenic beauty, historic resources and farming to promote natural and heritage tourism opportunities	63, 78
28	Establish weekend train between Harpers Ferry and DC and between Harpers Ferry and Charles Town	63, 78
29	Promote additional tourism and entertainment opportunities	63, 78
30	Encourage Harpers Ferry restaurants to stay open later in the evenings	63, 78
31	Promote the development of a wide variety of types of businesses, including but not limited to: Small businesses, "Green" jobs, tourism / entertainment, high tech / data centers, white collar (professional, IT, clerical), medical office, agri-business and agri-tourism, and retreat/training/convention center	63, 78
32	Retain existing businesses	63, 78
33	Promote the creation of businesses that support Appalachian Trail, C&O Canal, and bike path users	63, 78
34	Achieve a balance of retail, federal, industrial and historical/tourism job opportunities	63
35	Enhance educational opportunities and workforce development	63, 79
36	Identify incentives to encourage employment opportunities in historic facilities, and review the efforts of other communities in achieving this objective	63, 79

3. Environmental / Natural Resources

REC. NO.	RECOMMENDATION	PAGE
37	Preserve natural features such as scenic beauty; rural viewsheds; significant tree stands; karst geology; green infrastructure; the Shenandoah River and other water resources.	64, 79
38	Recognize the importance of trees in the suburban environment by encouraging the retention of existing native trees and the establishment of street and shade trees in residential neighborhoods and commercial developments.	64, 79
39	Require vegetative buffers along US 340 in key areas to promote a parkway-like character along the corridor	64, 80
40	Protect the Elks Run Watershed, water source for Harpers Ferry and Bolivar	64, 80
41	Encourage the integration of wetlands, woodlands and meadows into site development as aesthetics and functional features.	64, 80
42	Encourage the retention of agricultural lands, forest lands and ecological corridors through available mechanisms such as open space and farmland conservation easements and conservation easements, as well as zoning incentives.	64, 80
43	Implement open space residential and commercial development design standards to preserve scenic views, rural character, farmland, meadows, woodlands, steep slopes and wetlands with a target of preserving these characteristics within a development.	65, 80
44	Encourage the use of native plant species and naturalized landscape designs.	64
45	Preserve topography such as slopes, valleys, and hills by limiting the amount of cut and fill during site development.	64

4. Historic Resources and Viewshed

REC. NO.	RECOMMENDATION	PAGE
46	Identify existing historic resources within the US 340 Corridor	65, 80
47	Assist local, state and federal entities in their efforts to retain historic resources within the context of their original setting	65, 81
48	Educate land owners about the benefits of historic properties and the process for seeking listing on the National Register of Historic Places	65, 81
49	Educate and assist landowners with structures on the National Register of Historic Places regarding available funding mechanisms for the restoration and/or maintenance of historic resources	65, 81
50	Update current Zoning Ordinance requirements regarding development adjacent to historic resources	65
51	Consider establishing a review process for demolition permits for historic structures	65
52	Encourage rehabilitation and redevelopment of historic resources	65, 81
53	Create standards that require preservation of historic structures if land is developed	65, 80
54	Promote heritage and recreational tourism near Harpers Ferry, including sites such as such as the location of the Battle of Harpers Ferry	66
55	Coordinate with "Journey through Hallowed Ground" on tree planting along Corridor (part of National program)	66
56	Explore opportunities for additional cultural events, including music- and food-related festivals	66
57	Establish pedestrian trails to connect historic resources such as those sites along the Washington Heritage Trail	66
58	Identify existing historic and rural landscapes, vistas and viewsheds in the Corridor and develop regulations to retain the same	66
59	Prohibit neon, blinking signs or electronic message signs that are not static for a certain period of time	66
60	Install landscaping buffers adjacent to existing development	66
61	Establish standards to prevent light pollution	66
62	Promote a variety of land uses to discourage duplication of services such as gas stations and small shopping centers	66
63	Encourage appropriate rural/historic design for new or redeveloped public buildings in the corridor	66
64	Install historic signage at appropriate locations along the US 340 Corridor, such as the location of the Visitors Center	66
65	Minimize development along the US 340 frontage in the vicinity of the battlefield, to preserve a prominent gateway feature for the entry into West Virginia	66
66	Improve US 340 Corridor aesthetics by creating a continuous green gateway landscaped with native species providing all-season color, developed in cooperation with community groups	66

5. *Land Use*

REC. NO.	RECOMMENDATION	PAGE
67	Promote development that adequately balances the protection of key historic, agricultural and natural features with high-quality development	67
68	Establish a Transfer of Development Rights program	67
69	Work with National Park Service and residents to prioritize areas for land acquisition	67
70	Identify mechanisms to allow for productive and profitable agri-businesses and agri-tourism.	67
71	Provide development incentives for properties within the UGBs	67
72	Develop new zoning categories in order to implement areas identified for mixed-use development at major intersections or along arterial roads within UGBs	67
73	Identify areas for low- to high-density residential development within UGBs	67
74	Establish design standards for new development (layout, facades, signage, lighting) that reflect a town center character to create a sense of place	67
75	Use design standards to reduce typical strip commercial development image that lacks a sense of place	67
76	Develop ordinance amendments that will enable mixed use developments to result in dense walkable communities based on New Urbanist/Smart Growth design principles	67
77	Develop a new mixed use zoning district that promotes quality mixed employment development (light industrial, wholesale, retail, office) with design standards	67
78	Amend the current mixed use zoning district to eliminate industrial uses and to create a true mixture of uses based on New Urbanist/Smart Growth principles	67
79	Allow properties to rezone to mixed-use development at key intersection	67
80	Encourage mixed-use zoning for properties within the Urban Growth Boundaries	67
81	Require commercial development to be blended within a mixed use context to achieve a balance between retail and residential uses	67
82	Plan for a limited section of the Old Standard Quarry property to develop as a mixed use development	67
83	Promote cluster development to preserve open space	68
84	Identify additional agriculture-related land uses appropriate for the Rural District	68
85	Allow flexible standards (such as gravel driveways and Low Impact Stormwater Design) for Rural land uses	68
86	Promote heritage and recreational tourism and agritourism	68
87	Establish design standards for any new development in the Rural District (layout, facades, signage, lighting) that replicates the architectural and contextual features found in rural settings	68
88	Provide design elements that allow for view of mountains to not be blocked	68
89	Protect the quality of life elements that are important to Jefferson County residents and visitors	68
90	Establish standards to provide efforts to minimize blight control, deteriorating structures, and dangerous buildings	68
91	Increase awareness of the historic and rural character of the US 340 Corridor in all planning phases (i.e. Comprehensive Plan, etc.)	68
92	Collaborate with Federal agencies located in the County regarding "greening" of Jefferson County & energy use reduction	68
93	Develop a consistent approach to development and signage specifications in this corridor (i.e. water treatment facility next to historic property)	68
94	Explore options for applicability of local codes to Old Standard Quarry property	68
95	Ensure coordination between appropriate agencies for the creation of a true Gateway transition	68
96	Refer all proposed developments within designated UGBs or adjacent to incorporated areas to the municipality for comment and coordination of development	68
97	Coordinate with the West Virginia Division of Highways to establish a master plan for the approval of new entrances onto US 340 and intersecting state roads	68
98	Coordinate with local utility providers to establish standards for approval of water line and sewer line extensions	68
99	Plan for urban level of service for police, fire, and school resources within the UGBs	68

6. *Parks, Trails and Greenways*

REC. NO.	RECOMMENDATION	PAGE
100	Provide trail connectivity for health, exercise, recreation, ecotourism and access purposes in areas such as, but not limited to: • Between Harpers Ferry and Charles Town • Between Harpers Ferry and WV 9 trail • Across US 340 from Bolivar to HFNPS resources such as Murphy Farm • Between rivers along Millville/Bakerton Roads • Linking parks, athletic fields and neighborhoods • Develop Greenways on the Blue Ridge that connect with the valley, and along the Shenandoah and Potomac Rivers	69, 96
101	Provide new connecting trails with all new development	69, 96
102	Provide trailhead parking	69, 96
103	Consider developing trails on "paper streets" (platted, unbuilt rights-of-way) in incorporated areas	69, 96
104	Provide Shenandoah River access at southern end of Old Standard Quarry property for recreational opportunities	69
105	Upgrade bridge and C&O Canal / Harpers Ferry for easier bike portage to C&O Canal towpath.	69, 96
106	Retain existing landscaping and create additional landscape design along 340 to create a continuous "parkway" aesthetic	69, 97
107	Plant low maintenance native plant species along the US 340 corridor	69, 96
108	Plant trees along the corridor, such as a variety of flowering trees that change color at different times of the season to provide for continuous color change.	69, 97
109	Protect historic views	69, 97
110	Improve appearance of corridor by creating standards for the design of new development	69, 97
111	Create new parks to serve a variety of users (such as passive recreation, sports, and dog parks)	70, 97
112	Improve access to rivers for fishing and recreation	70, 97
113	Provide additional park/recreation resources on the Blue Ridge Mountain	70, 97
114	Provide "wayfinding" signage along the corridor and trails which indicate historic sites in addition to nearby shops, restaurants, towns, etc.	70, 98
115	Improve online availability of trail maps on the County's website, in addition to websites of other organizations	70, 98

REC. NO.	RECOMMENDATION	PAGE
116	Use Google Maps to upload trail information	70, 98
117	Utilize National Park Service education programs to build community awareness of County trails	70, 98
118	Identify public and private funding sources for trails, bike paths, parks and greenways	70, 98
119	Amend local planning and zoning regulations should be amended to require the dedication of or reservation for trail easements in conjunction with proposed residential and/or commercial development and/or redevelopment plats and plans.	96
120	The appropriate regional and state transportation planning entities should be made aware of the proposed trails plan so that it can be utilized as a part of the design of future road improvements.	96

7. *Transportation*

REC. NO.	RECOMMENDATION	PAGE
121	Implement transportation improvements listed in Table 11 – "Summary of Recommended Roadway Improvement Projects"	103-4
122	Install Intersection Approach Warnings such as signage or advance-warning flashers at various signalized intersections along the US 340 corridor, such as at westbound approaches to both the Patrick Henry Way and Shepherdstown Pike intersections.	103-4, 106
123	Develop intersection improvements at un-signalized locations such as Blair Road, Halltown Road, and Millville-Bakerton Road.	103-4, 106
124	Promote a land use pattern that is consistent with the capacity of roadway networks.	70
125	Regulate the number, location and type of access points by implementing access management standards.	70
126	Remove local traffic from through traffic lanes through the use of frontage and/or other parallel routes to reduce the speed differential of through traffic lanes.	70, 103-4, 114
127	Increase the connectivity between existing and proposed neighborhoods and commercial developments to allow increased dispersion of local traffic	71
128	Minimize the delay impact of traffic signals at intersections by setting the phase timing of the traffic signals to maximize capacities.	71
129	Collaborate with HEPMPO and WVDOH on long range funding for improvements to the corridor.	71
130	Reduce the number of potential conflict points, particularly at unsignalized intersections, through the use of raised medians, underpasses, controlled left turn lanes, right turn lanes, combined access points, frontage roads and/or rear access drives, and connected parking facilities.	71
131	Improve safety at signalized intersections along the 340 corridor through the coordination of signals	71
132	Improve safety at all intersections by considering alternative design options	71
133	Support the development of safe pedestrian & bike facilities through the use of medians and median islands, and bike lanes within and outside the right of way.	71
134	Build frontage (service) roads or other parallel interconnected roads adjacent to US 340, to allow for separation of through traffic and local traffic	71,103-4, 114
135	Reduce speed of traffic in urbanized areas with traffic calming practices such as green buffers with sidewalks, landscaping, green median islands, and street trees plantings.	71

REC. NO.	RECOMMENDATION	PAGE
136	Enhance enforcement of speeding and red-light running	71
137	Improve existing intersections to enhance capacity	71
138	Develop connectivity, interconnectivity and improve other existing roads to divert traffic from 340	71
139	Evaluate any needed improvements to Cattail Rd./Marlow Rd. following the opening of the new WV 9	71
140	Minimize installation of new traffic lights	71
141	Coordinate transportation improvements with US Customs & Border Patrol development	71
142	Improve directional signage	71
143	Improve access to US 340 from Bolivar (especially on weekends)	71
144	Ensure that any required improvements to US 340 and surrounding roads occur concurrent with development activity	71
145	Consider a variety of solutions to improve traffic flow, if recommended by transportation engineers, including, but not limited to, traffic circles ("roundabouts"); underpasses/overpasses (particularly at Route 27); eliminate "no turn on red" restriction at various intersections; synchronize stoplights, especially on weekends;	71
146	Improve Potomac Street to connect to Bakerton Road and work with CSX and other appropriate agencies to re-establish connection	72
147	Develop western or northern bypass around Charles Town and Ranson	72
148	Increase the availability and frequency of Public Transit Connections	72
149	Consider development of a Park and Ride/Commuter Lot	72
150	Increase rail access to Charles Town and Ranson	72
151	Provide weekend train service to and from Harpers Ferry to Washington, D.C.	72
152	Adopt zoning and access management standards compatible with the plan recommendations that regulate access points and encourage shared access through frontage roads, rear service drives, shared driveways and connected parking lots.	72
153	Coordinate access management with local land use planning.	72
154	Discourage strip commercial development along highways and direct development to commercial nodes with managed access points by inclusion in comprehensive plan and land use regulations.	72
155	Educate local units of governments, businesses and general public on importance of coordinating access management with land use planning.	72
156	Connect existing hike/bike routes, such as the C&O Canal path, the Ranson Flowing Springs Trail and the WV 9 path; and construct new hike/bike routes	72
157	Install pedestrian/bike crossings at intersections along US 340	72
158	Build sidewalks in areas with pedestrian traffic	72
159	Install speed bumps near area schools	72
160	Coordinate improvements to US 340 within the UGB to accommodate additional traffic volumes associated with new development	73
161	Provide interconnectivity within and between developments to create a more continuous street network, including connections between neighborhoods and commercial areas where appropriate	73
162	Coordinate improvements to US 340 outside the UGB to handle existing traffic and expected incremental increases in traffic volumes	73

7.0 APPENDICES

Appendix A	TECHNICAL ADVISORY COMMITTEE AND CITIZENS ADVISORY COMMITTEE
Appendix B	MAJOR SUBDIVISONS WITHIN CORRIDOR
Appendix C	LAND USE SCENARIOS
Appendix D	COUNTY COMMISSION AND PLANNING COMMISSION MEMBERS
Appendix E	MAP DISCLAIMER AND MAP SOURCES
Appendix F	DEFINITIONS

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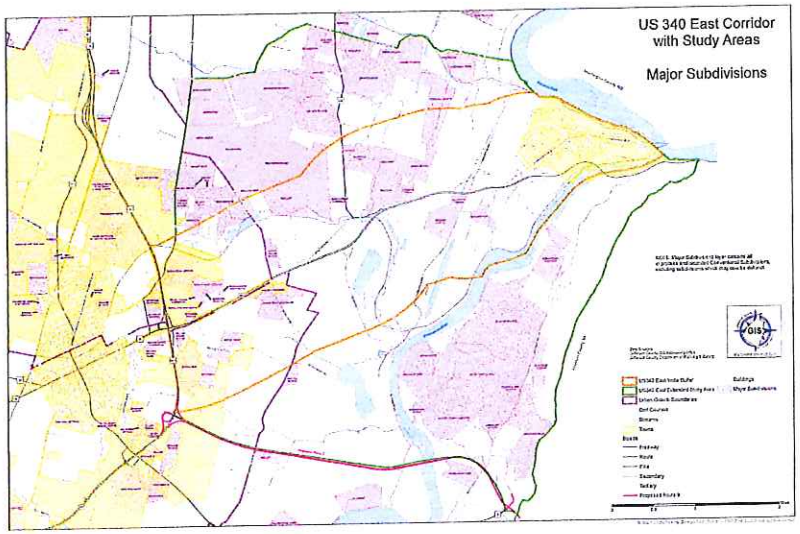
APPENDIX A: TECHNICAL ADVISORY COMMITTEE AND CITIZENS ADVISORY COMMITTEE

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Seth Rivard
Sue Lawton
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Todd Fagan
Tony & Dorothy DiGioia
Whitney Burch

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APPENDIX B: MAJOR SUBDIVISONS WITHIN CORRIDOR

The U.S. Route US 340 Corridor Study consists of both a primary and extended study area. There are major subdivisions located within each. According to the 1979 Jefferson County Subdivision Regulations, a Major Subdivision is a subdivision containing more than three lots*. The major subdivisions (Map 28) located within the primary study area will have the most impact



Map 28: Major Subdivisions, Source: Jefferson County, WV GIS/Addressing

on traffic. However, it must be acknowledged that the major subdivisions located within the extended study area will have additional impact on U.S. Route 340 traffic flow no matter how minimal. There are twenty four major subdivisions found within the U.S. Route US 340 Corridor Primary Study Area. The Extended Study Area is home to thirty five major subdivisions.

*All major subdivisions shown on the Map 28 were approved under the 1979 Subdivision Ordinance. However, the 2008 Subdivision Regulations currently defines a major subdivision as 6 lots or more.

However, not all of the subdivisions are built.

The major subdivisions found with the US 340 Corridor primary study area are:

- Jefferson Terrace Road
- Miller Station Commercial
- Spring Run Apartments
- Patrick Henry Estates
- Jefferson Estates
- Sloan Square Apartments
- Sleepy Hollow Estates
- Mark Kramer Commercial
- Yorkville
- Nansfield Hunt
- Conestoga
- Carriage Park
- Sheridan
- Carriage Park II
- Renview
- Allstadts Corner
- Buglers Rest
- Windmill Cross
- Schaeffer's Crossing
- Demory Farm
- Southerly
- Willow Brook Village

The major subdivisions found inside the US 340 Corridor extended study area are:

- Daniel's Forest
- Stonecrest
- Aspen Green
- Walnut Hills
- Walnut Dell
- Flowing Springs Estates
- Security Hills
- Cambridge*
- Breckenridge*
- Bellair West*
- Butler Farm
- Breckenridge North
- Bellair*
- Breckenridge East*
- Gap View Village
- Stafford
- Stonebrook
- Orchard Crest
- Norwood
- Meadow Brook
- Amber Knolls
- Engle Crossing
- Brentwood
- Cavasback Ridge
- Stonewall Estate*
- Shenandoah Overlook
- Blue Ridge Acres
- Blue Ridge Reserve
- Westridge Hills
- Limberlost Estates
- Harpers Ferry Campsites
- Keys Ferry Acres
- Shenanwood
- Wide River Farm
- Shenandoah Ranch

*Indicates subdivisions that may be considered to be located in both study areas.

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APPENDIX C: LAND USE SCENARIOS

Overview of the Land Use Alternatives

During the public outreach meetings held in March and June of 2011, the public presented their ideas and vision for the corridor. From the extensive public participation and information provided by the public, both at public meetings and from the MetroQuest site, 3 different and distinct land use scenarios began to emerge. Staff developed and refined the 3 scenarios between June and the September 2011 meeting based on input gathered. At the September 17, 2011 meeting the following scenarios were presented at a public meeting:

(1) Growth within the Urban Growth Boundary
(2) Planned Mixed Use
(3) Full Built Out

Each scenario has different land use implications and transportation impact on the corridor. The 3 growth scenarios will be discussed in greater detail below.

The growth scenarios were intended to represent a projected 25 year build out.

The scenarios listed below were intended to:

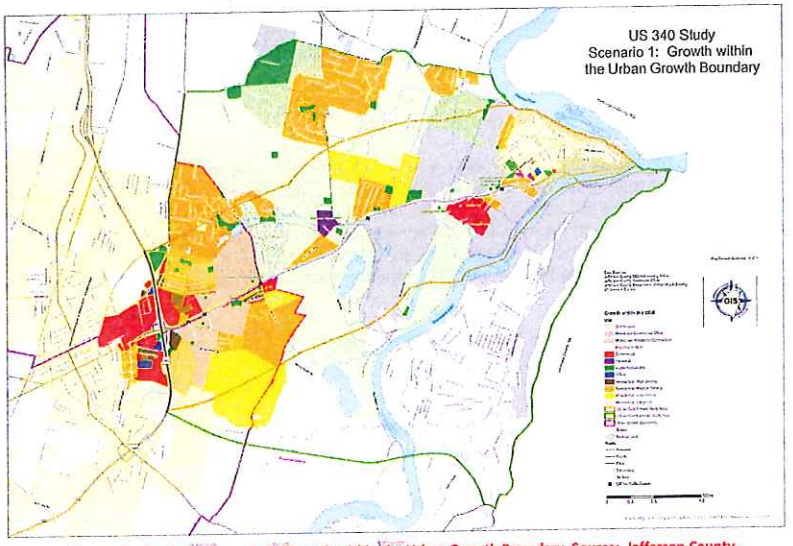
- Represent a broad range of general patterns for different locations along the US 340 Corridor
- Reflect the broad feedback received during the two previous workshops and from the MetroQuest survey
- Show a menu of choices to represent different values and policy choices
- Show general locations of possible future land use activities
- Act as the starting point in the selection of a Preferred Land Use Scenario

The scenarios are not intended to represent a plan to rezone any individual property or locate land uses on individual parcels.

Growth within the Urban Growth Boundary

This scenario proposed commercial and housing growth to be located within the urban growth boundary (Map 29) in order to retain the rural character along the corridor. The urban growth boundary for Ranson, as it applies to this study, is the north side of US 340 to Old Country Club Road, continuing north along Old Country Club Road, thereafter

north on Flowing Springs Road and turning northward onto Daniels Road. The urban growth boundary for Charles town, as it applies this study, is the south side of US 340 just east of Marlow Road, and returns to the south following various properties, then returning to Cattail Road and continuing south to the current two lane WV 9.



Map 29: Alternative Land Use Scenario 1: Growth within the Urban Growth Boundary, Source: Jefferson County, WV GIS/Addressing

The purpose of this scenario is intended to provide urban level services in the defined urban core and retain a rural feel outside the urban growth boundary. For the underdeveloped parcels within the urban growth boundary, much of the land use is shown as residential/commercial mixed use and medium density residential. It is anticipated that development, particularly in the residential/commercial mixed use area would be walkable, landscaped and architecturally attractive. A typical suburban style retail center disjointed from a mix of housing types is not envisioned.

With development retained in the area noted above, the rural, historic and scenic features of the corridor would be maintained. There would be limited pockets of low density residential outside the UGB. The gateway corridor into the county and state that is valued by travelers would be preserved and enhanced.

With growth retained in the urban areas and limited development along the remaining corridor, limited transportation improvements would be expected outside the UGB. It is anticipated that the transportation congestion along the existing corridor would not see a significant decrease outside of the urban growth boundary.

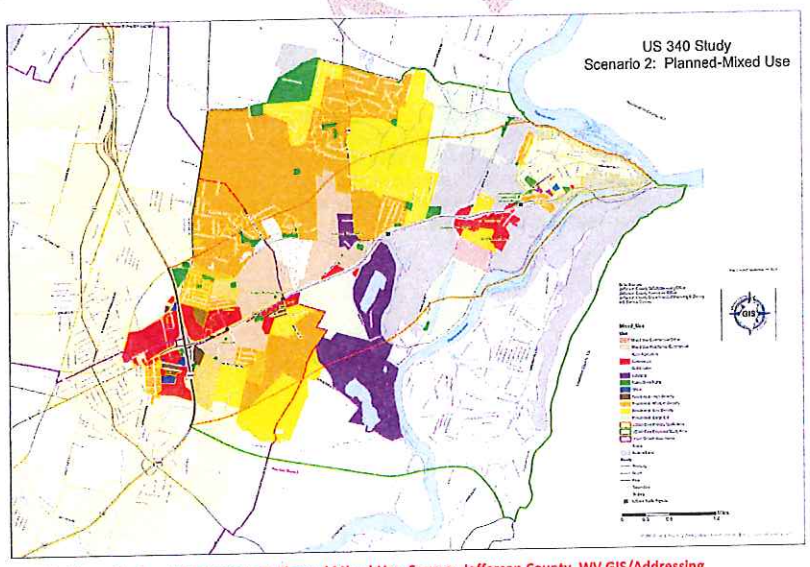
One of the significant challenges with this growth scenario is that broad sections of the corridor are currently zoned for uses greater than those permitted in the

Rural/Agricultural District and there are significant properties that have vested development rights. To be able to maintain the rural feel in this scenario, compensation would be required to those land owners with vest property rights. This could be in the form of a transfer of development rights program, purchasing the development rights – which would most likely require public funding or allowing owners' developments rights to be transferred to another property they own elsewhere in the County.

Additional improvements and amenities along the corridor, such as road improvements and bike paths would likely require public funding to complete those projects.

Planned Mixed Use

The Planned Mixed Use (Map 30) is an attempt to balance additional growth beyond the urban growth boundary, while respecting the area's rural character, environment, and history. The scenario combines commercial, housing, rural development, and employment. It is acknowledged that there may be a reduction in some of the area's rural character, environment, and history. However, some elements may be counterbalanced. For example, a historic home may require continued maintenance that can be costly, but allowing for some development around structure could allow an infusion of funding to the structure and the structure could be a feature of the development. The context of the home on an open farm would be lost and the structure could be saved.



Map 30: Alternative Land Use Scenario 2: Planned Mixed-Use, Source: Jefferson County, WV GIS/Addressing

Proposed land use along the north side of the corridor from Old Country Club Road to Shepherdstown Road is Mixed use Residential/Commercial. As the name indicates, the mixing of residential and commercial is expected. In order to allow such uses, design standards would play an important role in site development. Further to the north and extend to the east down to US 340 is shown as low and medium density residential, which is a departure from the Growth within the Urban Growth Boundary scenario where a rural land use was indicated. The residential land use designation reflects the existing land use rights and entitlements in that are currently in place.

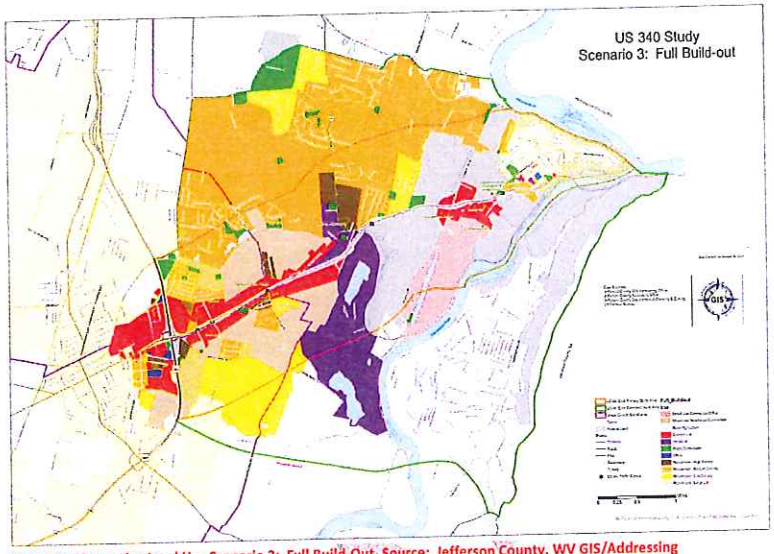
Across from the area mentioned above, a section is shown as rural and an area to the east of Blair Road is shown as industrial. Each of these designations reflects the current land use of each property. The rural designation presented would provide some rural feel to the corridor that is attempted in this scenario. The industrial/commercial would allow office uses and further extraction on the site, as has been done along Blair Road for decades.

The node at Bakerton/Millville proposes traditional highway commercial and is buffered by existing residential. The largest change to this location is showing the Old Standard Quarry with Mixed Use Commercial/Office along the northern section of the property. This would facilitate some development of the property while retaining the remaining portion as rural.

Unlike the scenario 1, this scenario would allow for some private funding of road improvements, parks, pedestrian and bike paths. Where there is development, there may be a need for transportation improvements to maintain current level of service.

Full Build Out

In the Full Build Out Scenario (Map 31), a maximization of the development potential is shown, allowing for a larger area of retail, office, manufacturing, and other types of commercial and industrial land uses. Additionally, this scenario envisions an expanded area for residential development, at higher densities. This scenario will result in high intensity use of the land within the US 340 study area. It is anticipated that there would be rezonings to higher classifications.



Map 31: Alternative Land Use Scenario 3: Full Build-Out, Source: Jefferson County, WV GIS/Addressing

Significant portions of the corridor from the Route 340/WV 9 interchange to Blair Road has traditional commercial frontage along both sides of the corridor. To the rear of the commercial is Mixed Use Residential/Commercial. Beyond the Mixed Use Residential/Commercial to the north and extend to the east down to US 340 is shown primarily as medium density residential. As in the Planned Mixed Use scenario, the property to the east of Blair Road is shown as industrial/commercial and would allow office uses and further extraction on the site, as has been done along Blair Road for decades.

The area surrounding Halltown is shown as commercial, industrial and high density housing. With the existing industrial paper plant and small industrial park located behind the plant, it is an opportunity to develop a high density node in that location. This option would allow for reinvestment of the Halltown area.

The land use options at the intersection of Bakerton/Millville Road provide for high intensity uses. The non-federally owned property at that area is shown as either commercial or Mixed Use Office/Commercial. A significant consideration of this area is that all of the Old Standard Quarry is shown as Mixed Use Office/Commercial. The proposed uses are a significant change to this location.

With respect to the natural, scenic and historic resources, in this scenario, those resources would be impacted the most. As noted in scenario 2, historic structures might be saved, but the context would be lost. Natural and scenic views would be greatly diminished and in a number of instances lost.

APPENDIX D: COUNTY COMMISSION AND PLANNING COMMISSION MEMBERS

Jefferson County Commission

Patsy Noland, President

Dale Manuel, Vice President

Walt Pellish, Commissioner

Frances Morgan, Commissioner

Lyn Widmyer, Commissioner

Jefferson County Planning Commission

Paul G. Taylor

Walt Pellish (County Commission Liaison)

Daniel Hayes

Arnold W. Dailey, Jr.

Clifford (Gene) Taylor

Ed Burns

Wm. Kelly Baty

Morgan Etters

Eric Smith

Steve Stolipher

DRAFT

APPENDIX E: MAP DISCLAIMER, MAP SOURCES AND LARGE SIZED MAPS

Most maps in this document were generated using a Geographic Information System (GIS). While every attempt is made to portray current and accurate data, no guarantees are made regarding their quality or accuracy. The data is considered fit for geographic analysis of this nature. The geographic data layers comprising these maps come from a variety of source organizations. Data and map sources include the following:

Map Sources	
Jefferson County Assessor	Appalachian Trail Conservancy (ATC)
Jefferson County GIS/Addressing	US National Park Service (NPS)
Jefferson County Planning and Zoning	Eastern Panhandle Transit Authority (EPTA)
Jefferson County Green Infrastructure Assessment	National Highway Traffic Safety Administration (NHTSA)
Jefferson County Historic Landmarks Commission (HLC)	WV Department of Transportation (WVDoT)
American Battlefield Protection Program (ABPP)	US Census Bureau (USCB)
University of Vermont (UVM)	US Customs & Border Protection (USCBP)
Cities of Charles Town and Ranson, WV	Federal Emergency Management Agency (FEMA)
Loudoun County, VA	Google Earth and Google Maps
Canal Towns Partnership	TomTom GPS
Hagerstown/Eastern Panhandle Metropolitan Planning Organization	

DRAFT

JEFFERSON COUNTY EMERGENCY SERVICES AGENCY

419 Sixteenth Avenue
Ranson, WV 25438
dpittinger@ jcesa. org
Telephone – 304-728-3287
Fax – 304-728-6221

To: Jefferson County Commission
Deborah Keyser, County Administrator

From: Douglas M. Pittinger, Director dmp

Date: October 01, 2012

Re: JCESA Quarterly Update Report

1. Projects Undertaken:
   a. Continue to work towards the implementation of the Jefferson County Fire & EMS five year plan
   b. Standardize County wide Fire & EMS operational guidelines
   c. Develop a funding formula for disbursement of County funding to the volunteer department
   d. Assist with the mutual aid agreement between Jefferson County and Loudon County, Virginia to have same reinstated.
   e. Submitted a draft proposal to the JCESA Board for approval to adopt the County salary table
   f. Acquisition of replacement advance life support chase vehicle

2. Projects Completed:
   a. Acquisition of an used ambulance for loaner purposes to the volunteer departments as needed
   b. Implementation of Ambulance/Medic 11 transport unit to subsidize the volunteer departments
   c. Updated the employee handbook showing current administrative policy and operating guidelines and disbursed to all employees and Board members
   d. Developed fire company audit procedures / requirements per County Commission request
   e. 2010 -2011 audit completed and annual financial statements submitted to the County

3. Projects Proposed / Underway:
   a. Assist Citizens Fire Company to implement new ambulance service
   b. Placing emergency services providers at Citizens Fire and Middleway Fire
   c. Hiring of business manager fulltime at JCESA
   d. Develop and fund a training program for JCESA employees
   e. Continue the development of fire company funds allocation system

4. Projects Requiring Commission Attention:
   a. Approve ordinance and implementation of a emergency services fee
   b. Acquisition of CAD system for the 911 Center so that statistical analysis data is available for JCESA to utilize for numerous projects.

Jefferson County EMS - Fire Incidents By Month-FY 2012

MONTH	FFC Co 1 EMS	Responses	%	Fire	Total Incidents	CFC Co 2 EMS	Responses	%	Fire	Total Incidents	SFD Co 3 EMS	Responses	%	Fire	Total Incidents	IFC Co4 EMS	Responses	%	Fire	Total Incidents
JUL	58	56	96.5%	23	81	n/a			53	53	75	73	97.3%	24	99	219	188	85.8%	54	273
AUG	55	52	94.5%	22	77	n/a			44	44	83	83	100.0%	30	113	234	215	91.8%	42	276
SEPT																				
OCT																				
NOV																				
DEC																				
JAN																				
FEB																				
MAR																				
APR																				
MAY																				
JUN																				
Total	113			45	158	n/a			97	97	158			54	212	453			96	549
% OF TOTAL	10%			12%	11%	n/a			24%	24%	15%			16%	16%	44%			23%	38%
Ave/calls/Mth																				

MONTH	BRMVF Co 5 EMS	Responses	%	Fire	Total Incidents	MFC Co 6 EMS	Responses	%	Fire	Total Incidents	BFC Co 7 Fire	AMB 11 EMS	% of All EMS
JUL	68	59	86.7%	23	91	29	29	100.0%	10	39	7	56	11%
AUG	61	54	88.5%	15	76	37	33	89.1%	7	44	6	66	12%
SEPT													
OCT													
NOV													
DEC													
JAN													
FEB													
MAR													
APR													
MAY													
JUN													
Total	129			38	167	66			17	83	13	122	12%
	11%			8	11								
% OF TOTAL						7%			4%	6%	3%		
Ave/calls/Mth													

Summary - EMS & Fire

	Total EMS	Responses	%	Incidents Fire	Total Dispatches
JUL	505	460	91.0%	192	697
AUG	536	503	93.8%	183	719
SEPT					
OCT					
NOV					
DEC					
JAN					
FEB					
MAR					
APR					
MAY					
JUN					

	EMS	Fire	Total
Ave/Mth	520	187	707
Ave/ Day	17.3	6.2	23.5

Notes:

All volume and response data is provided by the 911 Center

% of Total is broken into EMS and Fire dispatches

EMS Response Goal is >95%

Summary - Fire calls include rescue & is the actual # of Incidents

NOTICE
JEFFERSON COUNTY COMMISSION
MEETING SCHEDULE CHANGE

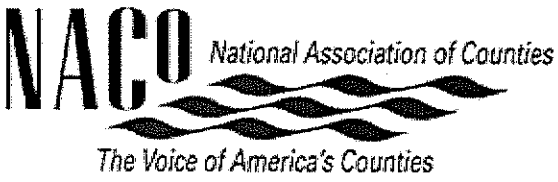
A decision was made at the regular County Commission meeting on Thursday, September 27th, 2012 that effective December 1st, 2012, the Jefferson County Commission will begin a new regular Commission meeting schedule. The Commission will hold its regular meeting at 9:30 a.m. on the first and third Thursday of every month.



JEFFERSON COUNTY COMMISSION OFFICES

CLOSED

MONDAY, OCTOBER 8, 2012 TO OBSERVE COLUMBUS DAY



NACo Prescription Drug Discount Card Program

Jefferson County, WV

MONTH	TOTAL	PLAN PRICED	% OF PLAN PRICED	RETAIL PRICED	% OF RETAIL PRICED	MEMBER COST	AVG MEMBER COST	RETAIL SUBMITTED PRICE	AVG RETAIL SUBMITTED PRICE	PRICE SAVINGS	AVG PRICE SAVINGS	% OF PRICE SAVINGS	TOTAL UTIL-IZERS
2012													
AUGUST	109	51	46.79%	58	53.21%	$ 2,455.64	$ 22.53	$ 3,558.47	$ 32.65	$ 1,102.83	$ 10.12	30.99%	47
JULY	84	44	52.38%	40	47.62%	$ 2,059.00	$ 24.51	$ 3,068.45	$ 36.53	$ 1,009.45	$ 12.02	32.90%	42
JUNE	110	46	41.82%	64	58.18%	$ 2,587.97	$ 23.53	$ 3,565.61	$ 32.41	$ 977.64	$ 8.89	27.42%	51
MAY	129	54	41.86%	75	58.14%	$ 3,151.15	$ 24.43	$ 4,051.01	$ 31.40	$ 899.86	$ 6.98	22.21%	57
APRIL	104	50	48.08%	54	51.92%	$ 3,438.35	$ 33.06	$ 4,546.24	$ 43.71	$ 1,107.89	$ 10.65	24.37%	55
MARCH	127	58	45.67%	69	54.33%	$ 3,122.14	$ 24.58	$ 4,380.50	$ 34.49	$ 1,258.36	$ 9.91	28.73%	63
FEBRUARY	110	56	50.91%	54	49.09%	$ 2,751.00	$ 25.01	$ 4,122.89	$ 37.48	$ 1,371.89	$ 12.47	33.27%	55
JANUARY	131	76	58.02%	55	41.98%	$ 3,525.57	$ 26.91	$ 5,024.28	$ 38.35	$ 1,498.71	$ 11.44	29.83%	66
2011													
DECEMBER	155	93	60.00%	62	40.00%	$ 5,765.57	$ 37.20	$ 7,748.02	$ 49.99	$ 1,982.45	$ 12.79	25.59%	79
NOVEMBER	146	79	54.11%	67	45.89%	$ 3,472.51	$ 23.78	$ 5,083.38	$ 34.82	$ 1,610.87	$ 11.03	31.69%	74
OCTOBER	145	86	59.31%	59	40.69%	$ 3,975.57	$ 27.42	$ 5,839.54	$ 40.27	$ 1,863.97	$ 12.86	31.92%	72
SEPTEMBER	172	106	61.63%	66	38.37%	$ 4,434.21	$ 25.78	$ 6,744.87	$ 39.21	$ 2,310.66	$ 13.43	34.26%	71
AUGUST	169	104	61.54%	65	38.46%	$ 4,080.91	$ 24.15	$ 6,287.94	$ 37.21	$ 2,207.03	$ 13.06	35.10%	72
JULY	150	97	64.67%	53	35.33%	$ 4,893.78	$ 32.63	$ 6,898.57	$ 45.99	$ 2,004.79	$ 13.37	29.06%	76
JUNE	154	96	62.34%	58	37.66%	$ 4,571.00	$ 29.68	$ 6,763.62	$ 43.92	$ 2,192.62	$ 14.24	32.42%	78
MAY	167	99	59.28%	68	40.72%	$ 5,157.29	$ 30.88	$ 7,332.44	$ 43.91	$ 2,175.15	$ 13.02	29.66%	87
APRIL	162	94	58.02%	68	41.98%	$ 5,051.23	$ 31.18	$ 7,145.17	$ 44.11	$ 2,093.94	$ 12.93	29.31%	79
MARCH	201	109	54.23%	92	45.77%	$ 5,624.14	$ 27.98	$ 7,845.15	$ 39.03	$ 2,221.01	$ 11.05	28.31%	95
FEBRUARY	150	83	55.33%	67	44.67%	$ 4,236.29	$ 28.24	$ 6,083.92	$ 40.56	$ 1,847.63	$ 12.32	30.37%	78
JANUARY	186	109	58.60%	77	41.40%	$ 5,607.92	$ 30.15	$ 7,872.18	$ 42.32	$ 2,264.26	$ 12.17	28.76%	93
2010													
DECEMBER	191	111	58.12%	80	41.88%	$ 5,995.10	$ 31.39	$ 8,231.73	$ 43.10	$ 2,236.63	$ 11.71	27.17%	96
NOVEMBER	240	141	58.75%	99	41.25%	$	$ 28.06	$ 9,599.10	$ 40.00	$	$ 11.93	29.84%	113

						6,735.08				2,864.02			
OCTOBER	242	137	56.61%	105	43.39%	$ 6,570.09	$ 27.15	$ 9,167.52	$ 37.88	$ 2,597.43	$ 10.73	28.33%	118
SEPTEMBER	194	113	58.25%	81	41.75%	$ 5,602.61	$ 28.88	$ 7,935.87	$ 40.91	$ 2,333.26	$ 12.03	29.40%	96
AUGUST	236	152	64.41%	84	35.59%	$ 10,491.08	$ 44.45	$ 14,042.33	$ 59.50	$ 3,551.25	$ 15.05	25.29%	104
JULY	232	143	61.64%	89	38.36%	$ 7,825.67	$ 33.73	$ 10,752.94	$ 46.35	$ 2,927.27	$ 12.62	27.22%	111
JUNE	224	143	63.84%	81	36.16%	$ 6,120.75	$ 27.32	$ 8,712.68	$ 38.90	$ 2,591.93	$ 11.57	29.75%	111
MAY	226	146	64.60%	80	35.40%	$ 6,630.75	$ 29.34	$ 9,525.34	$ 42.15	$ 2,894.59	$ 12.81	30.39%	106
APRIL	252	150	59.52%	102	40.48%	$ 7,705.22	$ 30.58	$ 11,178.59	$ 44.36	$ 3,473.37	$ 13.78	31.07%	113
MARCH	242	149	61.57%	93	38.43%	$ 6,802.19	$ 28.11	$ 10,079.39	$ 41.65	$ 3,277.20	$ 13.54	32.51%	112
FEBRUARY	206	139	67.48%	67	32.52%	$ 6,839.07	$ 33.20	$ 9,871.06	$ 47.92	$ 3,031.99	$ 14.72	30.72%	105
JANUARY	267	169	63.30%	98	36.70%	$ 7,459.20	$ 27.94	$ 10,596.25	$ 39.69	$ 3,137.05	$ 11.75	29.61%	127
2009													
DECEMBER	217	135	62.21%	82	37.79%	$ 6,578.01	$ 30.31	$ 9,311.32	$ 42.91	$ 2,733.31	$ 12.60	29.35%	101
NOVEMBER	226	137	60.62%	89	39.38%	$ 6,269.59	$ 27.74	$ 8,967.87	$ 39.68	$ 2,698.28	$ 11.94	30.09%	99
OCTOBER	218	140	64.22%	78	35.78%	$ 6,468.85	$ 29.67	$ 9,020.85	$ 41.38	$ 2,552.00	$ 11.71	28.29%	96
SEPTEMBER	190	120	63.16%	70	36.84%	$ 5,236.97	$ 27.56	$ 7,677.45	$ 40.41	$ 2,440.48	$ 12.84	31.79%	82
AUGUST	202	138	68.32%	64	31.68%	$ 6,462.86	$ 31.99	$ 9,392.68	$ 46.50	$ 2,929.82	$ 14.50	31.19%	90
JULY	177	109	61.58%	68	38.42%	$ 6,082.48	$ 34.36	$ 8,021.11	$ 45.32	$ 1,938.63	$ 10.95	24.17%	72
JUNE	165	115	69.70%	50	30.30%	$ 5,829.95	$ 35.33	$ 8,038.29	$ 48.72	$ 2,208.34	$ 13.38	27.47%	69
MAY	132	89	67.42%	43	32.58%	$ 4,715.15	$ 35.72	$ 6,234.28	$ 47.23	$ 1,519.13	$ 11.51	24.37%	59
APRIL	108	70	64.81%	38	35.19%	$ 5,222.65	$ 48.36	$ 6,718.16	$ 62.21	$ 1,495.51	$ 13.85	22.26%	52
MARCH	69	48	69.57%	21	30.43%	$ 2,677.59	$ 38.81	$ 3,480.86	$ 50.45	$ 803.27	$ 11.64	23.08%	34
FEBRUARY	11	7	63.64%	4	36.36%	$ 402.25	$ 36.57	$ 521.64	$ 47.42	$ 119.39	$ 10.85	22.89%	5
TOTALS:	7,328	4,391	59.92%	2,937	40.08%			$ 311,039.56	$ 42.45	$ 90,355.16	$ 12.33	29.05%	3,461.00

Column Headers from left to right:

1. Total Rxs: This is the total number of Rxs that were adjudicated or attempted to adjudicate through the use of the card (the explanation of the next couple of headers will help explain the necessity of this column).
2. Plan Priced Rxs: Caremark tracks all attempts to use the cards including when the pharmacy offers a lower price than the card can give. This is usually when the pharmacy sells a drug at cost or below cost to create foot traffic for the pharmacy or under a special purchase arrangement. This is the amount of Rxs that the card gave the best price vs. the pharmacy.
3. % Plan Priced Rxs: What percentage of the total attempted Rxs adjudicated via best price with the card.
4. Retail Priced Rxs: How many prescriptions where the pharmacy had a lower price.
5. % Retail Priced Rxs: Percentage of Rxs where the pharmacy had a lower price.
6. Total Drug Cost: All prescriptions totaled together at their card discount prices.
7. Average Drug Cost: Average Drug Cost per Rx at the card discounted price.
8. Retail Submitted Price: What the price would have been if the prescriptions weren't filled with the card.
9. Average Retail Submitted Price: Average Per Prescription price if the card wasn't presented at a discount.

10. Price Savings: Total dollar savings for all Rxs filled with the card.
11. Average Price Savings: Average price savings per prescription.
12. % Price Savings: Percentage price savings per prescription.
13. Total Utilizers: This is the total amount of people who represent the total amount of prescriptions *i.e.* some people fill multiple prescriptions. This gives you an indication of how many residents you are helping.

As always, if you have questions, don't hesitate to contact me. Thank you for being a member county, borough or parish and participating in this member program.

Andrew Goldschmidt
Director, Membership/Marketing
NACo--National Association of Counties

Participation and Membership Benefits Report

Jefferson County, WV

NACo Member County

Jefferson County
124 E Washington St
County Courthouse
Charles Town, WV 25414-1072
Phone: (304)728-3284 **Fax:** (304)725-7916
Website: http://www.jeffersoncountywv.org

County Seat: Charles Town
Year Organized: 1801
Size of Board: 5
Population: 53,498
Square Miles: 210
NACo Dues: $ 839.00

Detailed summary of services and dollars your county has received as a direct benefit from being a member of NACo.

NACo Program Participation

NACo Prescription Discount Card Program

Total Saved by Residents
$ 89,252.33

U.S. Communities Participant · Annual Savings

2009	2010	2011	2012 *(Qtr 1&2)*
$4	$0	$99	$24,769

Deferred Compensation Program Participant

Federal Funds Lobbied for by NACo

At the federal level, NACo works to increase, maintain, or create funding for programs that benefit county governments and their residents. It is important to note that the programs listed here represent the types of programs on which NACo lobbies. This is not the complete list of all the federal funds counties receive, but a sample of specific federal programs through which counties receive funding as a result of NACo's lobbying efforts.

Year	PILT	SCAAP	CDBG	HOME	SRS
2012	$6,364	TBD	$0	$0	TBD
2011	$7,309	$0	$0	$0	$0
2010	$8,123	$0	$0	$0	$0
2009	$7,553	$3,369	$0	$0	$0

Economic Recovery Funds

Year	EECBG	NSP1	Byrne JAG
2009	$207,900	$0	$65,327

NACo Educational & Professional Development

Conference / Event	Attendees
2012 NACo Legislative Conference	2
2012 Annual Conference and Exposition	1
2011 County Leadership Institute	1

Year	Webinar	Attendees
2009	Energy Efficiency And Conservation Block Grant	1

Publications and Subscriptions

County News Subscriptions: 9

IMPACT

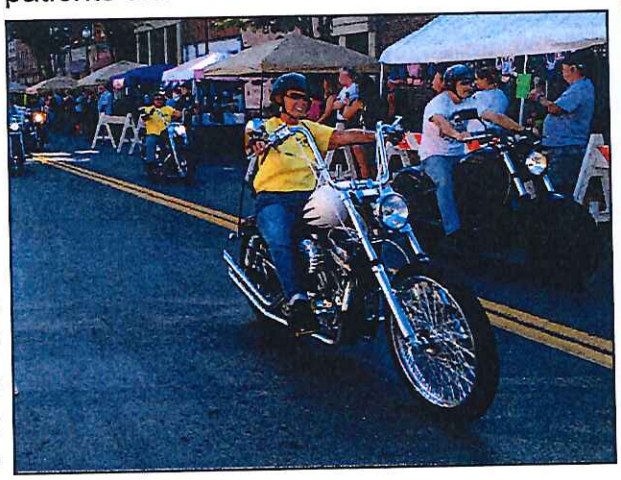
HOSPICE OF THE PANHANDLE, INC.

A bi-annual update for those who make a difference in the lives of Hospice patients and their families

Issue 2: Fall 2012

Acting with Others: Donors come together to put on fundraisers for Hospice

Donors and volunteers have teamed up in force this summer to raise money for Hospice. Many involved wore two hats as donors and volunteers. Thanks to all of those who worked hard to make this a great summer for Hospice patients and staff!



The WV Blue Knights Chapter V and Main Street Martinsburg teamed up again with local businesses such as Jefferson Distributing and Martins Distributing to put on the 10th annual Bike Night in August. The event drew hundreds of motorcycles and thousands of people downtown for a night of live music and festivities.

Thanks to Board Member David Asam and his family for hosting the All American Barbecue at the Bavarian Inn on July 6.

Donors like Sally & Bladen Lowndes donned their volunteer hat at the Hampshire County Community Auction to raise $9,000 for Hospice patients! Thanks to all who organized, bid and bought food and raffle tickets.

The Hampshire County Sunflower Festival is a favorite each summer. Artist Kathy Schmidt painted a wooden sunflower which was auction off to benefit Hospice.



Jim & Bertha McCoy (left) served up a good time at the annual Gaylen June B. Shaw Memorial Fundraiser held at the Troubadour Lounge and Music Park. Good food, live music and an auction provided a fun Sunday afternoon. Thanks to Jim & Bertha for their continued hospitality.

These are all great examples of donors coming together with others who are passionate about hospice care in the Eastern Panhandle. Thank you!

Thank you, Patsy and Commissioners, for providing hospice care for your family, friends and neigbors.

Thank you to all of our donors including:

Erwin & Carol Asam
Shepherdstown, WV

Thank you for being amazing friends of Hospice of the Panhandle!

Donald & Edith Johnson
Berkeley Springs, WV

Thank you for generously supporting Hospice for 8 years!

Mayor Mary Sue Catlett and the Town of Hedgesville
Hedgesville, WV

Thank you for investing in the future of hospice care in the Eastern Panhandle!

Why Impact?

It took quite awhile to come up with an appropriate name for this publication. We wanted something that conveyed how important the person receiving this piece is to Hospice of the Panhandle. We wanted a title that would convey the significance of the relationship between our donors and our patients. After all, this is not about Hospice as an organization. It's about you who supports us and our patients who need you, but defining that link in one or two words is hard.

When thinking about this link, the same word kept rising to the top--impact. We wanted to show you the *impact* you have on our patients, but it dawned on us that this really isn't the link between you and our patients. The impact you have is a result of the real connection.

The real force joining you and our patients is part of the word impact--*ACT*. You chose to *act* in a way that would help them. And it's likely that you have acted over and over and over again. Without this action, there would be no impact. Without you, our patients wouldn't receive the care that they do everyday. Thank you for choosing to act in a way that makes an impact on hospice patients. We hope that you feel connected to hospice patients through your actions and know what a difference you make.

IMPACT

Practices of Savvy Donors

Be Proactive In Your Giving*

Smart givers don't give reactively. They don't respond to the first organization that appeals for help. They take the time to identify which causes are most important to them and are specific about the change they want to affect. For example, they don't just support generic cancer charities, but instead have targeted goals for their giving, such as providing mammograms to at-risk women in their community.

Thank you for choosing to give to Hospice of the Panhandle

DONOR CORNER

Inside the Dream: Progress on the Inpatient Hospice House and Main Office

We have a road! Well, part of a road. Construction on the new campus began in earnest in August and is rolling along. The road is being paved and foundation is being dug. By the next publication date of Impact, construction of the actual buildings should be well under way. To help "Build the Dream" with a campaign donation or to join a tour of the new campus, please contact Maria Lorensen, Development Director, at (304) 267-1870, ext. 205, or mlorensen@hospiceotp.org.



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Public Service Commission
Of West Virginia

201 Brooks Street, P. O. Box 812
Charleston, West Virginia 25323

Phone: (304) 340-0300
FAX: (304) 340-0325

September 18, 2012

Jefferson County Commission
110 East Washington Street
Charles Town, WV 25414

SUBJECT: Disbursement of Wireless E-911 Subscriber Fees

Dear County Commissioner:

As you are aware, the E-911 Subscriber Fees are divided between the counties using the following formulas:

1. Each county receives eight and one-half tenths of one percent (0.85%) of the total of all E-911 revenues collected;
2. The remainder of the monies is allocated based on the county populations as reported by the US Census Bureau's most recent Decennial Census.

Effective July 1, 2012, allocation of the portion of the fees distributed according to county populations has changed to reflect the impact of the 2010 Decennial Census, per West Virginia Code (§24-6-6 "the Public Service Commission shall recalculate the county distribution percentages on a yearly basis, with the changes effective on the first day of July, and using data as of the preceding first day of March"). County level census data was not made available by the Census Bureau until late March 2011 therefore, the change in the distribution basis as a result of the 2010 Decennial Census becomes effective on July 1st of this year.

A check in the amount of $193,937.39 representing a disbursement of E-911 subscriber fees will be mailed directly to you from the West Virginia State Auditor's Office. This amount is your county's share of the fees remitted to the Public Service Commission for the months of June, July, and August 2012. The next disbursement for your county will be in three months.

I can be reached at our toll-free number, 1-800-344-5113, extension 364, or direct at 304-340-0364, should you have any questions about the disbursement calculation or about the fees in general.

RECEIVED
SEP 20 2012
Jefferson County Commission

Sincerely,

Herb Brooks
Budget & Finance Manager

HB:kp

WEST VIRGINIA LOTTERY
WEEKLY SETTLEMENT FOR CHARLES TOWN

	Week Ending
Week Ending Date	September 22, 2012
To be Deposited on:	September 28, 2012
Amount Played	65,265,778.56
Amount Won	59,111,040.68
Amount Promo	212,468.00
MWAP Contribution	5,093.24
Adjusted Gross Terminal Revenue	5,937,176.64
Administrative Costs @ 4%	237,487.07
Excess Lottery Fund @ 4%	0.00
Net Terminal Revenue	5,699,689.57
Surcharge @ 10%	0.00
State Share Excess @ 58%	0.00
Track Share of Capital Reinvestment @ 42%	0.00
Track Share of Capital Reinvestment @ 42% - 96%	*0.00*
Track Share of Capital Reinvestment @ 42% - 4%	*0.00*
Adjusted Net Terminal Revenue	5,699,689.57
Racetrack @ 46.50% / 42%	2,650,355.65
Lottery Fund @ 30% / 0%	1,709,906.84
Excess Lottery Fund @ 0% / 41%	0.00
Race Track Purses @ 7% / 14% / 8%	398,978.27
Workers' Compensation Debt Reduction @ 7% / 0%	398,978.27
Employee Pension Fund @ 1% / .5%	56,996.90
Greyhound Development @ .75%	42,747.67
Thoroughbred Development @ .75%	42,747.67
Racing Commission @ 1%	56,996.90
County/Municipality @ 2%	113,993.80
3% Funds:	
Tourism Promotion Fund @ 1.375%	78,370.73
Development Office Promotion Fund @ .375%	21,373.84
Research Challenge Fund @ .5%	28,498.45
Capitol Renovation and Improvement Fund @ .6875%	39,185.37
2004 Capitol Complex Parking Garage Fund @ .0625%	3,562.31
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	28,498.45
Capitol Dome and Capitol Improvements @ .5% / 1%	28,498.45
	5,699,689.57

WEST VIRGINIA LOTTERY
First Benchmark
Charles Town
County / City Split
Fiscal Year 2013

Charles Town
1999 Net Terminal Revenue $ 45,603,174
Benchmark Goal @ 2% $ 912,063.48

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 8.19%	CHARLES TOWN 41.20%	HARPERS FERRY 2.24%	RANSON 34.78%	SHEPHERDS TOWN 13.59%
Week Ending:								
07/07/12	$ 161,637.92	$ 161,637.92	$ -	$ -	$ -	$ -	$ -	$ -
07/14/12	$ 129,458.04	$ 129,458.04	$ -	$ -	$ -	$ -	$ -	$ -
07/21/12	$ 130,037.00	$ 130,037.00	$ -	$ -	$ -	$ -	$ -	$ -
07/28/12	$ 137,164.44	$ 137,164.44	$ -	$ -	$ -	$ -	$ -	$ -
08/04/12	$ 132,931.16	$ 132,931.16	$ -	$ -	$ -	$ -	$ -	$ -
08/11/12	$ 134,212.88	$ 134,212.88	$ -	$ -	$ -	$ -	$ -	$ -
08/18/12	$ 133,861.76	$ 110,241.90	$ 23,619.86	$ 1,934.47	$ 9,731.38	$ 529.08	$ 8,214.99	$ 3,209.94
08/25/12	$ 132,419.80	$ 66,209.90	$ 66,209.90	$ 5,422.59	$ 27,278.48	$ 1,483.10	$ 23,027.80	$ 8,997.93
09/01/12	$ 134,266.84	$ 67,133.42	$ 67,133.42	$ 5,498.23	$ 27,658.97	$ 1,503.79	$ 23,349.00	$ 9,123.43
09/08/12	$ 148,058.80	$ 74,029.40	$ 74,029.40	$ 6,063.01	$ 30,500.11	$ 1,658.26	$ 25,747.42	$ 10,060.60
09/15/12	$ 123,676.08	$ 61,838.04	$ 61,838.04	$ 5,064.54	$ 25,477.27	$ 1,385.17	$ 21,507.27	$ 8,403.79
09/22/12	$ 113,993.80	$ 56,996.90	$ 56,996.90	$ 4,668.05	$ 23,482.72	$ 1,276.73	$ 19,823.52	$ 7,745.88
Subtotal	$ 1,611,718.52	$ 1,261,891.00	$ 349,827.52	$ 28,650.89	$ 144,128.93	$ 7,836.13	$ 121,670.00	$ 47,541.57

Benchmark Goal @ 2% $ 912,063.48

Remainder until 1% / 1% Split $ -

VIDEO LOTTERY REPORT

FY 2009		FY 2010		FY 2011		FY 2012		FY 2013	
Date	**Amount**	**Date**	**Amount**	**Date**	**Amount**	**Date**	**Amount**	**Date**	**Amount**
7/5/2008 *	169,912.56	7/4/2009 *	128,262.42	07/03/2010	115,402.58	7/1-2/2011	69,824.12	07/07/2012	161,637.92
07/12/2008	176,592.38	07/11/2009	168,815.08	07/10/2010	205,731.64	07/09/2011	171,717.28	07/14/2012	129,458.04
07/19/2008	160,344.08	07/18/2009	160,652.98	07/17/2010	161,386.76	07/16/2011	143,019.52	07/21/2012	130,037.00
07/26/2008	162,982.74	07/25/2009	158,869.08	07/24/2010	160,368.28	07/23/2011	146,508.00	07/28/2012	137,164.44
08/02/2008	178,171.04	08/01/2009	174,493.08	07/31/2010	157,802.08	07/30/2011	144,510.28	08/04/2012	132,931.16
08/09/2008	123,538.04	08/08/2009	138,408.80	08/07/2010	136,494.98	08/06/2011	151,495.28	08/11/2012	134,212.88
08/16/2008	82,482.89	08/15/2009	81,222.14	08/14/2010	78,376.68	08/13/2011	117,350.38	08/18/2012	110,241.90
08/23/2008	76,426.18	08/22/2009	76,260.31	08/21/2010	76,199.02	08/20/2011	71,614.12	08/25/2012	66,209.90
08/30/2008	89,459.86	08/29/2009	80,472.92	08/28/2010	72,460.03	08/27/2011	63,432.14	09/01/2012	67,133.42
09/06/2008	91,644.46	09/05/2009	80,798.15	09/04/2010	76,362.84	09/03/2011	80,837.76	09/08/2012	74,029.40
09/13/2008	79,729.93	09/12/2009	86,286.92	09/11/2010	82,969.36	09/10/2011	84,845.80	09/15/2012	61,838.04
09/20/2008	71,269.36	09/19/2009	70,010.15	09/18/2010	67,638.78	09/17/2011	66,748.62	09/22/2012	56,996.90
09/27/2008	79,735.73	09/26/2009	69,316.87	09/25/2010	70,435.06	09/24/2011	68,929.80		
10/04/2008	75,186.22	10/03/2009	72,286.04	10/02/2010	71,013.86	10/01/2011	68,871.64		
10/11/2008	77,139.04	10/10/2009	69,650.63	10/09/2010	69,311.50	10/08/2011	70,866.90		
10/18/2008	80,668.26	10/17/2009	73,560.21	10/16/2010	75,234.62	10/15/2011	75,262.66		
10/25/2008	64,379.44	10/24/2009	67,581.66	10/23/2010	70,290.80	10/22/2011	68,757.72		
11/01/2008	68,352.42	10/31/2009	64,528.30	10/30/2010	65,615.04	10/29/2011	60,507.98		
11/08/2008	70,823.02	11/07/2009	63,741.59	11/06/2010	61,337.62	11/05/2011	70,673.88		
11/15/2008	65,565.50	11/14/2009	65,959.64	11/13/2010	64,595.28	11/12/2011	67,627.10		
11/22/2008	63,883.80	11/21/2009	59,547.05	11/20/2010	56,010.08	11/19/2011	60,690.60		
11/29/2008	69,850.12	11/28/2009	72,399.98	11/27/2010	71,170.90	11/26/2011	74,140.54		
12/06/2008	55,696.68	12/05/2009	51,006.51	12/04/2010	53,215.08	12/03/2011	59,429.94		
12/13/2008	60,178.04	12/12/2009	52,460.58	12/11/2010	46,944.00	12/10/2011	51,395.44		
12/20/2008	52,189.19	12/19/2009	32,834.39	12/18/2010	42,076.76	12/17/2011	55,981.32		
12/27/2008	72,205.91	12/26/2009	53,406.34	12/25/2010	50,450.28	12/24/2011	54,248.62		
01/03/2009	96,504.65	01/02/2010	92,980.40	01/01/2011	85,152.12	12/31/2011	94,661.00		
01/10/2009	53,286.62	01/09/2010	55,020.46	01/08/2011	54,301.30	01/07/2012	74,863.40		

01/17/2009	56,068.87	01/16/2010	60,551.28	01/15/2011	54,005.90	01/14/2012	58,901.92
01/24/2009	71,474.63	01/23/2010	69,943.53	01/22/2011	60,924.74	01/21/2012	61,819.92
01/31/2009	61,089.80	01/30/2010	48,527.75	01/29/2011	48,036.94	01/28/2012	62,898.78
02/07/2009	83,539.63	02/06/2010	37,155.14	02/05/2011	60,777.44	02/04/2012	72,154.66
02/14/2009	76,054.44	02/13/2010	44,334.00	02/12/2011	67,471.84	02/11/2012	66,429.04
02/21/2009	91,838.41	02/20/2010	76,946.12	02/19/2011	72,018.54	02/18/2012	77,455.88
02/28/2009	80,806.88	02/27/2010	72,024.40	02/26/2011	75,544.02	02/25/2012	77,611.78
03/07/2009	48,837.13	03/06/2010	76,936.85	03/05/2011	74,535.34	03/03/2012	75,963.86
03/14/2009	96,025.39	03/13/2010	71,007.37	03/12/2011	66,979.48	03/10/2012	76,808.62
03/21/2009	79,002.82	03/20/2010	74,335.38	03/19/2011	73,113.26	03/17/2012	76,883.92
03/28/2009	79,250.83	03/27/2010	69,941.88	03/26/2011	68,490.80	03/24/2012	72,108.36
04/04/2009	75,968.30	04/03/2010	70,636.28	04/02/2011	70,846.58	03/31/2012	74,244.22
04/11/2009	75,964.94	04/10/2010	69,692.79	04/09/2011	67,076.78	04/07/2012	75,382.98
04/18/2009	80,598.22	04/17/2010	69,335.92	04/16/2011	64,698.56	04/14/2012	71,065.34
04/25/2009	75,571.46	04/24/2010	68,714.11	04/23/2011	67,674.14	04/21/2012	68,055.08
05/02/2009	73,957.05	05/01/2010	68,799.06	04/30/2011	66,807.50	04/28/2012	72,880.66
05/09/2009	76,697.22	05/08/2010	67,403.54	05/07/2011	66,379.74	05/05/2012	71,582.30
05/16/2009	71,925.70	05/15/2010	70,186.32	05/14/2011	66,699.76	05/12/2012	63,357.92
05/23/2009	81,395.43	05/22/2010	64,695.71	05/21/2011	63,210.44	05/19/2012	78,984.36
05/30/2009	82,161.55	05/29/2010	67,157.40	05/28/2011	64,724.06	05/26/2012	67,396.24
06/06/2009	74,895.74	06/05/2010	77,371.80	06/04/2011	74,952.34	06/02/2012	76,959.44
06/13/2009	67,327.23	06/12/2010	66,106.29	06/11/2011	62,203.12	06/09/2012	63,584.86
06/20/2009	75,500.53	06/19/2010	64,888.48	06/18/2011	61,200.76	06/16/2012	59,436.12
06/27/2009	67,354.10	06/26/2010	63,950.29	06/25/2011	65,470.44	06/23/2012	55,921.30
6/30/2009 ***	32,059.58	06/30/2010	29,667.19	06/30/2011	34,351.16	06/30/2012	58,207.40
TOTALS	**4403564.04**		**4041141.56**		**4016541.01**		**4124906.8**

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Table Game Revenue

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
Total 2010-2011	1297391.7

Date	Amount
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
December, 2011	140,509.93
January, 2012	137,812.68
February, 2012	142,770.01
March, 2012	151,845.46
April, 2012	127,862.26
May, 2012	137,905.13
June, 2012	129,235.38
Total 2011-2012	1602900.84

Date	Amount
July, 2012	138,663.64
August, 2012	133,245.83
Total 2011-2012	271909.47

Table Game Revenue Distribution - Jefferson County School Board

Date	Amount
July, 2011	425,154.03
August, 2011	412,421.76
September, 2011	331,125.75
October, 2011	372,821.82
November, 2011	363,356.61
December, 2011	421,529.79
January, 2012	413,438.04
February, 2012	428,310.03
March, 2012	455,536.38
April, 2012	383,586.78
May, 2012	413,715.39
June, 2012	387,706.12
Total 2011-2012	4,808,702.50

Date	Amount
July, 2012	415,990.92
August, 2012	399,737.49
Total 2011-2012	815,728.41

JEFFERSON COUNTY
HISTORIC LANDMARKS COMMISSION

September 27, 2012

Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Jefferson County Commission:

The by-laws of the Jefferson County Historic Landmarks Commission require that the Jefferson County Commission and West Virginia State Historic Preservation Office be informed when the Landmarks Commission designates properties as historic landmarks. At our last meeting on September 19th, the Landmarks Commission designated three historic sites to the list of Jefferson County Historic Landmarks. All three of these historic sites are located on the recently purchased Cement Mill property along River Road. The sites, and criteria for which they were nominated, are as follows:

Potomac Mills/Boteler's Cement Mill	(criteria A)
Philadelphia Waggon Raod Potomac Crossing	(criteria A)
Battle of Shepherdstown at the Cement Mill	(criteria A)

Enclosed are Landmarks Commission reports on these properties, which include photographs and maps. These are provided for your review, though no action is required by the County Commission. A duplicate set of reports has been sent to the State Historic Preservation Office in Charleston.

If you have any questions regarding these reports, please do not hesitate to contact me at (304) 876-3883.

Respectfully,

Martin Burke
Chairman

Landmark Nomination Report
Jefferson County Historic Landmarks Commission

Battle of Shepherdstown at Boteler's Cement Mill

Physical Description:

The site of the Battle of Shepherdstown at Boteler's Cement Mill is located in eastern Jefferson County, West Virginia, a half mile below Shepherdstown. The property, owned by the Jefferson County Historic Landmarks Commission, is bisected by River Road and adjoins the Potomac River.

Historic Description:

Virginia's secession from the Union drew the line of division along the banks of the Potomac River. The river served as a natural barrier between Union North and Confederate South. However, though most bridges were burned early in the war, the several river fords above Great Falls served both sides in their forays into enemy territory. By August 1861, various Union regiments guarded the river fords on the Maryland side. At that time the 13th Regiment Massachusetts Volunteers covered the "Shepherdstown Ford," the old Packhorse Ford by then also commonly known as Boteler's or Blackford's Ford.[1] Private James Ramsey, Co. E, of the 13th Regt., was stationed at the ford on the night of August 18th, 1861. In a letter home written later in October, Ramsey recalled the destruction of the Potomac Mills:

> While we were at Sheppardstown [sic] we were in a dangerous position which we then did not realize, our camp was situated on a hill within rifle range of the rebels, on their side of the river they had thick foliage besides a four story factory which some of our company burnt, as a good place of protection against our firing they could pick off our guard without danger from our rifles.[2]

Potomac Mills owner, Alexander Boteler, by then a Colonel in the Confederate army and a representative in the Confederate legislature, was specifically targeted when both his home and the Potomac Mills were burned during the same Union raid.[3]

Throughout the first year of the Civil War, Maryland's commitment to the Union was fragile, with a divided legislature and her fathers, sons, and brothers joining the fight in one or the other opposing army. Still, the majority of Marylanders professed their loyalty to the Union, though perhaps sympathetic to the southern cause. And with the nation's capital city of Washington located within the state's borders, Federal forces aimed to keep the state within the Union. Confederate General Robert E. Lee's Maryland Campaign in the late summer of 1862 sought to test the waters of rebellion in Maryland,

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[1] Elliot Clark Pierce, "A Midnight Ride," as cited on "Head Quarters, 13th Regt. Rifles, Mass. Vol.," "Camp at Sharpsburg, Md.," http://13thmass.org/1861/sharpsburg.html#mozTocId170991, accessed July 27, 2012.

[2] As cited on "Head Quarters, 13th Regt. Rifles, Mass. Vol.," "Camp at Sharpsburg, Md.," http://13thmass.org/1861/sharpsburg.html#mozTocId170991, accessed July 27, 2012.

[3] Unrau, pp. 166-167.

and perhaps ease the strain of near constant fighting in Virginia. By bringing the war into Northern territory, he hoped to force a negotiated peace through public pressure on Congress.[4]

On September 4, 1862, Lee's Army of Northern Virginia crossed the Potomac River at White's Ford, entering Maryland in Montgomery County and turning north. At Frederick, General Lee hatched his plan in Special Order No. 191, to divide his army between Harpers Ferry, Boonsboro, and Hagerstown where they were to reunite and head north into Pennsylvania. A mislaid copy of the order was later found in the field by a Union soldier and delivered to General McClellan, newly assigned commander of the Union Army of the Potomac. Knowing that Lee's army was dangerously divided, McClellan took chase catching up with the Confederate rear guard stationed near Boonsboro at South Mountain on the morning of September 14th. The small contingent of Confederates held the three South Mountain gaps throughout the day, blocking the Union army from passage until Harpers Ferry surrendered and the Confederate forces reunited. But instead of reuniting at Hagerstown as planned, they regrouped on the west bank of the Antietam Creek, occupying the rural Maryland town of Sharpsburg with their backs to the Potomac River. Lee's grossly outnumbered force of approximately 80,000 men faced McClellan's approaching army of 125,000 with only the Antietam Creek and the ripened cornfields and orchards of the Sharpsburg area farms between them.[5]

The battle that raged throughout the day on September 17th, 1862, called the Battle of Antietam in the North and the Battle of Sharpsburg in the South, left over 23,000 men killed, wounded or missing. The day ended with little ground actually lost by Lee's Confederates. But the overwhelming numbers of men still available to Union General McClellan left Lee little choice but to retreat back across the Potomac River on September 18th (Figure 9). On September 19th, General McClellan sent a dispatch to Maj. General Halleck in Washington, D.C.:

> Pleasonton is driving the enemy across the river. Our victory was complete. The enemy is driven back into Virginia. Maryland and Pennsylvania are now safe.[6]

McClellan's dispatch, though ultimately true, would prove to be premature.

The nearby Packhorse (Boteler's) Ford of the Potomac River served as a conduit, first bringing General A. P. Hill's Confederate troops marching from Harpers Ferry to join the fight at Antietam (Sharpsburg), then for the Confederate retreat back to Virginia following the battle and the Union pursuit.[7] The final battle of the Maryland Campaign

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[4] Paula S. Reed & Associates, Inc., "Cultural Resources Study, Monocacy National Battlefield," (NPS, 2004), p. 42.

[5] Paula S. Reed & Associates, Inc., "Cultural Resources Study, Monocacy National Battlefield," (NPS, 2004), p. 43; Paula S. Reed & Associates, Inc., "Sharpsburg Historic District," National Register documentation, 2008, Section 8, p. 8.

[6] As cited in Thomas A. McGrath, *Shepherdstown: Last Clash of the Antietam Campaign September 19-20, 1862*, (Lynchburg, VA: Schroeder Publications, 2008), p. 59.

[7] Jay Luvaas & Harold W. Nelson, *Guide to the Battle of Antietam*, (Lawrence: University Press of Kansas, 1996), p. 237, Brig. Gen. Samuel McGowan, CSA, Commanding Gregg's Brigade, A.P. Hill's Division, Jackson's Corps, wrote in his report: "We made a forced march up the river, crossed the river at Boteler's Ford, a short distance below Shepherdstown, and arrived on the field of Sharpsburg in the afternoon... reaching the actual

occurred on the Virginia side of the river crossing, around the burned-out ruins of the Potomac Mills, the quarry cliffs above, and along the old "Waggon Road" by then known locally as Trough Road. (Figure 10)

On the morning of September 19th, Union artillery located on the Maryland hillside overlooking the Potomac River began pounding the Virginia bank in preparation for the Union crossing. Confederate General Lee's instruction to his small force at the river was to "guard the fords" at least until night and then prepare the infantry "to join their respective divisions on the march to-morrow."[8] The intended march was to head toward the Valley Road (today's Route 11) at Martinsburg and to re-cross the Potomac at Williamsport, continuing on toward Pennsylvania. It seems neither Lee nor McClellan anticipated the battle about to unfold around Alexander Boteler's ruined mill.

Just at sundown on the evening of September 19th, as the Federal batteries renewed their pounding fire, a group of 50 volunteer sharpshooters supported by the 4th Michigan waded into the river at the Packhorse Ford. The shadows of the small Union force crossing the river under the dark of the evening appeared to the Confederate artillerymen on the bluff like "a million" men and their retreat began.[9] The abandoned Confederate artillery on the Virginia side was easily captured. On the morning of the 20th, lulled by the success of the night prior, the unsuspecting men of the Union 1st Brigade, including the 118th Pennsylvania Volunteer Corn Exchange Regiment, "splashed and paddled" across the Packhorse Ford to the Virginia side. They deployed up the Charlestown Road (Trough Road) and down the river road (today's River Road) by the mill ruin. Then they followed a path up the hill to the fields of the Osbourn farm on the bluffs. [10] There the forces of General Thomas "Stonewall" Jackson surprised the Union troops. Despite renewed and reportedly vicious shelling from the Maryland side, the Confederate line relentlessly advanced on the Union force formed above the quarry cliffs.[11]

Union General Fitz John Porter arrived on the Maryland riverbank to view the unfolding drama. Surprised by the extent of the reconnaissance-turned-battle, Porter recalled:

> Seeing the small force of infantry on the opposite bank (two brigades of Sykes's and part of one of Morell's), and the impossibility of getting over and forming sufficient force in time to meet the attack, I ordered all to withdraw and take shelter within the canal.[12]

Though the re-crossing began relatively orderly, as the columns collapsed into retreat they found themselves under fire from the Confederates behind them and from friendly fire in front. In the confusion, the green troops of the 118th Pa. Corn Exchange were at the rear and still in line of battle, not having received the order to withdraw.[13]

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presence of the enemy at 3:40 p.m., which was not a moment too soon..."

[8] McGrath, p. 65.

[9] McGrath, p. 80.

[10] McGrath, pp. 101-112.

[11] McGrath, pp. 116-118.

[12] Porter's official report, as cited in McGrath, p. 124.

[13] McGrath, p. 143.

Alone on the cliff above Boteler's mill ruins, the Corn Exchange bravely stood their ground until they were completely overrun by Confederate troops. Their wild retreat down the ravine path over which they had initially arrived proved to be a death trap as rebel guns fired on them from above. Others found themselves at the edge of the cliff, falling to their deaths. Sharpsburg resident Jacob Miller, a southern sympathizer, described what he saw as he watched the battle from his farm on the Maryland side of the river:

> ...at the cement quarry they ["the Yankees"] made no halt but tumbled over into the pit. Some broke their arms some their legs some their necks and some knocked out their brains but nearly all that went over ware killed they ware piled on top of each other eight or ten feet high...[14]

Those that did make it to the river alive faced the barrage of gun and artillery fire coming from above and from across the river. Private Joseph Meehan slid down the bluff, "and reaching the road at the bottom...ran a short distance till I came to three archways in the hill. Into the first of these I got for protection."[15] Meehan was not alone in his limekiln refuge. Remarkably, a relatively large number of men reached the river's edge, only to face the river crossing:

> From his position in the kilns, Joseph Meehan had a close-up view of the chaos near the dam: "From our retreat we witnessed a scene of great excitement. Men were trying to get across the river, the bullets dropping about them like hail. One or two were swimming, as being a safer plan. A breakwater ran across the river near us, and it contained many dead and wounded men."[16]

Captain Frank Donaldson recalled: "I stood near the sluice way which intervened between the dam proper and the riverbank, seeing to the passage of the same by such of my company willing to venture across, and with aching heart witnessed the utter demoralization and rout of this fine body of men, who, beaten, dismayed, wild with fright, all order and discipline gone, were rushing headlong toward the dam, across which alone lay safety and escape."[17]

The Battle of Shepherdstown, also known as the Battle of the Cement Mill, ended September 20th with 160 dead – 64 Confederate and 96 Union, of which 80 were from the 118th Pa. Corn Exchange Regiment.[18] Immediately following the bloody Battle of Antietam this number seemed small, though the scenes were horrific and the results of the battle were significant. General McClellan came away believing it nearly impossible

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[14] December 7, 1862 letter from Jacob Miller to his daughter Amelia Hauser, "Jacob Miller Letters," transcribed by Jan Wetterer and Paul Chiles, Antietam National Battlefield, Sharpsburg, MD. Words are spelled as written by Jacob Miller.

[15] As cited in McGrath, p. 157.

[16] McGrath, p. 157.

[17] As cited in McGrath, p. 161.

[18] McGrath, Appendix A.

to follow Lee into Virginia; instead keeping his army encamped around Sharpsburg and along the Potomac through October 1862. In October President Lincoln replaced McClellan with General Burnside as head of the Army of the Potomac.

In the end, General Lee found no sentiment for rebellion in Maryland and did not "anticipate any general rising of the people in our behalf."[19] By the end of September 1862 Lee found his army to be in such a poor condition as to prevent his plan to "threaten a passage into Maryland," noting in his letter to Confederacy President Jefferson Davis:

> I would not hesitate to make it even with our diminished numbers, did the army exhibit its former temper and condition; but, as far as I am able to judge, the hazard would be great and a reverse disastrous. I am, therefore, led to pause.[20]

The Confederate army did not cross again into Maryland bringing the war to the North until the summer of 1863. Reaching as far as Gettysburg, Pennsylvania, their failure there proved to be the last large invasion from the South. A smaller crossing occurred in July of 1864 when Confederate General Jubal Early led a force of approximately 15,000 in an attack on Washington D.C. in an effort to draw Grant's Union troops away from Richmond. Early's plan was foiled when his force was delayed at the Monocacy River crossing near Frederick by 6,000 Federal troops under the command of General Lew Wallace.[21] Smaller incursions for supplies and ransom continued throughout the war, but the Confederate hope that Maryland would join the cause died with the end of the Maryland Campaign on the south bank of the Potomac River by the ruins of the Potomac Mills.

Nomination Criteria:

The JCHLC nominates this site under Criteria A for inclusion on the list of registered county landmarks. Criteria A states that a site may be nominated if, in the opinion of the Landmarks Commission, it is associated with events that have made a significant contribution to the broad patterns of our history. The property's owner, Jefferson County Historic Landmarks Commission, has voted to list the Potomac Mills site as a Jefferson County Historic Landmark.

Nomination Action:

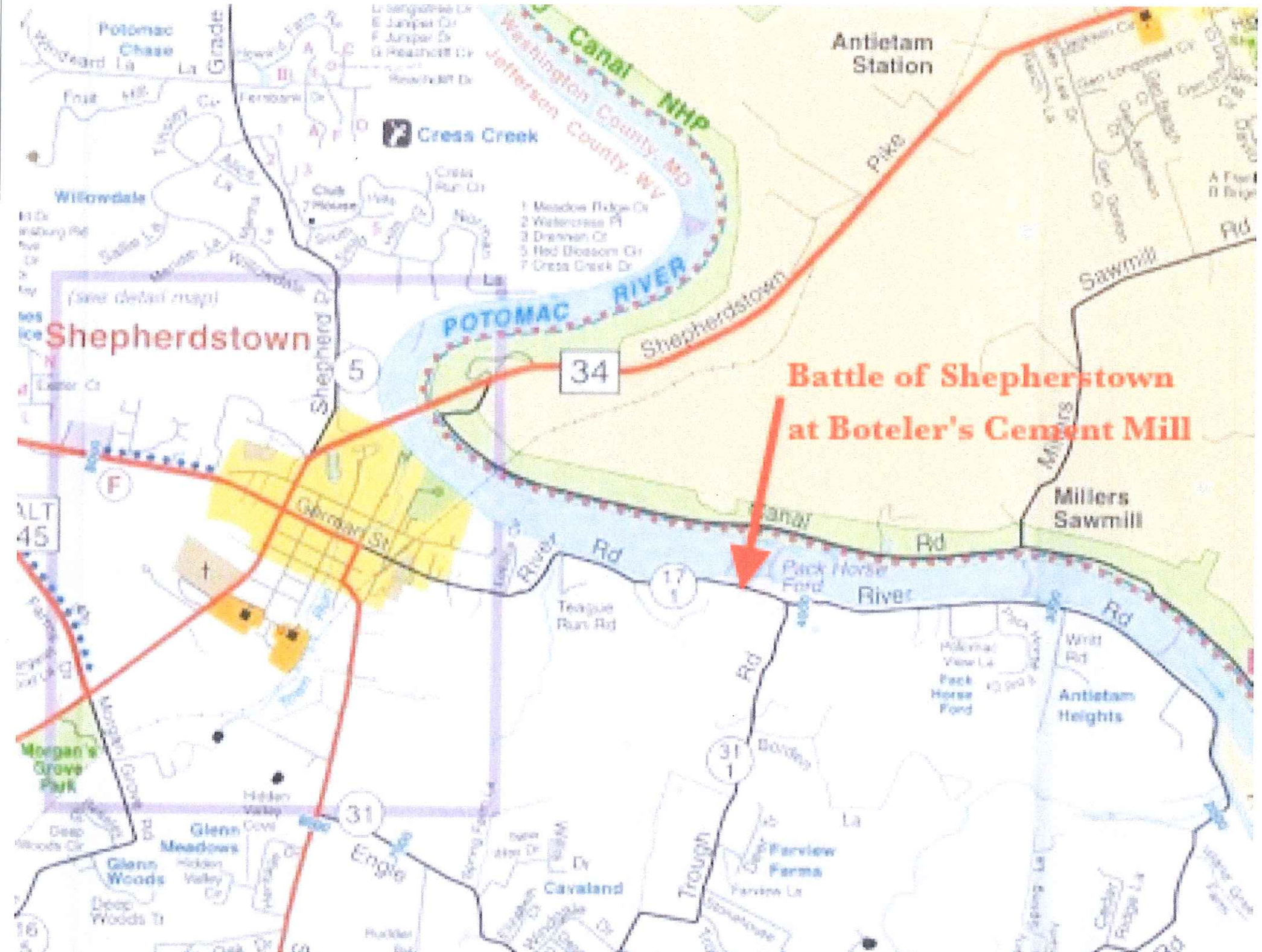
The JCHLC voted unanimously to add the Battle of Shepherdstown at Boteler's Cement Mill site, under Criteria A, to the rolls of registered Jefferson County Historic Landmarks on September 19, 2012.

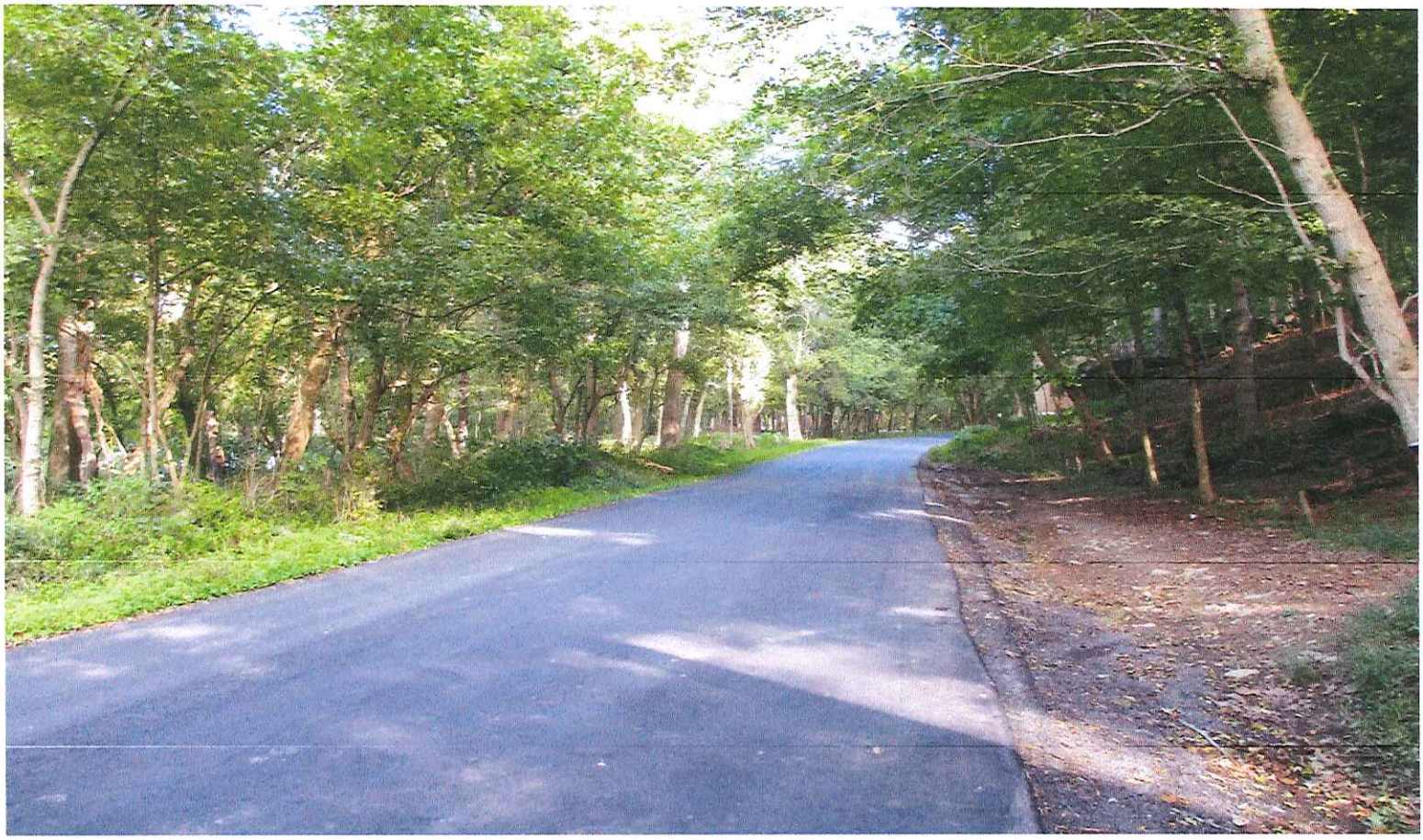
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[19] Richard R. Duncan, "The Era of the Civil War," in Walsh and Fox, p. 357, quoting OR, series 1, XIX, part 2, pp. 590-592.

[20] McGrath, p. 184.

[21] Paula S. Reed & Assoc., "Monocacy National Battlefield," National Register of Historic Places documentation update, 2004.


Battle of Shepherstown
at Boteler's Cement Mill
Shepherdstown
Antietam
Station
Potomac
Chase
Willowdale
Cress Creek
Canal NHP
Washington County, MD
Jefferson County, WV
POTOMAC RIVER
Shepherdstown Pike
Sawmill Rd
Millers
Sawmill
Canal Rd
Pack Horse
Ford
River Rd
Teague
Run Rd
Shepherd Dr
Trough Rd
Antietam
Heights
Glenn
Meadows
Glenn
Woods
Cavaland
Fairview
Farms
Morgan's
Grove
Park
Engle
34
5
31
F
17



River Road looking toward Pack Horse Ford



Looking south uphill toward large kiln

Landmark Nomination Report
Jefferson County Historic Landmarks Commission

Potomac Mills/Boteler's Cement Mill

Physical Description:
The site of the Potomac Mills, also known as Boteler's Cement Mill, is located in eastern Jefferson County, West Virginia, a half mile below Shepherdstown. The property, owned by the Jefferson County Historic Landmarks Commission, is bisected by River Road and adjoins the Potomac River.

Historic Description:
The Potomac Mills, or Boteler's Cement Mill, was one of a handful of mills that produced hydraulic cement for the construction of the C&O canal. This mill was in operation for approximately seventy years. Constructed in 1826 as a gristmill, it was converted to cement production in 1829.

The first decades of the 19th century saw road improvements by turnpike companies, spurred by construction of the National Road west from Cumberland, Maryland. However, the Blue Ridge Mountains still stood between the farms of western Maryland and Virginia and their markets to the east. Dreams of water transport persisted and in 1828 the first shovel of dirt was turned on the construction of a still-water canal to run from the Ohio River to the tidal Potomac at Georgetown, Maryland. The Chesapeake & Ohio (C&O) Canal was planned to follow the northeast bank of the Potomac River through Maryland. Construction was slow, requiring the excavation of the canal prism as well as construction of stone-lined locks, culverts, aqueducts and dams. Hydraulic or natural cement, designed to harden in a water environment, was essential to C&O Canal construction. Thus, hydraulic cement mills catering to canal needs were established at locations along the route, including "Tuscarora, Maryland, above the Monocacy Aqueduct; at Shepherdstown, (West) Virginia; at Hooks Mill, (West) Virginia, across the river from Hancock, Maryland; at Round Top, Maryland; at Leopards Mill, Maryland, below Dam No. 6; and at Cumberland, Maryland."[1] The Shepherdstown (Potomac Mills), Round Top, and Cumberland cement mills were the largest, "providing the C&O Canal and the Potomac Valley with natural cement for many decades

Canal construction, beginning with the Erie Canal in New York, was the primary catalyst for the production of natural or hydraulic cement in the United States. Industrial historians, Thomas Hahn and Emory Kemp observed in their monograph *Cement Mills Along the Potomac River*: "It is clear from a study of the history of the natural cement industry that the canal of the United States depended on the manufacture of natural cement."[2] At its peak in 1899, there were 76 natural cement manufactories, most located in New York, Indiana, and Kentucky, while four were in Maryland and one (Potomac

[1] Thomas F. Hahn and Emory L. Kemp, *Cement Mills Along the Potomac River*, Institute for the History of Technology & Industrial Archaeology (WVU), Monograph Series, Vol. 2, No. 1, 1994, p. 30.

[2] Hahn and Kemp, p. 17.

Mills) in West Virginia.[3] Natural cement's salient property was its ability to harden and remain hard under water – a necessity for the construction of dams, locks, and bridges. Hahn and Kemp describe the manufacturing process:

> Natural cement…is made from naturally occurring limestone with a suitable argillaceous component usually 13 percent to 35 percent, of which 10 percent to 22 percent is silica… The cement rock (argillaceous limestone) is calcined [oxidized by heating] at a slightly higher temperature than that used to produce quicklime…
>
> The burned limestone is ground into a fine powder which, when combined with water, produces a hydraulic paste with the main cementitious materials being calcium silicates. This paste does not slake [chemically change to calcium hydroxide], will set under water, and is waterproof.[4]
>
> The kiln type used most commonly to burn (heat or calcine) the limestone was "usually a truncated pyramid with a cone shaped opening inside, which, in later days, was lined with firebrick," and for convenience "often built in batteries against a hillside so that they could be more easily charged [filled] from the top."[5] "Continuous vertical kilns" could be continually recharged with stone and coal, as described by Kenneth Reis in 1901:
>
> In burning natural cement rock, the fire is first started in the bottom of the kiln, and on this are spread alternating layers of coal and rock. The coal is of pea or chestnut size commonly. As the burned stone is drawn from the bottom, fresh stone and fuel are added at the top…The yield of these kilns is large, being 50-120 barrels of cement per ton of coal.[6]
>
> The limestone rocks loaded from the top rested within in the cone or kiln throat above the arched draw pit and heated to 1300 to 1500 degrees. The calcined rock was then transported to the mill to grind it to powder, using often nothing more than "ordinary grist mill buhr-stones" through much of the 19th century.[7] Thus the process required the appropriate limestone quarry, vertical kilns in which to burn (calcine) the limestone, and a mill to grind the powder.

In January of 1828, six months before canal construction began, Henry Boteler wrote a letter to the president of the C&O Canal Company, Charles Fenton Mercer, in which he identified what he believed to be proper limestone for natural cement production:

> This stone is found in great abundance on my premises, below this place [Shepherdstown]. It is found on the surface and under the ground to a considerable depth. The hill, which appears to be entirely of this stone, is 200 feet high, and nearly half a mile around its base.[8]

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[3] Hahn and Kemp, p. 17.

[4] Hahn and Kemp, pp. 8-9.

[5] Hahn and Kemp, p. 9.

[6] Kenneth Reis, "Lime and Cement Industries of New York," Bulletin of the New York State Museum, Nov. 1901, as cited by Hahn and Kemp, p. 11.

[7] Hahn and Kemp, p. 12.

[8] As cited in Hahn and Kemp, p. 32.

The company sent John H. Cocke, Jr., who was already tasked with finding local supplies of building and cement limestone, to test the stone at Boteler and Reynolds' mill site. Cocke tested the stone in a small kiln in September 1828 and confirmed that it was good natural cement.[9] Immediately Boteler and Reynolds made a proposal to the canal company, "...that they could burn, grind, and deliver cement at the mill for 18.75 cents per bushel."[10] The proposal noted additional costs for delivering the powdered cement by river boat to Georgetown, Maryland where the construction of the canal had begun just two months earlier.

C&O Canal construction was slow due to a shortage of laborers, land disputes, lack of adequate funding, and an ongoing dispute with the Baltimore & Ohio Railroad over the narrow strip of right-of-way below Maryland Heights. While the railroad lost the right-of-way battle and was forced to cross the Potomac River into Virginia at Harpers Ferry (now West Virginia), still railroad construction greatly out-paced construction of the canal. Ironically, Boteler and Reynolds provided the C&O Canal Company with natural cement calcined in kilns fired with coal that was transported by the B&O Railroad.[11]

Boteler and Reynolds' Potomac Mill grew with the natural cement business. The original stone and brick grist mill building had two sets of buhrs turned by water power drawn from the Potomac River by a stone and log crib dam. Beginning in 1829, the grist mill performed double duty during the harvest season, alternating between grinding grain and cement stone. New buhr-stones made specifically for grinding calcined limestone arrived later in 1829, along with a smaller cement mill addition to the original building. The first limekiln (still standing) was constructed on the hillside near the mill early in 1829. An additional bank of three kilns was constructed below the river road closer to the mill in July 1829 and another three were added by April 1830.[12]

The Potomac Mills complex ground wheat into flour, and ground lime for architectural plaster and fertilizer (also known as "plaster") as well as for natural cement. Their contracts with the C&O Canal Company were likely their most significant income producer. In 1829 Boteler and Reynolds were authorized by the canal company to erect a warehouse to accommodate storage of the 2,000 bushels of lime ground per week in their mill.[13] Their August 7, 1829 to May 15, 1830 contract was for 80,000 bushels at 19 cents per bushel; a second contract extended from January 28, 1830 to September 1, 1830 for

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[9] The small kiln attached to the west end of the kiln bank on the Potomac Mills site today (2012) is presumed to be the experimental kiln used by John H. Cocke, Jr.

[10] Hahn and Kemp, p. 33.

[11] Hahn and Kemp, p. 38.

[12] Hahn and Kemp, p. 39-43. This later three kilns may not have been standing by 1862 when Civil War period descriptions consistently talk of only three kilns. The stone and brick work of the eastern bank of vertical kilns implies a post-Civil War construction date.

[13] Unrau, p. 165, citing *Proceedings of the President and Board of Directors*, A, 276 and "Diary and Account Book, 1828-1829," W. Robert Leckie Papers, Duke University Library. The vents in the brick bonding of the brick "office" building on the Potomac Mills site are an indication that this building may have originally been this warehouse.

60,000 bushels. Additional contracts with the canal extended through 1837, after which cement was primarily supplied from the Round Top Mill at Hancock, Maryland.[14]

By 1834, C&O Canal construction had reached Lock 38 opposite Shepherdstown. Nearly all of the traffic on the canal to this point was agricultural produce, with flour topping the list.[15] The Potomac Mills dam across the Potomac River, located just below Lock 38, allowed produce, fertilizer lime or plaster, bags of natural cement, and other products to be boated across the river:

> The impoundment formed a slackwater pool that occasioned the construction of a river lock in 1833-1835 to provide access to the canal from the river. This made possible the tapping of an extensive Virginia trade, which was an important source of business for the canal. Barges were loaded on the Virginia (West Virginia) side, floated across the river, and entered the canal via the river lock.[16]

The Potomac River ferry, still in operation under the ownership of John Blackford, also benefited from the slackwater. Blackford's journal from the year 1838 noted ferrying as much as "3 ton plaster in two trips" from "George Reynolds mill."[17] A thriving wharf community grew at the ferry landing below Shepherdstown. In 1836, George Reynolds entered into an eleven-year lease of the ½-acre "Ferry Lot" with owners John Blackford and the Swearingen heirs.[18] The terms required that Reynolds build a warehouse on the lot (no longer standing). Reynolds, in addition to the Potomac Mills business, owned and operated a canal packet boat called "The Henry Boteler."[19] Shepherdstown merchant William Shortt also located his canal boating warehouse at the ferry landing. About 1849, Shortt replaced his building with a large stone warehouse (today commonly known as the Tobacco Warehouse).[20]

In June of 1835, the partnership of Boteler and Reynolds was dissolved when Henry Boteler sold his interest in the mill complex and their jointly acquired tracts of land, a total of nearly 400 acres, to George Reynolds for $25,932.[21] Though Reynolds fulfilled his mortgage obligation to Boteler for this purchase, by 1842 Reynolds was in debt to the tune of $27,000. In his 1842 Deed of Trust to Henry Berry, George Reynolds mortgaged everything he owned as security: his home farm and mill, the Potomac Mills and ferry lot warehouse, 3,000 acres in Morgan County, 29 slaves, 30 horses, 20 mules, 40 cattle, several hundred sheep and hogs, nine wagons, three carts, a Threshing Machine, and his

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[14] Unrau, p. 166.

[15] Unrau, pp. 437-440. Product-specific statistics were only available for the years 1831 (over 71,000 barrels of flour transported) and 1832 (over 91,000 barrels of flour transported). The years 1833 and 1834 showed overall toll revenue increases as the canal reached the Great Valley in Washington County, Maryland and by extension the lower Shenandoah Valley across the river.

[16] Unrau, p. 671.

[17] John Blackford, *Ferry Hill Plantation Journal... 4 January 1838-15 January 1839*, Fletcher M. Green, Thomas F. and Nathalie W. Hahn, eds., (Shepherdstown, WV, 1975), p. 40.

[18] JC DB 21, p. 75.

[19] Blackford, p. 40.

[20] Shepherdstown Register, 1849-1850, microfilm collection, Ruth Scarborough Library, Shepherd University, Shepherdstown, WV.

[21] JC DB 21, p. 8.

four canal boats.[22] In 1846, Reynolds defaulted on this mortgage and was forced by Chancery Court to sell all of his property, including the Potomac Mills.[23] A newspaper advertisement for the July 1846 public sale of the mill property described the "Very Extensive and Valuable Milling Establishment known as the 'Potomac Mills,' with 10 or 12 Acres of Land adjacent thereto":

> The Mill-House is of Brick and very well built. It has Six Pair of Burrs, and commands the entire water-power of the Potomac River. Besides the Merchant Mill, there is a saw-mill, of the most approved construction, a Plaster Mill, and several large and well-constructed permanent Lime Kilns, situated immediately on the River and near the Mill, with every convenience for manufacturing the Hydraulic Cement upon the most extensive scale.
>
> Upon the premises are a large and well built Smoke House, Blacksmith's Shop, several Work Shops, with a convenient Dwelling-House.[24]

The adjoining tracts of land were to be sold separately. Alexander R. Boteler, son of Dr. Henry Boteler, purchased the Potomac Mills complex for $15,100 (Figure 8).[25] Boteler continued the Potomac Mills name and operations through the 1850s, advertising both cement and grain products in the local newspaper.[26]

Alexander R. Boteler was elected to Congress in 1859 as an Independent. Born in 1815 in the Shepherdstown area to the wealthy landowning and slave owning Boteler family, he was opposed the idea of dividing the Union. It was apparently an opinion shared by a majority of residents in Jefferson County.[27] But as the Union began to dissolve in 1861, following South Carolina's secession and attack on Fort Sumter, the Commonwealth of Virginia's strong sentiment toward states rights became evident. At the first special convention held in April 1861 initial votes went against secession; that changed to a vote in favor of Virginia seceding from the Union in May 1861. The mill complex was burned by Union troops in August, 1861. Not surprisingly, Alexander Boteler's business collapsed with the destruction of the mill. In September 1865, the property was again for sale at auction:

> On Saturday, the 7th of October, next, that very desirable Property upon the south bank of the Potomac, one mile below Shepherdstown, known as the
>
> **"Potomac Mills,"**
>
> including the Mill Lot of about **Fifteen Acres** and all its Valuable Appurtenances.
>
> **The Water Power**

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[22] JC DB 25, p. 387.

[23] JC DB 20, p. 399, Deed of Trust from Boteler to Reynolds June 1835, released; JC DB 28, p. 241 Chancery sale deed.

[24] Martinsburg Gazette, June 18, 1846, microfilm collection, Martinsburg Public Library, Martinsburg, WV.

[25] JC DB 28, p. 241.

[26] Shepherdstown Register, July 2, 1850 and November 26, 1853.

[27] Millard K. Bushong, *A History of Jefferson County West Virginia 1719-1940*, (Westminster, MD: Heritage Books, 2007), p. 279.

belonging to this Property is one of the most extensive in the Sate, comprising as it does the full force of the Potomac river by means of a dam some seven hundred feet in length, built against a ledge of rock, which extends at right angles across the bed of the River, constituting thereby an indestructible natural dam of itself and affording the best possible foundation for such a superstructure.

The

Hydraulic Cement Quarries

upon the premises are convenient to the kilns and capable of supplying an unlimited amount of that Mineral of the very best quality.

Although the buildings have nearly all been destroyed during the recent war – the Merchant Mill, Cement Factory, Saw Mill, &c., having been burnt by Massachusetts troops in the summer of 1861 – the walls of the principle part of them remain without material injury, being of the most substantial character, those for instance of the Merchant Mill being one hundred feet long by fifty wide, three stories high of brick, three feet thick at their base, and eighteen inches at top, resting upon a limestone foundation six feet thick, built upon arches sprung on solid rock.

By means of the Chesapeake and Ohio Canal and the Baltimore and Ohio Railroad every facility is afforded for transportation to and from this Property, which from its situation in the fertile Valley of the Shenandoah, is admirably located in every respect for the establishment of a Manufacturing village and is well worthy the attention of enterprising capitalists.[28]

Following its sale to a group of trustees for $35,000, the money was to be used to reinvest in the mill complex.[29] In 1867, the Potomac Mills Mining and Manufacturing Company was formed and rebuilt the mills. Cement production resumed by 1875, according to the editor of the Shepherdstown Register:

> ...the editor stated that a Major Hagan was running the mill to its "fullest capacity, and making an excellent quality of cement, all of which is shipped to Washington (presumably by canal) where there is a great demand for it. The Major puts things 'very likely'."[30]
>
> Major Harry Blunt, a Washington builder who also owned a Jefferson County horse farm, leased the Potomac Mills through the 1870s. In 1878, it was likely Blunt who purchased the complex under the name of new trustees, William Webb and L. E. Coyle.[31]

Operations at the plant through the rest of the 19th century followed the seasonal schedule of the C&O Canal, April through December, closing in the winter months. The canal closed due to ice but the cement plant's primary clients, builders in Washington,

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[28] Shepherdstown Register, September 2, 1865, microfilm collection, Ruth Scarborough Library, Shepherd University, Shepherdstown, WV.

[29] JC DB 1, p. 244 (March 6, 1866) and 412 (September 26, 1866).

[30] Hahn and Kemp, p. 54.

[31] JC DB F, p. 498.

D.C., also suspended operations in the winter months.[32] In 1879, the Shepherdstown Register gave a detailed account of the Potomac Cement Mills operations:

> The Potomac Cement Mills below town, are now running regularly, regularly [sic], though not to their full capacity. The daily average is a about seventy-five barrels. Some twenty or twenty-five hands are kept in constant employment under the management of Mr. J.E. Lucas, the efficient Superintendent. There has recently been put up in the mills a set of new and improved buhr for grinding the cement, which are said to be superior to the old style of buhr. We noticed the other day, about one thousand barrels of cement ready for market; about seven hundred of that number has been shipped on the boat of Mr. J.W. Osbourn via the Chesapeake and Ohio Canal to Washington. The cement is now considered the best in the country and the demand for it is rapidly increasing. The five kilns are constantly burning, and the business of the mill has necessitated the building of a new packing machine, which is now being made by that expert old millwright, Mr. Davy Karns, of Williamsport, Md.[33]

An 1883 description of the works published in *A Practical Treatise of Limes, Hydraulic Cements, and Mortars*, detailed the quarrying, burning, and milling process at Potomac Mills, called "The Shepherdstown Works":

> The Shepherdstown Works comprise two run of four and a half French buhrstones and the necessary crackers, driven by water power, and three perpetual kilns... Cumberland coal is used for burning. The stone is derived from deposits which crop out in several places on the banks of the Potomac, near the mill. Though considerably tortuous and irregular, their general position is nearly vertical. The stone is quarried from the top of the hill, is then passed into the kilns, situated on the slope below, and subsequently to flat-boats in the mill-race. These are then floated into the mill, and the burnt stone is discharged through the hatchways up to the crackers. The deposit is in two principal layers, one of which furnished a quick, and the other a slow setting cement. The two are mixed together in nearly equal proportions, a combination which is believed to yield a better cement than either of the beds would if used alone.[34]

Hahn and Kemp observed that while this is the first description of the mill to include a mention of "crackers," they were always a part of the process. A cracker literally cracked the burned limestone, "to break the stone down into pieces small enough to be put into the grinding stones."[35]

Like all Potomac River valley occupants, the Potomac Mills owners and workers had to deal repeatedly with both flood conditions and drought. In 1884, the mill was closed in August due to low water in the river. Low water affected not only the plant's ability to produce power to turn the mill stones, but also to transport the burned stone to the mill by

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[32] Hahn and Kemp, pp. 54-56.

[33] As cited in Hahn and Kemp, p. 56.

[34] As cited in Hahn and Kemp, pp. 58-59.

[35] Hahn and Kemp, p. 59.

flat boat down the head race, and to deliver the cement across the river to the canal. The C&O Canal, which also drew its water from the Potomac River, was negatively impacted by low water with reduced traffic. Major Blunt responded to the drought by installing a steam engine to power a "turbine wheel" at the mill.[36]

More destructive to both canal and mills, floods or "freshets" were more common along the Potomac during the 19th century as woodland along the watershed was cleared for building material, heating, charcoal production, and farming. The June 1, 1889 Potomac River flood was the worst ever recorded at the time, with a crest of 44 1/3 feet at Williamsport and 34 feet at Harpers Ferry. The water level at Harpers Ferry was 21 feet above the canal towpath. It was disastrous for the C&O Canal with numerous locks, gates, warehouses, and lockhouses washed away, and hundreds of feet of canal breeches. The necessary repairs closed the canal for three years, forcing it into receivership.[37] The Potomac Mills main building was flooded to the second floor, according to a newspaper report, and the railway just recently installed to transport the limestone from the kilns to the mill was "swept away."[38] The cement mill was back on line by the following week but the canal did not fully reopen until 1892, and then without the river lock opposite the Shepherdstown landing. It was not until 1896 that cement could be delivered by boat, a much less expensive proposition than hauling it to the railroad depot. But by then the mill dam had fallen into disrepair which severely limited boating across the river.

The Potomac Mills operated only sporadically through the remaining years of the 1890s. In addition to problems created by the river and transportation issues, competing production of Portland cement in the U.S., "an artificial mixture of lime, silica, and alumina" first produced in 1872 in Pennsylvania, had grown from 335,000 barrels in 1890 to 8,482,000 in 1900, and to over 92,000,000 by 1913.[39] In the summer of 1900, Major Blunt prepared to reopen the mill, rebuilding the log crib dam and repairing machinery, reportedly with plans to eventually replace dam with a concrete construction. With everything repaired by the close of the season, the plant was ready to begin production in the spring. On January 12, 1901, Major Blunt died, and though his son Harry W. Blunt, Jr. took up the reins of ownership, the Potomac Mills went out of business after nearly 75 years of operation. By 1904, the property was again for sale, reported the Shepherdstown Register, noting that cement from the Potomac Mills was used to build the "Boundary Sewer in Washington" as well as the District's "Army and Navy buildings."[40]

In 1916, the West Virginia Geologic Survey reported that the Potomac Mills (called by them the "Potomac Cement Company" or "Shepherdstown Cement Company") buildings had not been in use since 1900 and that they were still in good condition.[41] In 1924, a devastating flood closed the C&O Canal for good and likely damaged the by then long-

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[36] Hahn and Kemp, p. 60.

[37] Unrau, pp. 311-315.

[38] Hahn and Kemp, p. 62, citing Shepherdstown Register, June 7, 1889.

[39] George Perry Grimsley, *County Reports and Maps, Jefferson, Berkeley, and Morgan Counties*, (Wheeling: West Virginia Geological Survey, 1916), p. 494.

[40] Hahn and Kemp, p. 67.

[41] Grimsley, p. 494.

vacant mill buildings beyond repair. The 1936 Potomac River flood was "the heaviest flood in the recorded history of the Potomac Valley."[42] That year Harry W. Blunt, Jr. conveyed the "Potomac Cement Mill Property," with "buildings, mills, machinery, water rights, fixtures," to Harry W. Blunt (III).[43] The property, now approximately 18 acres, remained in the Blunt family ownership until the 2011 purchase by the Jefferson County Landmarks Commission.[44]

Historic Resources:

The cut stone foundation and walls of the mill building or mill ruin stands between River road and the Potomac River on the 18 acre property. Also on this side of the road are the row of lime kilns, test kiln, riverside headrace wall, and dam remnant.

The ruins of the Potomac Mills building consists of the stone foundation/lower story walls of the large main building and smaller east addition. Historically the building was four stories including the stone lower story and brick three stories above with a hipped roof and clerestory. The addition was two brick stories over the stone lower story with a gable roof. None of the brick masonry remains intact today and no wood features (joists, floors, window frames, doors, rafters, etc.) remain. Stone segmental arches are located on the interior wall where the raceway passed through the building.

The Riverside Stone Wall is located along the south edge of the river. It is approximately 289 feet long and runs from the south end of the dam remnant to about 25 feet west of the mill ruin. It is likely a remnant wall of the headrace. Part of the wall shows cement repairs.

During periods of low water, the partial remains of the Potomac Mills dam can be seen as a ripple across the river. The remains are the stone foundation of the dam; none of the historic log cribbing remains intact.

The Battery of Kilns is located on the river bank below the north edge of River Road approximately 350 feet west of the mill ruin. The kiln bank was constructed in three phases: the small stone test kiln on the west end (1828); the western bank of three stone vertical kilns (1828-29); and a later bank of three stone vertical kilns (ca.1870?) on the east end. The stone work and brick work of the eastern bank of kilns implies a later construction date. Civil War period descriptions also indicate there were only three kilns standing at that time. The test kiln) sits near the top of the bank on the south west corner of the Battery of Kilns. It is a small box-kiln constructed of stone with a brick-lined opening with a flat stone lintel. The six vertical kilns are all constructed of stone. All have brick arched draw pits; the western bank of three with keystones and eastern bank of three do not. Some of the face stones on the western bank of three kilns have fallen out.

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[42] Unrau, p. 318.

[43] JC DB 158, p. 18.

[44] JC DB 1102, p. 362, Harry W. Blunt IV to Jefferson Co. Landmarks Commission

The tops of the kiln bank are nearly level with the River Road surface. All are filled in with debris and appear only as depressions in the ground.

On the western side of river road, the property contains the following historic structures: the large lime kiln and the office building ruin.

The Large Kiln is sited on the east side of a hill within a ravine, south/southwest of the mill ruin on the south side if River Road. It is a large, heavily built stone vertical kiln with a slightly pyramidal shape and a brick-arched draw pit on the east face. The interior kiln throat is stone and brick lined.

The brick ruins are located on the south side of River Road approximately 150 feet east of the mill ruin. The brick walls of this three story building are still largely intact though the roof is gone and the third story walls (probably mostly later additions) have begun to crumble. None of the wood features remain intact. The lower story has three bays with a central entrance. The brick bonding is common 5 rows of stretchers to one row of headers. All four walls show diamond patterned vents in the brickwork, most later infilled, indicating its possible earlier use as a warehouse. Interior walls of the lower two stories are plastered and whitewashed. It appears the third story was added by raising the front and back roof line, altering the gable end roof to a hipped roof. There is a brick interior chimney rising on the west gable end. There is an inscription in the plaster on the west interior wall "Boteler & Reynolds 1828". Newspaper advertisements from 1846 and 1865 describe a dwelling house associated with the mill, but no office building. It is likely this building was a warehouse converted to a dwelling house.

Nomination Criteria:

The JCHLC nominates this site under Criteria A for inclusion on the list of registered county landmarks. Criteria A states that a site may be nominated if, in the opinion of the Landmarks Commission, it is associated with events that have made a significant contribution to the broad patterns of our history. The property's owner, Jefferson County Historic Landmarks Commission, has voted to list the Potomac Mills site as a Jefferson County Historic Landmark.

Nomination Action:

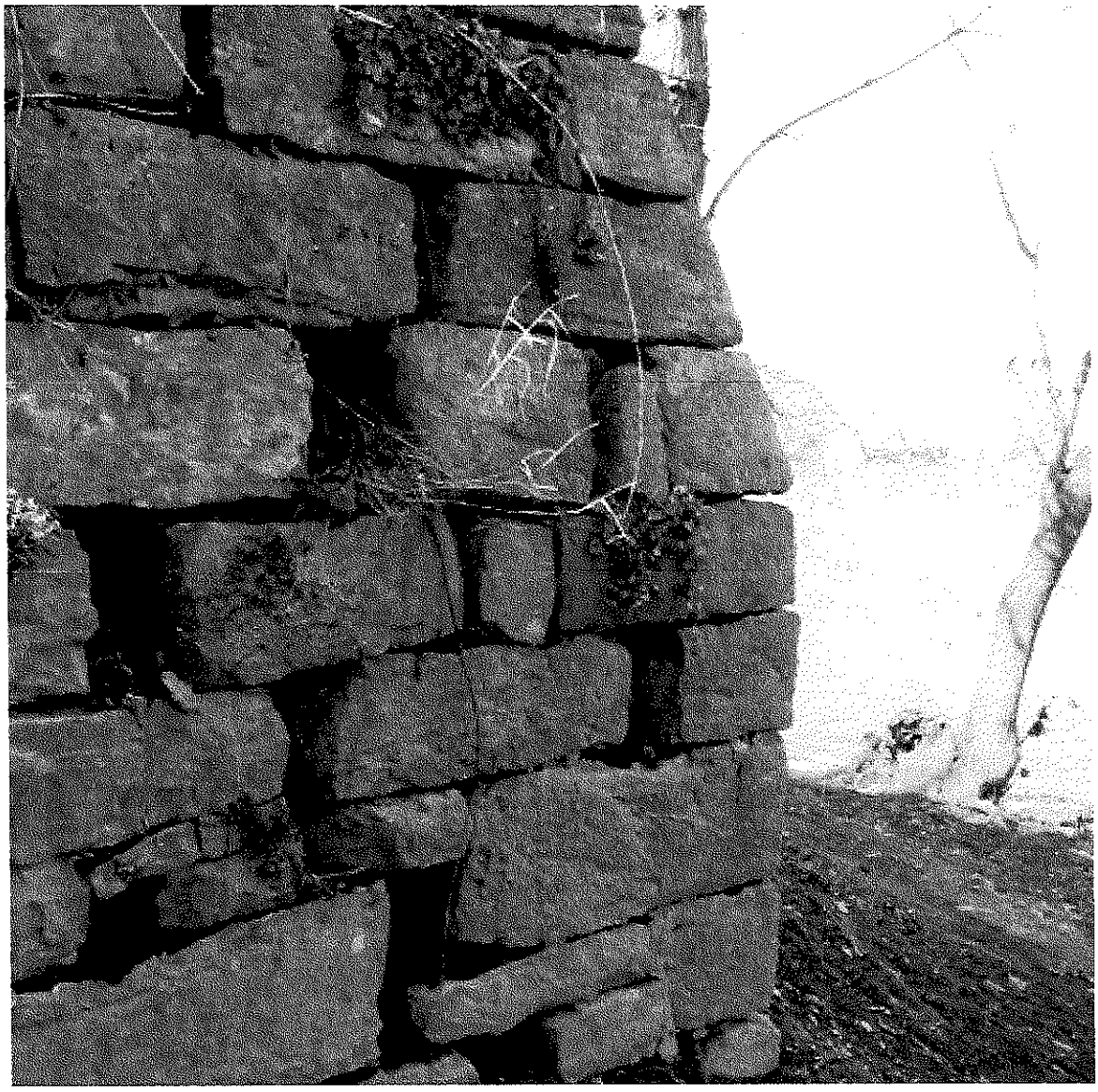
The JCHLC voted unanimously to add Potomac Mill/ Boteler's Cement Mill site, under Criteria A, to the rolls of registered Jefferson County Historic Landmarks on September 19, 2012.

Potomac Mills (Boteler's Cement Mill)

Jefferson County Historic Landmark



Mill Ruins



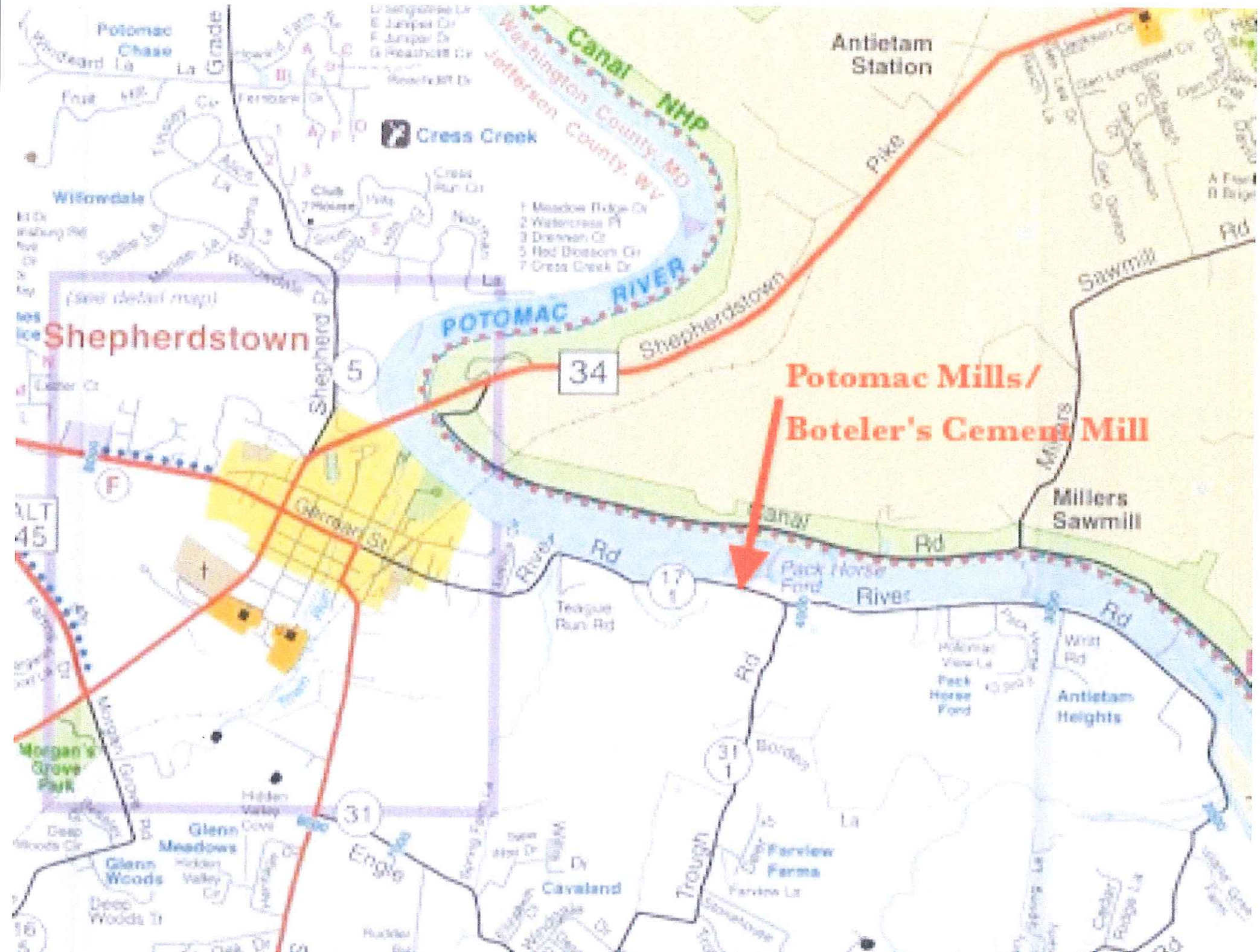
Race wall at Potomac River



Potomac Mills (Boteler's Mill) Office



Potomac Mills (Boteler's Mill) Throat of Large Lime Kiln


Potomac Chase
Willowdale
Cress Creek
Canal NHP
Washington County, MD
Jefferson County, WV
POTOMAC RIVER
Shepherdstown
Antietam Station
Potomac Mills/
Boteler's Cement Mill
Millers Sawmill
Canal Rd
River Rd
Pack Horse Ford
Antietam Heights
Morgan's Grove Park
Glenn Meadows
Glenn Woods
Cavaland
Fairview Farms
Trough Rd
Engle
Shepherdstown Pike
Sawmill Rd
34
5
31
17

Landmark Nomination Report
Jefferson County Historic Landmarks Commission

Packhorse Ford, the Potomac Crossing of Philadelphia Waggon Road

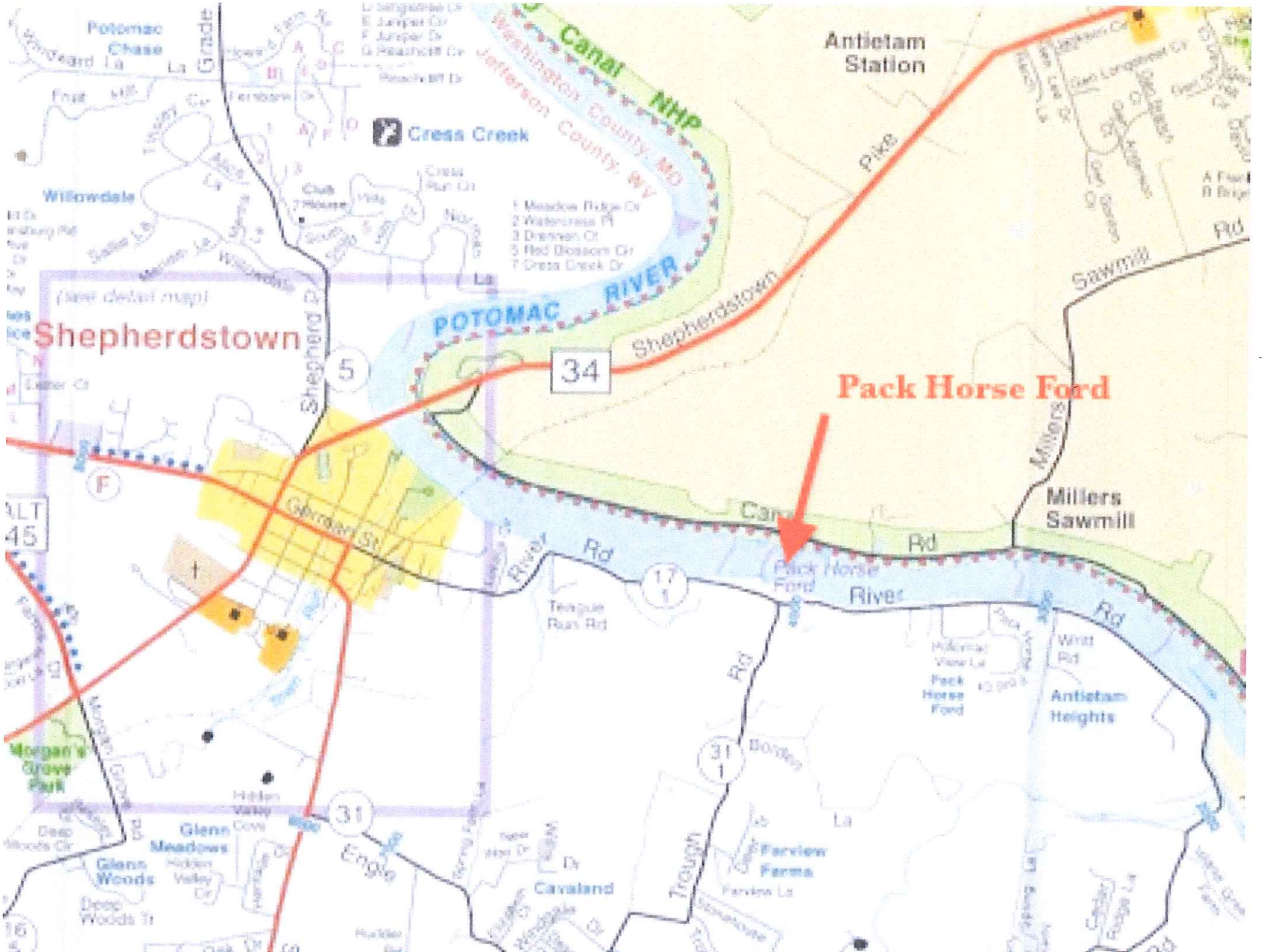
Physical Description:
The site of Packhorse Ford, the Potomac Crossing of the historic Philadelphia Waggon Road, is located in eastern Jefferson County, West Virginia, a half mile below Shepherdstown. The property, owned by the Jefferson County Historic Landmarks Commission, is bisected by River Road and adjoins the Potomac River.

Historic Description:
The Packhorse Ford is actually located in the State of Maryland as the Maryland state line extends to the low water mark of the south bank of the Potomac River. The ford is identified by a ripple in the river during low-water, by its alignment with Trough Road on the West Virginia side of the river, and by a wayside sign located on the Maryland side of the river on the C&O Canal towpath. Use of the Packhorse Ford dates from the pre-contact period through its peak use during the 1730s-1750s settlement period and use during the Civil War, after which it was likely only rarely used. Though the ford is no longer in common use, Civil War re-enactors do use the ford to re-enact Potomac River crossings.

Trough Road (Great Waggon Road segment):
Trough Road (WV Co. Rte 31/1) is an asphalt-paved county road that follows the path of the settlement-era Great Waggon Road to Philadelphia as it rose out of the Potomac River at the Packhorse Ford crossing. The road, today's Trough Road, passes through the limestone hills on the south side of the river through a narrow gap or ravine along the west bank of a drainage creek. The wooded hillsides loom over the road as it winds up toward the crest of the hill. The road/path has been in use since the pre-contact period and continues in use today (2012).

Nomination Criteria:
The JCHLC nominates this site under Criteria A for inclusion on the list of registered county landmarks. Criteria A states that a site may be nominated if, in the opinion of the Landmarks Commission, it is associated with events that have made a significant contribution to the broad patterns of our history. The property's owner, Jefferson County Historic Landmarks Commission, has voted to list the Potomac Mills site as a Jefferson County Historic Landmark.

Nomination Action:
The JCHLC voted unanimously to add the Packhorse Ford/Philadelphia Waggon Road Crossing site, under Criteria A, to the rolls of registered Jefferson County Historic Landmarks on September 19, 2012.


Potomac Chase
Willowdale
Cress Creek
Canal NHP
Washington County, MD
Jefferson County, WV
POTOMAC RIVER
Shepherdstown
Antietam Station
Pack Horse Ford
Millers Sawmill
Antietam Heights
Morgan's Grove Park
Glenn Meadows
Glenn Woods
Cavaland
Fairview Farms
Shepherd St
Shepherdstown Pike
Sawmill Rd
Miller Rd
Pack Horse Ford Rd
Tenguie Run Rd
Trough Rd
Boteler
Eagle
5
34
F
45
31
17



View south up Trough Road from Potomac River



View east from Trough Road towards Shepherdstown

RECEIVED
SEP 28 2012
Jefferson County Commission

402 South Mildred Street
Charles Town, WV 25414
September 28, 2012

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

The WV Code requires that the county court of each county shall hold four regular sessions in each year at the courthouse thereof and that the sheriff and the clerk of the county court maintain offices in the county seat. All other county offices, including the circuit courts, need only to be located in the county.

Over the past ten years the Commission has considered numerous plans to meet the county government's requirement for additional office space. In each instance, it solely focused on locations in downtown Charles Town. With the exception of St. Margaret's building, the Commission finally decided that it could not afford the cost.

Further expansion of county offices in downtown Charles Town will only increase congestion, further reduce the tax base of the City, and preclude Charles Town from becoming a tourist destination.

Parking in downtown Charles Town has become a such serious problem that citizens find it increasingly difficult to access the various county offices and energy costs have skyrocketed.

The life-cycle operating cost of the Briel Building, with its solid masonry walls, very high ceilings, and many large windows, will be inordinately expensive.

It is time for the County Commission to accept the fact that the continued expansion of county government in downtown Charles Town is not cost effective nor serves the public interest.

Relocation of non-judical county offices to new, energy efficient buildings in the Jefferson County Public Service Center at the Bardane Industrial Park will more efficiently and effectively serve the citizens

Sincerely,

Earl L. Jackson, Jr.