

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, DECEMBER 5, 2013
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

- November 12, 2013 Legislative Summit
- November 21, 2013 Regular Meeting
- November 21, 2013 Public Hearing

APPROVAL OF PURCHASE ORDERS

- December 5, 2013

APPROVAL OF ACCOUNTS PAYABLE

- November 27, 2013
- December 5, 2013

PUBLIC COMMENT

- Introduction of Russell Burgess, IT Specialist

PRESENTATIONS:

1. 9:45 a.m. The Honorable Tiffany Lawrence, West Virginia House of Delegates
- Presentation of the West Virginia Community Partnership Grants - WestPEP
and Jefferson County Parks and Recreation
2. 10:00 a.m. Craig Jennings, President Preston County Commission
- Discussion of All Good Music Festival - Discussion/Action
3. 10:30 a.m. Resolution - Recognition of Jeffrey Doran Bresee for his services on the
Jefferson County Board of Zoning Appeals - Discussion/Action
4. 10:40 a.m. **BREAK**

5. 10:50 a.m. Interviews and Appointments to the Public Service District for one 6-year term ending December 1, 2019 - Discussion/Action
6. 11:05 a.m. Interviews and Appointments to the Parks and Recreation for an unexpired term ending June 30, 2014 - Discussion/Action
7. 11:20 a.m. Lynn Fields, Deputy County Clerk
- Set date and time for a public hearing for a verified Petition to Compel Amended Appraisalment; Accounting; and to Remove the Executor Daniel D. Duncan - Estate of Gayle Botts Duncan, deceased - Discussion/Action
8. 11:30 a.m. Peter Fricke, Middleway Conservancy Association, Inc.
- Request for support of Middleway Conservancy's application for BAD Building Program Technical Assistance Grant with a letter to accompany application and, if the grant is awarded nomination of a county representative to the Middleway BAD Buildings Team of residents and stakeholders - Discussion/Action
9. 11:45 a.m. David R. Boltson, Citizen
- Request for reconsideration to restore the residence house number as originally assigned to 393 Camelot Way - Discussion/Action
10. 12:00 p.m. **BREAK FOR LUNCH**

~~~~~ AFTERNOON SESSION ~~~~~
11. 1:30 p.m. Elizabeth Wheeler, Jefferson County Farmland Protection Board
- Amendment of 2015 Jefferson County Farmland Protection Board Program - Discussion/Action
- Presentation of JCFPB FY 2013 Annual Report
- Presentation of the JCFPB Strategic Plan
12. 2:00 p.m. Stephanie Grove, Assistant Prosecuting Attorney
- Noise Ordinance Revisions (Possible Executive Session §6-9A-4) - Discussion/Action

13. 2:15 p.m. Jennifer Brockman, Director of Planning and Zoning
- Recommendation of the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for a 107 acre property owned by Ann, James, and Ernest Hunter, designated as Tax District: Middleway (07), Map: 1, Parcel: 2, located on the north side of Route 115 (Old Route 9/Charles Town Road), approximately 700 feet southeast of the Berkeley/Jefferson County line, for the purpose of setting a public hearing to be held by the County Commission - Discussion/Action
14. 2:30 p.m. Tim Stanton, Finance Director
- Financial Update - Discussion/Action

UNFINISHED BUSINESS:

15. - Follow up to October 10, 2013 Public Hearing input on Minor Amendments to the Jefferson County Zoning and Land Development Ordinance: 2.2, 4.10, 4A.5, 5.7, 5.8, 8.5, 8.14(new), 8.15(new), 9.5, 10.5, 11.1, and 12.2 and Appendix C (Agriculture Use and Other Amendments) - Discussion/Action

NEW BUSINESS:

16. Discussion of the Resolution for Establishment of Time and Place of Regular Jefferson County Commission Meetings - Discussion/Action (DK)
17. Approval of the Jefferson County Commission Holiday Schedule for 2014 - Discussion/Action (SM)
18. Set date and time for first meeting of 2014 - Discussion/Action (SM)
19. Counsel opinion on proper use of ambulance fee - Discussion/Action (JT)
20. Ratification of vote on November 21, 2013 - Partial release of the Construction Bond security for Hospice of the Panhandle, Inc. (File#S10-05) - Letter of Credit #10010976610 with Susquehanna Bank, Martinsburg, WV - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

- Purchase Order Policy - Discussion/Action
- Capital Outlay Policy - Discussion/Action

COUNTY COMMISSION REPORTS

21. ADJOURN

CORRESPONDENCE:

Letter from the West Virginia State Tax Department noting the Assessor's compliance with the standards established by the Property Valuation Training and Procedures Commission.

Reschedule notice for the December Board of Zoning Appeals meeting.

Notice from the Loudoun County, Virginia Planning Department regarding a public hearing scheduled for December 11, 2013 on the Comprehensive Plan Amendment.

West Virginia Lottery Weekly Settlement for Charles Town week ending November 16, 2013.

West Virginia Lottery Weekly Settlement for Charles Town week ending November 23, 2013.

West Virginia Ethics Reporter, November 2013.

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

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 at 12 p.m. (An audio tape of the November 12, 2013 meeting is available through the Jefferson County Commission Office.)

PRESENT: Dale Manuel, President
Walt Pellish, Vice President
Patsy Noland, Commissioner
Jane Tabb, Commissioner
Lyn Widmyer, Commissioner

Elected Officials
Angie Banks, Assessor
Ralph Lorenzetti, Prosecuting Attorney
Jennifer Maghan, County Clerk

Legislature
The Honorable Herb Snyder, West Virginia Senator
The Honorable Paul Espinosa, West Virginia House of Delegates
The Honorable Tiffany Lawrence, West Virginia House of Delegates
The Honorable Stephen Skinner, West Virginia House of Delegates

Staff
Debbie Keyser, County Administrator
Jessica Carroll, Administrative Assistant

RE: **Jefferson County Commission 2013 Legislative Summit**

Commissioner Manuel called the meeting to order at 12:06 pm.

Commissioner Widmyer led the Pledge of Allegiance.

The Jefferson County Commission 2013 Legislative Summit began with the elected officials presenting their legislative concerns and requests to the Commission. Pete Dougherty, Sheriff, was unable to attend, so Debbie Keyser, County Administrator, read Mr. Dougherty's legislative concerns to the public at the request of the Commission. The Commission then worked together to create a list of their top five legislative priorities to present to the Legislature. In no particular order, the Commission agreed upon the following priorities:

- Recapture the Transfer Tax from the State to the County level to assist with regional jail costs.
- Development of a regional in-patient mental health facility to serve county residents in the Eastern Panhandle and reduce costs to each county.

- Salary increase of 20% for elected county officials for 2014, as there is a continued increase in today's litigious environment which requires more work and involvement from Commissioners and elected officials, and there has not been an increase for the past eight years.
- Establishment of a joint Fire and Ambulance Emergency Services Agency Fee that is similar in legislation to the current Ambulance fee. This provision would only be applicable for counties that currently have an Emergency Services Agency Board.
- Reduction of Regional Jail Costs to reduce County costs.

After the Legislators introduced themselves, Commissioner Manuel presented the Commission's priority list, and a discussion was held between the Commissioners and the Legislators for each of these priorities.

Commissioner Manuel thanked everyone for participating in the Jefferson County Legislative Summit and adjourned the meeting at 3:30 pm.

DALE MANUEL, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Executive Administrative Assistant

Minutes

Jefferson County Commission

Thursday, November 21, 2013

A meeting of the Jefferson County Commission was held on Thursday, November 21, 2013 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 Dale Manuel, Patsy Noland, Walter Pellish, Jane Tabb and Lyn Widmyer. Also present were Debbie Keyser, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the November 21, 2013 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Tabb led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Widmyer to approve the Board of Assessment Appeals Minutes of October 24, 2013. Motion seconded and unanimously approved.

Motion by Ms. Tabb to approve the Regular Meeting Minutes of November 7, 2013 with noted correction. Motion seconded and unanimously approved.

Motion by Mr. Manuel to approve the Work Session Minutes of November 14, 2013. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Noland to approve Purchase Orders in the amount of \$129,875.68 to include P.O. Nos. 51894, 51919, 51920, 519420, 52166, 51453, 51457, 52226, 50242, 52163, 52164, 52165, 52167, 52169, 52170, 52171, 52172, 52153, 51660, 51661, 51663, 51531, 51533, 51534, 51535, 51537, 51538, 51539, 52119, 52120, and 52122 with the exception of #51532 in the amount of \$24,558.00 for funds from Capital Outlay to West Virginia Signal and Light for new vehicle interior components. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
071084	GRANT	ANIMAL WELFARE SOCIETY		\$ -	\$ 60,880.00	\$ 60,880.00

071085	424	AT&T/IL		\$ -	\$ 0.55	\$ 0.55
071086	700	AUTOZONE		\$ -	\$ 258.27	\$ 258.27
071086	717	AUTOZONE		\$ -	\$ 96.76	\$ 96.76
071087	425	B-K OFFICE SUPPLY INC	52160	\$ 169.35	\$ -	\$ 169.35
071088	402	CSSI-COMLETE SYSTEM SPR	51808	\$ 17.35	\$ -	\$ 17.35
071089	424	CENTRAL ELEVATOR	52155	\$ 160.00	\$ -	\$ 160.00
071090	425	DAYCON	52162	\$ 1,117.48	\$ -	\$ 1,117.48
071091	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 41.75	\$ 41.75
071092	424	J.C.EHRLICH		\$ -	\$ 34.00	\$ 34.00
071092	425	J.C.EHRLICH		\$ -	\$ 606.38	\$ 606.38
071093	425	FIDELITY ENGINEERING	52157	\$ 228.75	\$ -	\$ 228.75
071094	425	GRAINGER, INC	52156	\$ 143.28	\$ -	\$ 143.28
071095	424	GRIFFITH ENERGY SERVICE		\$ -	\$ 775.85	\$ 775.85
071095	425	GRIFFITH ENERGY SERVICE		\$ -	\$ 458.16	\$ 458.16
071096	401	HIRERIGHT		\$ -	\$ 103.30	\$ 103.30
071097	425	JEFF CO PUBLIC SER DEPT		\$ -	\$ 168.07	\$ 168.07
071098	425	JEFFERSON UTILITIES INC		\$ -	\$ 559.76	\$ 559.76
071099	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5.00	\$ 5.00
071100	424	KONE INC.		\$ -	\$ 11,000.00	\$ 11,000.00
071101	711	BARBARA J. MILLER		\$ -	\$ 291.00	\$ 291.00
071102	424	NEOPOST USA INC.	51762	\$ 79.98	\$ -	\$ 79.98
071103	402	PIFER OFFICE SUPPLY, INC	51806	\$ 55.56	\$ -	\$ 55.56
071104	425	POTOMAC EDISON/OH		\$ -	\$ 5,326.94	\$ 5,326.94
071105	425	RCS SECURITY	52161	\$ 985.00	\$ -	\$ 985.00
071106	403	RECORD MANAGEMENT SOLUTN	51438	\$ 30.00	\$ -	\$ 30.00
071107	403	SOFTWARE SYSTEMS, INC	51439	\$ 745.48	\$ -	\$ 745.48
071107	424	SOFTWARE SYSTEMS, INC	51439	\$ 900.00	\$ -	\$ 900.00
071108	405	STAPLES CREDIT PLAN	51640	\$ 156.98	\$ -	\$ 156.98
071109	425	SHERWIN-WILLIAMS		\$ -	\$ 196.98	\$ 196.98
071110	711	SOFTWARE COMPUTER GROUP	50010	\$ 150.00	\$ -	\$ 150.00
071111	425	SHENANDOAH VALLEY WATER		\$ -	\$ 653.40	\$ 653.40
071112	425	CAPITAL TRISTATE		\$ -	\$ 637.13	\$ 637.13
071113	700	VINCENT TIONG		\$ -	\$ 319.50	\$ 319.50
071114	424	VERIZON BUSINESS/TX		\$ -	\$ 1,136.99	\$ 1,136.99
071115	717	NAPA AUTO PARTS		\$ -	\$ 157.16	\$ 157.16
071116	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 671.47	\$ 671.47
071117	425	WINCHESTER SECURITY,LLC	52158	\$ 2,182.00	\$ -	\$ 2,182.00
TOTAL						\$ 91,499.63
TOTAL				\$ 7,121.21	\$ 84,378.42	\$ 91,499.63

Motion by Ms. Tabb to approve the accounts payable for November 14, 2013 in the amount of \$91,499.63. Motion seconded and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
071120	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 4,268.52	\$ 4,268.52
071121	412	COMCAST		\$ -	\$ 82.50	\$ 82.50
071121	425	COMCAST		\$ -	\$ 443.03	\$ 443.03
071122	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 1,781.05	\$ 1,781.05
071123	413	APPLE VALLEY OFF.PRODUCT	51630	\$ 67.25	\$ -	\$ 67.25
071124	424	BOLAND SERVICES	51763	\$ 270.00	\$ -	\$ 270.00
071124	425	BOLAND SERVICES	51764	\$ 991.01	\$ -	\$ 991.01
071125	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
071126	712	BIDDLE CONSULTING GROUP	51677	\$ 599.00	\$ -	\$ 599.00
071127	PAYROLL	BUREAU FOR CHILD SUPPORT		\$ -	\$ 28.85	\$ 28.85
071128	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
071129	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
071130	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
071131	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
071132	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
071133	PAYROLL	COLONIAL LIFE		\$ -	\$ 487.46	\$ 487.46
071134	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
071135	401	FEDEX		\$ -	\$ 31.05	\$ 31.05
071135	405	FEDEX		\$ -	\$ 55.91	\$ 55.91
071135	700	FEDEX		\$ -	\$ 238.58	\$ 238.58
071136	712	FEDEX		\$ -	\$ 75.03	\$ 75.03
071137	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 24,460.48	\$ 24,460.48
071138	425	GRAINGER, INC	52168	\$ 11.80	\$ -	\$ 11.80
071139	405	STEPHANIE GROVE		\$ -	\$ 203.40	\$ 203.40
071140	716	HILLSIDE VETERINARY HOSP	51918	\$ 54.27	\$ -	\$ 54.27
071141	700	KATHY HERTELENDY		\$ -	\$ 14.63	\$ 14.63
071142	401	RICOH USA, INC		\$ -	\$ 41.00	\$ 41.00
071143	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 3,460.00	\$ 3,460.00
071144	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 1,781.05	\$ 1,781.05
071145	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,328.00	\$ 5,328.00
071145	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 40.00	\$ 40.00
071146	700	GLENDON KINCAID		\$ -	\$ 30.56	\$ 30.56
071147	712	LANGUAGE LINE SERVICES		\$ -	\$ 97.48	\$ 97.48
071148	PAYROLL	COMPTROLLER OF MARYLAND		\$ -	\$ 505.14	\$ 505.14
071149	440	MICHAEL MONAGHAN		\$ -	\$ 337.55	\$ 337.55
071150	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00

071151	401	PATRICIA A NOLAND		\$ -	\$ 32.71	\$ 32.71
071152	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
071153	ALLOC	JEFF CO PARKS &		\$ -	\$ 18,701.03	\$ 18,701.03
071154	403	PIFER OFFICE SUPPLY, INC	51456	\$ 37.28	\$ -	\$ 37.28
071155	700	ROMULO QUEZADA		\$ -	\$ 6.88	\$ 6.88
071156	GRANT	EASTERN PANHANDLE REGION		\$ -	\$ 71.88	\$ 71.88
071157	425	RCS SECURITY		\$ -	\$ 132.00	\$ 132.00
071158	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
071158	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58
071158	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
071158	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
071158	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
071158	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
071158	433	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
071158	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
071158	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
071158	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
071159	405	SPECIALTY BUS SUPPLIES	51639	\$ 2,367.08	\$ -	\$ 2,367.08
071160	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 34.22	\$ 34.22
071160	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,908.58	\$ 10,908.58
071160	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 25.98	\$ 25.98
071160	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 111.10	\$ 111.10
071160	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 46,643.14	\$ 46,643.14
071160	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 8.00	\$ 8.00
071160	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 69.78	\$ 69.78
071160	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 47,275.82	\$ 47,275.82
071160	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 129.54	\$ 129.54
071161	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 16.62	\$ 16.62
071161	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 32,321.05	\$ 32,321.05
071161	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 110.26	\$ 110.26
071162	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 17,312.82	\$ 17,312.82
071162	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 11,319.87	\$ 11,319.87
071163	405	SECRETARY OF STATE'S OFF	51662	\$ 52.00	\$ -	\$ 52.00
071164	716	TEVA/TOTAL EQUINE VET AS	51921	\$ 75.00	\$ -	\$ 75.00
071166	401	UNITED BANKCARD CENTER		\$ -	\$ 463.69	\$ 463.69
071166	402	UNITED BANKCARD CENTER		\$ -	\$ 39.99	\$ 39.99
071166	402	UNITED BANKCARD CENTER		\$ -	\$ 49.90	\$ 49.90
071166	402	UNITED BANKCARD CENTER		\$ -	\$ 21.44	\$ 21.44
071166	402	UNITED BANKCARD CENTER		\$ -	\$ 15.99	\$ 15.99
071166	403	UNITED BANKCARD CENTER		\$ -	\$ 160.00	\$ 160.00

071166	405	UNITED BANKCARD CENTER		\$ -	\$ 662.84	\$ 662.84
071166	405	UNITED BANKCARD CENTER		\$ -	\$ 399.95	\$ 399.95
071166	405	UNITED BANKCARD CENTER		\$ -	\$ 341.39	\$ 341.39
071166	405	UNITED BANKCARD CENTER		\$ -	\$ 208.47	\$ 208.47
071166	412	UNITED BANKCARD CENTER		\$ -	\$ 451.98	\$ 451.98
071166	415	UNITED BANKCARD CENTER		\$ -	\$ 75.88	\$ 75.88
071166	424	UNITED BANKCARD CENTER		\$ -	\$ 24,134.78	\$ 24,134.78
071166	424	UNITED BANKCARD CENTER		\$ -	\$ 109.86	\$ 109.86
071166	424	UNITED BANKCARD CENTER		\$ -	\$ 10.60	\$ 10.60
071166	424	UNITED BANKCARD CENTER		\$ -	\$ 76.32	\$ 76.32
071166	425	UNITED BANKCARD CENTER		\$ -	\$ 22.93	\$ 22.93
071166	425	UNITED BANKCARD CENTER		\$ -	\$ 35.82	\$ 35.82
071166	425	UNITED BANKCARD CENTER		\$ -	\$ 169.01	\$ 169.01
071166	428	UNITED BANKCARD CENTER		\$ -	\$ 174.24	\$ 174.24
071166	433	UNITED BANKCARD CENTER		\$ -	\$ 67.89	\$ 67.89
071166	439	UNITED BANKCARD CENTER		\$ -	\$ 147.34	\$ 147.34
071166	439	UNITED BANKCARD CENTER		\$ -	\$ 14.76	\$ 14.76
071166	440	UNITED BANKCARD CENTER		\$ -	\$ 119.78	\$ 119.78
071166	440	UNITED BANKCARD CENTER		\$ -	\$ 187.96	\$ 187.96
071166	440	UNITED BANKCARD CENTER		\$ -	\$ 669.05	\$ 669.05
071166	440	UNITED BANKCARD CENTER		\$ -	\$ 75.00	\$ 75.00
071166	451	UNITED BANKCARD CENTER		\$ -	\$ 223.96	\$ 223.96
071166	700	UNITED BANKCARD CENTER		\$ -	\$ 643.17	\$ 643.17
071166	700	UNITED BANKCARD CENTER		\$ -	\$ 233.69	\$ 233.69
071166	700	UNITED BANKCARD CENTER		\$ -	\$ 50.00	\$ 50.00
071166	700	UNITED BANKCARD CENTER		\$ -	\$ 619.32	\$ 619.32
071166	700	UNITED BANKCARD CENTER		\$ -	\$ 189.70	\$ 189.70
071166	700	UNITED BANKCARD CENTER		\$ -	\$ 85.00	\$ 85.00
071166	700	UNITED BANKCARD CENTER		\$ -	\$ 77.45	\$ 77.45
071166	700	UNITED BANKCARD CENTER		\$ -	\$ 883.80	\$ 883.80
071166	711	UNITED BANKCARD CENTER		\$ -	\$ 273.42	\$ 273.42
071166	711	UNITED BANKCARD CENTER		\$ -	\$ 477.00	\$ 477.00
071166	711	UNITED BANKCARD CENTER		\$ -	\$ 486.86	\$ 486.86
071166	711	UNITED BANKCARD CENTER		\$ -	\$ 101.99	\$ 101.99
071166	711	UNITED BANKCARD CENTER		\$ -	\$ 110.00	\$ 110.00
071166	712	UNITED BANKCARD CENTER		\$ -	\$ 171.27	\$ 171.27
071166	712	UNITED BANKCARD CENTER		\$ -	\$ 14.00	\$ 14.00
071166	712	UNITED BANKCARD CENTER		\$ -	\$ 3,830.19	\$ 3,830.19
071166	712	UNITED BANKCARD CENTER		\$ -	\$ 477.88	\$ 477.88
071166	716	UNITED BANKCARD CENTER		\$ -	\$ 86.99	\$ 86.99

071166	716	UNITED BANKCARD CENTER		\$ -	\$ 602.78	\$ 602.78
071166	716	UNITED BANKCARD CENTER		\$ -	\$ 525.00	\$ 525.00
071166	716	UNITED BANKCARD CENTER		\$ -	\$ 221.80	\$ 221.80
071166	717	UNITED BANKCARD CENTER		\$ -	\$ 133.00	\$ 133.00
071166	717	UNITED BANKCARD CENTER		\$ -	\$ 40.00	\$ 40.00
071166	717	UNITED BANKCARD CENTER		\$ -	\$ 27.41	\$ 27.41
071167	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 22,263.13	\$ 22,263.13
071168	405	THOMSON REUTERS - WEST	51638	\$ 2,257.72	\$ -	\$ 2,257.72
071169	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 40.05	\$ 40.05
071169	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 12.43	\$ 12.43
071169	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 24,723.54	\$ 24,723.54
071169	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 79,674.72	\$ 79,674.72
071170	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 166.50	\$ 166.50
071171	700	WV STATE POLICE	51536	\$ 88.00	\$ -	\$ 88.00
TOTAL						\$ 406,939.31
TOTAL				\$ 6,870.41	\$ 400,068.90	\$ 406,939.31

Motion by Ms. Widmyer to approve the accounts payable for November 21, 2013 in the amount of \$406, 939. 31. Motion seconded and unanimously approved.

PUBLIC COMMENT:

Bob Aitcheson, resident – spoke regarding his concerns on the BZA’s decision to permit the All Good music festival to be held in Jefferson County.

Doug Rockwell, resident – spoke regarding the BZA’s failure to follow proper procedure when granting the variance to allow the All Good music festival to be held in Jefferson County for five days.

Eleanor Finn, resident– spoke regarding the need for transparency when appointing applicants to various Boards, Commissions, and Committees.

Martin Burke – spoke regarding the current noise ordinance and the fact that “periodic” and “stand alone events” were omitted from the published ordinance. Mr. Burke also spoke a second time and urged the Commission to not allow the All Good music festival to come to Jefferson County.

Cathy Vance – requested the Commission not make any decisions on the proposed new zoning categories until the 2014 Comprehensive Plan is completed.

Dan Kovack, resident – spoke regarding the proposed All Good music festival and stated the county does not have the infrastructure to support such a large event.

Terry Courtwright, resident – spoke regarding the potential noise and traffic issues that may arise from the All Good music festival.

PRESENTATIONS

1. Pete Dougherty, Sheriff – requested the approval to hire Joseph Grantham for the vacant position of Deputy
 - **Motion by Ms. Tabb to not approve the hiring of Joseph Grantham for the position of Deputy. Motion seconded. Motion withdrawn.**
 - After discussion, it was the consensus of the Commission to revisit this request after acquiring more information on the current financial situation of the County.
2. Debbie Keyser, County Administrator – requested the review and approval of the amended Meeting Room Policy.
 - **Motion by Mr. Manuel to approve the amended Meeting Room Policy to state: “All meetings shall be open to the public with the exception of political parties meeting as a caucus and the groups under their umbrellas as recognized by the state of West Virginia.” Motion seconded and passes on a vote of 3-2 with Mr. Pellish and Ms. Tabb opposing.**
3. The Commission recessed for break at: 10:30 am.
The Commission reconvened from break at: 10:40 am.
4. Ralph Lorenzetti, Prosecuting Attorney and Victoria Slater-Madert, Safe Haven Child Advocacy Center – requested local matching funds award of \$5,000 from the Jefferson County Commission to be used as a portion of matching funds for West Virginia Division of Justice and Community Services grant.
 - **Motion by Mr. Manuel to approve budget award request for FY 2014 in the amount of \$5,000 for the Safe Haven Child Advocacy Center to be taken from the “Other Contributions” account from the County and/or the “Forfeitures” account from the Prosecuting Attorney’s Office if funds allow. Motion seconded and unanimously approved.**
5. Interviews and Appointments to the Jefferson County Farmland Protection Board for one three-year term ending September 7, 2016 representing a Farmer-at-Large.
 - **Motion by Ms. Tabb to appoint David Ober to the Jefferson County Farmland Protection Board for one three-year term ending September 7, 2016 representing a Farmer-at-Large. Motion seconded and unanimously approved.**

6. Alan Davis, Deputy County Administrator for the Berkeley County Commission – spoke to the Commission about the future possibility of consolidating the 9-1-1 centers in Jefferson, Berkeley, and Morgan counties and other ventures as appropriate.
7. Lynn Fields, Deputy Probate Clerk – requested the approval to close estates that did not meet the deadline for the last quarterly review.
 - Commissioner Manuel struck the gavel to indicate the Commission would be acting as a Fiduciary Board in order to make a motion to fulfill Ms. Fields’ request.
 - **Motion by Ms. Noland to approve the closure of estates as presented. Motion seconded and unanimously approved.**
8. Ann Coulter and Lynn Yellot, Eastern Panhandle Single Payer Action Network – spoke to the Commission about Single Payer Medicare for All and distributed literature on their topic.
9. S. Chris Anders, State Coordinator for the Campaign for Liberty – requested the approval of the Resolution for the Adoption of a Non-Discriminatory Policy in the use of County Property.
 - Commissioner Manuel stated this item had already been addressed earlier in the meeting, so there would be no need for action on Mr. Anders’ request.
10. The Commission recessed for lunch at 12:30.
The Commission reconvened at 1:30.
11. Norwood Bentley, Esquire – attended the County Commission meeting to participate in a discussion on legal matters regarding personnel issues/possible litigation.
 - **Motion by Ms. Noland to enter into Executive Session, citing State Code §6-9 A-4 (2)(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. Motion seconded and unanimously approved.**
12. Roger Goodwin, Chief County Engineer
 - A. Requested the approval of the complete release of the remaining \$135,608.00 from the construction bond for Waterfront Group WV, LLC/Mark Adkins – Rock Ferry Station Subdivision, Lots 1-7, 16 & 15-43 (File #04-20)

- **Motion by Ms. Tabb to approve the complete release of the reaming \$135,608.00 from the construction bond for Waterfront Group WV, LLC/Mark Adkins – Rock Ferry Station Subdivision, Lot 1-7, 16 & 15-43. Motion seconded and unanimously approved.**

B. Requested the approval of the partial release of \$1,511,536.00 from the construction bond amount for Hospice of the Panhandle, Inc. (File #S10-05)

- **Motion by Ms. Widmyer to approve the partial release of \$1,511,536.00 from the construction bond amount for Hospice of the Panhandle, Inc. Motion seconded and unanimously approved.**

13. Jennifer Brockman, Director of Planning and Zoning

A. Updated the Commission on the status of the 2014 Comprehensive Plan.

B. On October 10, 2013, the Jefferson County Commission held a Public Hearing to consider public input regarding proposed Minor Amendments to the Jefferson County Zoning and Land Development Ordinance Sections 2.2, 4.10, 4A.5, 5.7, 5.8, 8.5, 8.14 (new), 8.15 (new), 9.5, 10.5, 11.1, 12.2 and Appendix C (Agricultural Use and Other Amendments). The record was held open until October 24, 2013 for additional written comments, and the Planning and Zoning staff developed a matrix which summarizes all of the comments received with proposed staff responses to each comment for Commission consideration.

- It was the consensus of the Commission to postpone further action on this item until the next County Commission meeting scheduled for Thursday, December 5, 2013.

UNFINISHED BUSINESS

14. Jennifer Brockman, Director of Planning and Zoning – Follow up to Potential Amendments to WV Code 8A - On October 5, 2013, Jefferson County Planning Staff presented an overview of potential proposed amendments to WV Code 8A intended to continue to develop local processes that would reduce barriers to development, streamline processes, and improve the clarity of the processes. In particular, the Department of Planning and Zoning staff has reviewed provisions of WV Code 8A, Article 4 Subdivision and Land Development Ordinance, and developed a few proposed amendments that they believe would help prevent some unnecessary delays that may have inadvertently been created by the language in 8A. Staff has drafted a slightly revised version of the amendments based on input from the County Commission, and two timelines have been provided to demonstrate how the amendments will affect the time required to process the application.

- This item was postponed for discussion. It will be addressed at a later date which has yet to be determined.

NEW BUSINESS:

15. Debbie Keyser, County Administrator – requested the review and approval of the amended Appointment to County Boards, Committees, and Commissions Policy.
 - **Motion by Mr. Manuel to approve the amended Appointments to County Boards, Committees, and Commissions Policy to state: “Applicants must submit their applications and/or letters of interest no later than noon on the Monday prior to the scheduled interviews and appointments. Current members whose terms are expiring are asked to continue to serve until the Commission has appointed a replacement for the advertised position(s).” Motion seconded and unanimously approved.**

FINANCIAL DIRECTOR REPORTS

Due to illness, Mr. Tim Stanton, Jefferson County Financial Director, was unable to attend the November 21 Commission meeting. Ms. Debbie Keyser, County Administrator, provided the Commission with the financial recommendations for the current budget period. They are as follows:

1. Implement a hiring freeze for all new and replacement positions.
2. Avoid implementing new services which require additional personnel until current available funds are determined.
3. Avoid purchasing any items until purchase orders are approved by the Commission.
4. Avoid spending money for any service that is not absolutely necessary.
5. Each department head and elected official should stay within their budget line items and submit potential savings to Mr. Stanton prior to the December 5th financial presentation.

COUNTY ADMINISTRATOR REPORTS

- Impact Fee Study Reimbursement – Ms. Keyser stated the School Board has reimbursed the County for \$19,500 for their share of the Impact Fee study.
- Council of Governors Meeting for Envision 2035 – Ms. Keyser notified the Commission of an interest from other municipalities to be involved in Envision 2035. Jennie Brockman, Director of Planning and Zoning, suggested they hold a Council of Governors meeting to involve the interested municipalities in a discussion of the land to be annexed prior to rezoning for Envision 2035. The Commission agreed to the Council of Governors meeting, but requested a draft of the land use map be available to the attendees for discussion during the meeting.

- Meeting with Elected Officials – Ms. Keyser stated the Elected Officials have expressed interest in having quarterly roundtable meetings with the Commission. The Commission agreed but requested a list of topics they’d like to discuss for each quarter.
- VoIP RFP Summary Report – Ms. Keyser notified the Commission of the VoIP Summary, stating 290 phones had been installed in the buildings on the main campus and the Bardane campus, with 24 more installations until completion. Ms. Keyser also provided the Commissioners with a breakdown of the VoIP overages as requested during the October 31st County Commission meeting.
- IT Department Update – Ms. Keyser updated the Commission on the happenings of the IT Department. She stated the new IT employees have been introduced to most of the other County employees, and they are in the process of reviewing the current ticketing system in effort to create a more efficient method of providing technical support. In addition to developing a new backup process for the County files, the IT department is also involved in the documentation of passwords and procedures and will be reviewing the County’s network security.
- Website RFP Update – Ms. Keyser stated the IT Squad was currently reviewing ideas and proposals for a new County website, and would be presenting those ideas before the Commission at a later meeting once the County had a firmer understanding of the current budget issues.
- Proposal to Use Health Department Building as Cold/Hot Weather Shelter – Ms. Keyser notified the Commission of the Health Department’s request to use the Health Department building as a cold/hot weather shelter. Ms. Keyser notified the Commission she would be denying the request but would add the item to a future agenda for further discussion at the Commission’s request.

COUNTY COMMISSIONER’S REPORTS

Jane Tabb

- Attended the CEOS Achievement Banquet.
- Attended a Farmland Protection Board meeting.
- Attended the West Virginia State Dairy Show Board meeting in Morgantown.
- Attended the Farmland Protection Board farm monitoring visits.
- Met Lady Fairfax at the Black Dog Coffee Roasting Company
- Presented “Making Cornbread from Scratch” to Mrs. Potter’s 1st grade class at North Jefferson Elementary.

Dale Manuel

- Attended the Shepherdstown Fire Department’s Fall Sportsmen’s Bash.
- Attended the November 12 Jefferson County Legislative Summit.
- Met with Tim Stanton, Jefferson County Financial Director.

- Attended the Leadership Jefferson Luncheon.
- Attended a Day Reporting Center meeting.
- Attended a Water Advisory Committee meeting.
- Attended a Teen Court meeting.
- Attended an Emergency Services Agency Board meeting.

The Commission meeting was adjourned at 3 pm on a motion by Mr. Manuel. Motion was seconded and unanimously approved.

DALE MANUEL, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414 on November 21, 2013 at 7 pm (An audio tape of the November 21, 2013 meeting is available through the Jefferson County Commission Office.)

PRESENT: Dale Manuel, President
Walt Pellish, Vice President
Patsy Noland, Commissioner
Jane Tabb, Commissioner
Lyn Widmyer, Commissioner
Jennifer Brockman, Director of Planning and Zoning
Debbie Keyser, County Administrator
Jessica Carroll, Administrative Assistant

RE: **Public Hearing on a proposed Zoning and Land Development Ordinance Text Amendment to establish additional commercial and industrial zoning district categories, and related changes to the Ordinance. The amendment includes changes to the following sections of the Zoning and Land Development Ordinance: 4.4; 4.6; 4.10; 4.11; 5.1; 5.4; 5.6; 5.7; 5.8; 5.10; 6.3; 6.5; 8.1; 8.9; 8.12; 12.2; 12.3; Appendices A, B, and C; and the addition of new Sections 5.11, 5.12, 5.13, 5.14, 5.15, 5.16 and 5.17.**

Commissioner Manuel called the meeting to order at 7 pm.

Jennifer Brockman, Director of Planning and Zoning, gave a brief overview of the history of the proposed Zoning and Land Development Ordinance Text Amendment and described the changes that have been made since the Commission first decided in October of 2012 to table any action on the proposed amendment until the completion of the 2014 Comprehensive Plan. Ms. Brockman submitted written comments to be included in the record, and President Manuel opened the floor for public comment.

Public Comments were made by the following:

Cathy Vance, resident – urged the Commissioners to postpone action until the completion of the 2014 Comprehensive Plan.

Kathy Cofrin, resident – also requested the Commission delay action until the completion of the 2014 Comprehensive Plan.

Bernard Marcus Simmons, resident – expressed his frustrations with the lack of adequate planning and infrastructure within the County.

Ted Schiltz – spoke in support of his predecessors, also expressing his belief that no action should be taken until the completion of the 2014 Comprehensive Plan.

There being no further comments from the public, Commissioner Manuel stated the record would remain open for two weeks for written comment. The public hearing was adjourned at 7:11 on a motion by the Commission. Motion seconded and unanimously approved.

DALE MANUEL, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Executive Administrative Assistant

PURCHASE ORDERS TO BE APPROVED

Dec. 5, 2013

DEPARTMENT	PURCHASE ORDER	AMOUNT	VENDOR	DESCRIPTION
CENTRAL GARAGE	52176	\$ 297.64	Miller's Chrysler, Jeep, Dodge, Ram	Replacement of Ignition Lock Cylinder
CIRCUIT CLERK	51459	\$ 216.10	Matthew Bender & Co., Inc.	WV Code Books
COMMUNICATIONS	49839	\$ 55,466.16	Motorola Solutions	Service Maintenance Contract
	51673	\$ 856.00	APCO International	Group APCO Memberships
COUNTY CLERK	51809	\$ 104.13	Pifer Office Supply	Office Supplies
	51810	\$ 168.48	Spirit of Jefferson	Advertisements
DATA PROCESSING	52228	\$ 684.40	Double Radius, Inc.	Professional 3-pack WiFi Quote
OTHER BUILDINGS	52173	\$ 1,198.25	BK Office Supply	Computer & Copy Paper
	52175	\$ 211.80	RCS Security	Cut out Strike/Added Lock
PLANNING	50346	\$ 2,192.80	Breakthrough Achievements, Inc.	Consultant Services
PROSECUTING ATTORNEY'S OFFICE	51664	\$ 1,995.00	David Clayman	Professional Services Rendered
TAX OFFICE	52121	\$ 377.20	Pifer	Office Supplies
GRAND TOTAL		\$ 63,254.22		

AGENDA REQUEST FORM

www.jeffersoncountywv.org



Name: The Honorable Tiffany Lawrence

Department or Organization: West Virginia House of Delegates

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: December 5, 2013

Date Requested – 2nd Choice: _____

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

Subject (Wording to be placed on agenda):

Presentation of the WV Community Partnership Grants

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):

Are documents attachments? Yes No

If not, explain:

Is a projector needed? Yes No

Contact information:

Email address: _____

Phone number: _____

AGENDA REQUEST FORM

www.jeffersoncountywv.org



Name: John Reisenweber

Department or Organization: Jefferson County Development Authority

Estimation of amount of time needed for appointment: 20 minutes

Date Requested – 1st Choice: December 5, 2013

Date Requested – 2nd Choice: _____

If a specific date is needed, please provide reason for specific date: **To coordinate photo shoot with all participants.**

Subject (Wording to be placed on agenda):

Presentation of grants to WestPEP and Jefferson County Parks and Recreation by Delegate Tiffany Lawrence.

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

Delegate Tiffany Lawrence will be presenting an oversized check for the WV Community Partnership Grant to John Reisenweber - photo of presentation will be taken. She will also be presenting a grant to Parks and Rec. Bill Clark and Stephen Christian will be included in the presentation.

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

Are documents attachments? No

If not, explain:

Is a projector needed? No

Contact information:

Email address: janejones@jcda.net

Phone number: Ext. 3100

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Craig Jennings

Department or Entity: President - Preston County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: December 5, 2013

Date Requested – 2nd Choice: _____

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

Subject: **Preston County experiences with the All Good Music Festival**

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:

Preston County Commission

Courthouse Annex
106 W. Main Street, Suite 202
Kingwood, West Virginia 26537
Phone (304) 329-1805
Fax (304) 329-3192
TDD (304) 329-0652
www.prestoncountywv.org



November 13, 2013

Jefferson County Board of Zoning Appeals
Attention: Board Chairman

Dear Chairman Lee and Board Members,

The All Good Festival was in our county for several years, I have been asked by Robert Aitcheson to give my knowledge of just what the Festival will bring to your community. Here is just some of the issues that we dealt with during the time the All Good Festival called Preston County home:

TRAFFIC CONTROL ISSUES.

- The festival site was located at two different locations during its time in Preston County. Both sites were on farm land off a small rural dirt roadway. At times traffic was backed up approximately 15 miles on the two lane highways leading into the rural dirt roadway into the site. This traffic jams lasted for hours. Local citizens who lived near the site used by the All Good Festival complained that they had to take vacation days during the festival because they couldn't get to work due to the huge traffic headache.

DRUG USE BY FESTIVAL GOERS

- All Good Festival brings with it heavy drug use. This claim is substantiated by the fact that during the four or five days the All Good Festival was held Preston County had more felony arrests during that

time than the number of felony arrests in a typical "one year" time frame. Nearly all, if not all, the arrests both felony and misdemeanor by participants of the All Good Festival were drug related.

NEGATIVE IMPACT TO LOCAL CITIZENS

- Loss of days at work due to traffic jams
- Fear and anxiety because of the lack of respect of festival goers. People who were attending the festival urinated and defecated on people's property, trespassing and destroying property.
- Noise caused from the bands and the festival participants. This noise lasted into the night.

STRAIN ON LOCAL LAW ENFORCEMENT

- Just to keep order at an event where approximately 30,000 or more people are expected forces you into getting mutual aid agreements with state police and other law enforcement agencies. We had to pay \$35 per hour per officer for the extra help

INCREASE COST TO THE COUNTY FOR REGIONAL JAIL

- Due to the number of felony and misdemeanor arrests of All Good Festival participants the cost for the Preston County Commission to the Regional Jail sky rocketed along with costs associated with transporting those offenders to the regional jail located approximately 2 hours away from Preston County.

INCREASE COST TO LOCAL HOSPITAL

- The local hospital estimated their loss caused by people who were brought to the facility from the All Good Festival due to those that didn't pay and the need for extra staff at approximately \$50,000. This does not take into account the amount of money lost at Mon General or Ruby Memorial hospitals who also had patients from the festival

It is important to note that the All Good Festival seemed to be happy in Preston County for years until the Preston County Commission enacted the Mass Gathering Ordinance and permitting process and the All Good Festival paid the permit fee of \$164,000. The fee was used to help cover costs associated with the Festival event.

I hope you find the information I have provided helpful in making the decision that is before you. I would be happy to come before the Zoning Board to discuss this matter further. I would have been at the meeting schedule for November 14, 2013, however I was not able to attend due to a scheduling conflict. I am available today for a conference call. My number is 304-288.2350.

Good luck.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "T. Craig Jennings", written in a cursive style.

T. Craig Jennings
President

Cc: Robert D. Aitcheson
Jennj Lee, Clerk

Conditions

The Applicants are bound by their testimony regarding the event.

Further the applicants shall abide by the following conditions:

Comply with all governmental regulations.

Musical performance shall cease by 2:00 am Thursday, Friday and Saturday and by midnight Sunday. Musical performances shall not begin before 9:00 am on Friday, Saturday and Sunday.

No performance before 4:00 pm on Thursday. No performance on Monday.

Obtain an alcohol license, West Virginia Department of Highways permit, Health Department approval, state tax and business license and all other governmental approvals and provide written copies of same 90 days in advance to Planning Staff (only for the record/file).

Meet with Jefferson County Sheriff's Department, Jefferson County Emergency Services Agency, Jefferson Medical Center and Jefferson County Homeland Security and provide each entity with anticipated attendance numbers. Obtain written requirements from the Police and EMS/Fire services and develop a public safety plan to meet public safety concerns; comply with all reasonable requests. The Applicants shall be responsible for the reasonable costs associated with the public safety plan. The Applicants shall provide written proof of public safety plan and cost recovery arrangements to Planning Staff 90 days in advance of the concert.

Provide public legal advertisement of performance dates and times 60 days in advance of the concert in Spirit of Jefferson.

Post the property continuously for 30 days in advance of concert with event dates and time.

Provide a Sketch Plan (Not To Scale) to the Planning Staff 120 days in advance of the concert addressing the locations of proposed stages, sound systems, bathroom facilities, parking areas, concessions, fencing and access points. The Sketch Plan shall substantially match presentation provided to Board of Zoning Appeals.

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Jessica Carroll

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: December 5th

Date Requested – 2nd Choice: _____

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

Subject: **Resolution in Recognition of Jeffrey Doran Bresee for his Service on the Jefferson County Board of Zoning Appeals**

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: Resolution Document for Jeffrey Doran Bresee

RESOLUTION IN RECOGNITION OF JEFFREY DORAN BRESEE FOR HIS SERVICE ON
THE JEFFERSON COUNTY BOARD OF ZONING APPEALS

WHEREAS, the Jefferson County Commission formed the Jefferson County Board of Zoning Appeals in 1988,

WHEREAS, the Jefferson County Board of Zoning Appeals is comprised of volunteers of Jefferson County Citizens who are knowledgeable and committed to serving the residents in Jefferson County, WV; and

WHEREAS, Jeffrey Doran Bresee was appointed by the Jefferson County Commission to the Jefferson County Board of Zoning Appeals in May 2003 and has served in his capacity as a Volunteer since that time; and

WHEREAS, Jeffrey Doran Bresee continues to provide a valuable service to Jefferson County as a member of the Jefferson County Board of Zoning Appeals by providing his knowledge and applying his professional expertise in order to educate and protect the residents of Jefferson County, WV; and

WHEREAS, the Jefferson County Commission recognizes that the people of Jefferson County will benefit from the knowledge and expertise provided by Jeffrey Doran Bresee for future generations to come as the result of his involvement, dedication and loyalty to the Jefferson County Board of Zoning Appeals; and

THEREFORE, the Jefferson County Commission hereby recognizes Jeffrey Doran Bresee for his years of service as a loyal and dedicated member of the Jefferson County Board of Zoning Appeals and in appreciation for his service to the citizens of Jefferson County, West Virginia.

By ORDER of the Jefferson County Commission:

Dale Manuel, President

Walt Pellish, Vice President

Patricia Noland, Commissioner

Jane Tabb, Commissioner

Lyn Widmyer, Commissioner

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Jessica Carroll

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: December 5, 2013

Date Requested – 2nd Choice: _____

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

Subject: Interviews and Appointments to the Public Service District for one six-year term ending December 1, 2019.

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:

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, December 5, 2013, or as soon thereafter as the Commission may decide:

Public Service District - One six year term ending December 1, 2019.

Appointee must be a residential, rate paying customer of the Jefferson County public service District.

Appointee must also be willing to attend monthly meetings at the Public Service District offices and travel to Charleston or another area in the State normally a few hours from Jefferson County for a two day Board Member Training class.

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, prior to the proposed date of appointment.

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

SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

November 6, 13, 20, 27 - 2013

THANKS - JEFFERSON COUNTY COMMISSION

Gagan Batra

Estimating Manager
Bechtel Power Corporation

EXPERIENCE SUMMARY

2012-Present	Estimating Manager
2012-2012	Project Estimator
2011-2011	Outage Manager, Point Beach Extended Power Uprate (EPU) Project
2010-2011	Project Controls Manager, Point Beach EPU Project
2007-2010	Lead Planner, Trimble County Unit 2 Project
2005-2006	Lead Planner, Fort Calhoun NSSS Refurbishment Project
2005-2005	Nuclear Proposal Estimator, Fort Calhoun NSSS Refurbishment Project
2004-2004	Subcontracts Administrator, Palo Verde Unit 1&3 Project
2004-2004	Cost Engineer, Palo Verde Unit 1&3 Project
2003-2003	Field Planner/Scheduler, Palo Verde Unit 2 Project
2002-2002	Field Planner/Scheduler, South Texas Unit 2 Project
2001-2002	Field Planner/Scheduler, Palo Verde Unit 2 Project
2001-2001	Arizona Public Service - Palo Verde Unit 2 - Maintenance Outage Planning Engineer
2000-2001	Engineering Planner/Scheduler, Nuclear SGR

STRENGTHS AND REASONS FOR SELECTION

- ▶ Over 13 years of experience in Capital Engineering, Procurement, Construction Projects (US \$200 million - \$1billion) in Power industry.
- ▶ Well rounded experience in Operations, Project Controls and Sub-Contracts built on a strong foundation of Mechanical and Industrial Engineering Degrees.

TECHNICAL QUALIFICATIONS

- ▶ Engineer-In-Training
- ▶ Certified Cost Engineer, AACEI
- ▶ Green Belt, Six Sigma

EDUCATION

- ▶ M.S., Industrial & Systems Engineering, Virginia Tech
- ▶ B.S., Mechanical Engineering, College of Engineering & Technology, JMI

CONTACT INFORMATION

+1-240-357-7023 (m) / +1-304-728-2713 (h)
gaganbatra76@gmail.com

Gagan Batra has over 13 years of Power industry experience in Capital Construction Projects in Nuclear and Fossil Technology managing day to day Operations as a Outage Manager and as a Project Controls Engineer with a well rounded experience in planning, cost, estimating/proposal development and sub-contracts.



DETAILED CONTRIBUTIONS ON RELEVANT PROJECTS

- ▶ Responsible for conceptual estimating, cost analysis and planning, coordination and consolidation of estimates. Direct cost estimate development effort for Engineering, Procurement & Construction (EPC) prospects on all Power (Thermal, Nuclear, Communication, Renewable & Transmission) EPC projects.
- ▶ Outage Manager (2011) / Project Controls Manager (2010-2011), Point Beach Extended Power Uprate (EPU) project, responsible for execution, daily priorities for Construction Organization of +600 Manuals and +200 Non-manuals, mitigating schedule risk and implementing the project controls (schedule, cost & trending) tools in accordance with the project controls execution plan (PCEP) for the plus US \$900 million project.
- ▶ Lead Planner/Scheduler, Trimble County Unit 2 project of erecting a LSTK US \$1 billion 760 MW Super-Critical Coal Fired Fossil Plant, responsible for project planning / coordination of over 250 Non-Manuals and +3,000 Manuals to achieve an aggressive 44 month project schedule.
- ▶ Lead Planner, Fort Calhoun Nuclear Steam Supply System (NSSS) Refurbishment project, replacing Condenser, Steam Generators, Reactor Head and RCS Pressurizer, responsible for integrated (EPC) project schedule management for US \$450 million project.
- ▶ Nuclear SGR Proposal Estimator for a US \$250 million Engineering, Procurement & Construction (EPC) Project, responsible for developing the estimating model, craft wage rate from labor survey and proposal milestone summary schedule working with business development team to meet yearly new work book revenue goals.
- ▶ Subcontracts Administrator, Palo Verde Unit (PVU) 1&3 EPC project, responsible for formation/administration/close-out of several engineering subcontracts ranging from US \$5 to US \$15 million.
- ▶ Cost and Trend Engineer, PVU 1&3 project (EPC), responsible for establishing and implementing the Cost tools, in accordance with the project PCEP, for a US \$400 million project.
- ▶ Field Planning Engineer, PVU 2 SGR (EPC) project, responsible for pre-outage and outage schedule management and progress/analysis reporting for a US \$200 million project.
- ▶ Field Planning Engineer, South Texas Unit 2 SGR Outage (EPC), responsible for developing, implementing the Earned Craft Jobhour Tracking Instruction, progress/analysis reporting and supporting schedule management for a US \$200 million project.
- ▶ Field Planning Engineer, PVU 2 project (N-1 Outage), responsible for pre-outage and outage schedule management and progress/analysis reporting for a US \$200 million project.

Gagan Batra
60 Hanoverian Drive, Charles Town, WV – 25414-4409
+1-240-357-7023(m) / +1-304-728-2713(h)
gaganbatra76@gmail.com

November 25, 2013

Jefferson County Commission
P. O. Box 250
Charles Town, WV – 25414

Honorable Commissioners:

Please accept this letter of interest for your consideration in response to the Jefferson County Commission's Notice of Intent, dated November 20, 2013 published in Spirit of Jefferson, to appoint a director to the Board of the Jefferson County Public Service District (JCPSD). I am currently a customer of the District and have been since 2004. A copy of my resume is also enclosed.

I have been closely following the activities of the JCPSD over the past few years and I understand the issues and challenges faced by the District. Generally, I am aware of the condition of the water, wastewater and storm water infrastructure in Jefferson County. While some of this infrastructure is new, much of it is in need of repair, replacement or expansion. The repair, replacement, upgrade or expansion of this infrastructure is required to continue providing quality service to existing customers, to meet the updated environmental standards and to continue to meet the capacity required to keep pace with the anticipated growth in Jefferson County.

A unique characteristic of the District is its lack of wastewater treatment facilities. This requires the JCPSD to rely on the Charles Town wastewater treatment facilities. The Charles Town facilities are currently being upgraded to meet unfunded Chesapeake Bay watershed mandates dictated by the US Environmental Protection Agency. Another distinctive aspect of the District is its two small isolated water systems Glen Haven and Cavaland, which have recently been approved for a major upgrade by the Public Service Commission of West Virginia and the Infrastructure Jobs Development Council (IJDC). While the WV Legislature has provided substantial financial assistance to achieve the Chesapeake Bay watershed mandates and the IJDC has provided very favorable financing to defray the cost of the water system upgrades, future financial support may become more problematic. This is mainly due to uncertainties associated with the federally assisted State Revolving Fund programs. Another factor affecting funding is the scheduled increase in median household income (MHI) used by the IJDC when establishing funding for infrastructure needs. The MHI for Jefferson County is the highest in the state and has increased from \$44,374 in 2000 to \$65,285 in 2010, an increase of 47.1%. While this is economically favorable, it will result in less favorable funding for future infrastructure from the IJDC. Understanding of the regulatory, engineering and economic relationships is paramount to successfully continue to meet the wastewater treatment requirements of Jefferson County. This is especially relevant to the County's continued growth.

I have always been motivated to make rational informed decisions. My many years managing engineering & construction projects ranging from \$200 million to \$1 billion along with my engineering background illustrate that rationale. My experience also provides me with the knowledge necessary to successfully undertake these challenges and understand the regulatory, engineering and economic relationships. Another motivational factor is that the decisions I make will directly affect me, my family, my neighbors and my surrounding community.

I would appreciate the opportunity to interview for this vacancy to answer any questions you may have relative to my interest in this position.

Sincerely,



Gagan Batra

Enclosure(s): 1 copy of the resume

Jessica Carroll

From: Debbie Keyser [dkeyser@jeffersoncountywv.org]
Sent: Tuesday, November 26, 2013 8:35 AM
To: 'Jessica Carroll'
Cc: 'Sandy McDonald'
Subject: FW: Recommendation of Gagan Batra for Appointment to the Jefferson County WV Public Service District Board

For the agenda packet

From: liddyjoe@comcast.net [<mailto:liddyjoe@comcast.net>]
Sent: Monday, November 25, 2013 5:56 PM
To: dkeyser@jeffersoncountywv.org
Cc: sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Subject: Recommendation of Gagan Batra for Appointment to the Jefferson County WV Public Service District Board

The purpose of this email is to provide my recommendation of Gagan Batra to the Jefferson County WV Public Service District Board.

I was a Project Controls Manager (retired) at a large engineering and construction company located in Maryland. I have known Mr. Batra both professionally and personally for over 13 years. He worked for me on several large / complex projects, first as a scheduler and later as a scheduling supervisor on a major project in Nebraska. Mr. Batra is a consummate professional, hard working, articulate, organized and knowledgeable. He was a terrific addition to my teams over the years and would make a terrific addition to your team.

I highly recommend Gagan Batra for a position on the Jefferson County West Virginian Public Service Board.

Please contact me if you have any questions.

Sincerely,
Joe Liddy

Jessica Carroll

From: Debbie Keyser [dkeyser@jeffersoncountywv.org]
Sent: Tuesday, November 26, 2013 8:34 AM
To: 'Jessica Carroll'
Cc: 'Sandy McDonald'
Subject: FW: Letter of recommendation- Gagan Batra

For the agenda packet

From: Gulati, Rohit [<mailto:Rohit.Gulati@medstar.net>]
Sent: Monday, November 25, 2013 5:14 PM
To: dkeyser@jeffersoncountywv.org
Cc: sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Subject: Letter of recommendation- Gagan Batra

Dear Ms. Keyser:

It is my understanding that Gagan Batra wants to volunteer his services by sitting on your board. I have known Gagan for a long time and would support his application without hesitation.

I am sure he will be an asset to the board.

Please don't hesitate to contact me with any questions.

Thanks

Rohit Gulati, MD, FACP, MBA
Assistant Professor of Medicine
Assistant Vice President, Medical Affairs
MedStar Union Memorial Hospital
Ph: 410-554-2720

MedStar Health is a not-for-profit, integrated healthcare delivery system, the largest in Maryland and the Washington, D.C., region. Nationally recognized for clinical quality in heart, orthopaedics, cancer and GI.

IMPORTANT: This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected... Thank you.

Help conserve valuable resources - only print this email if necessary.

Jessica Carroll

From: Debbie Keyser [dkeyser@jeffersoncountywv.org]
Sent: Tuesday, November 26, 2013 8:34 AM
To: 'Jessica Carroll'
Cc: 'Sandy McDonald'
Subject: FW: Jefferson County PSD Board Recommendation for Gagan Batra

For the agenda packet

From: Matyas, Andrew [<mailto:amatyas@bechtel.com>]
Sent: Monday, November 25, 2013 7:49 PM
To: dkeyser@jeffersoncountywv.org
Cc: sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Subject: Jefferson County PSD Board Recommendation for Gagan Batra

This email is to provide my recommendation of Mr. Gagan Batra for the Jefferson County Public Service District Board. I have known Mr. Batra for over 10 years. He has always performed his assignments thoroughly - with knowledge and integrity. He completes tasks in accordance with expectations, but then he goes further by offering innovative ideas to better the work by delivering an improved product or by enhancing the work process.

Mr. Batra is senior professional in the Project Controls department of a large engineering and construction company where he has demonstrated his ability to baseline projects, monitor their progress and ensure their timely completion. But it's not only his technical skills that recommend Mr. Batra, it's also his leadership skills in working with people and his passion and enthusiasm that he always brings to his work that makes him a pleasure to work with.

All these attributes would make Mr. Batra an excellent addition to the Public Service District Board as well an asset to the Jefferson County community.

Sincerely, Andrew Matyas

47 Reservoir Place

Falling Waters, WV 25419

301-228-6541

Jessica Carroll

From: Debbie Keyser [dkeyser@jeffersoncountywv.org]
Sent: Tuesday, November 26, 2013 8:33 AM
To: 'Jessica Carroll'
Cc: 'Sandy McDonald'
Subject: FW: Email to support Gagan Batra

For the agenda packet...

From: Parminder Singh [mailto:parmi_singh@hotmail.com]
Sent: Monday, November 25, 2013 5:37 PM
To: dkeyser@jeffersoncountywv.org
Cc: sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Subject: Email to support Gagan Batra

I understand that Gagan Batra has submitted an application on the Jefferson County Public Service District Board of Directors. We would like to support Gagan in this endeavor.

Gagan is my childhood friend and have known him to be person you can always count on to get things done. He has always encouraged people to “do the right thing” and help improve the quality of life of friends/people around him.

Gagan is someone you can count on to be able to take informed decisions and have a long terms vision towards the betterment of people around him.

In my opinion he would be a great asset to have on the board with his strong people management skills and being a great team player.

Parminder Singh
Redmond, WA.

Jessica Carroll

From: Debbie Keyser [dkeyser@jeffersoncountywv.org]
Sent: Tuesday, November 26, 2013 8:33 AM
To: 'Jessica Carroll'
Cc: 'Sandy McDonald'
Subject: FW: Letter of Recommendation for Mr. Gagan Batra

For the agenda packet...

From: Neil Talwar [<mailto:talwar@trieco.net>]
Sent: Tuesday, November 26, 2013 7:55 AM
To: dkeyser@jeffersoncountywv.org
Cc: sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Subject: Letter of Recommendation for Mr. Gagan Batra

Jefferson County Commissioners

I am writing in support of Mr. Gagan Batra for a Board Position with the Jefferson County Public Service District Board of Directors. I have personally worked with and known Gagan for many years and know, with conviction, that he is a man of outstanding character and intelligence. He is an extremely competent and valuable leader who serves the community with passion and consistency. He is thorough and works through whatever problems or issues arise without hesitation. Gagan would be a tremendous asset to have as a member of the Board of Directors.

Please do not hesitate to contact me if you have any questions or would like to discuss further.

Respectfully,

Neil Talwar

Neil Talwar, President & CEO
7710 Springvale Drive, Suite 201
Louisville, Kentucky 40241
direct: 502-594-7070 fax: 502-657-0241
talwar@trieco.net
www.trieco.net



Jessica Carroll

From: Debbie Keyser [dkeyser@jeffersoncountywv.org]
Sent: Wednesday, November 27, 2013 8:48 AM
To: 'Jessica Carroll'
Cc: 'Sandy McDonald'
Subject: FW: Letter of Recommendation - Gagan Batra

Jessica, for the packet....

From: Pearson, John [<mailto:jspearso@bechtel.com>]
Sent: Wednesday, November 27, 2013 7:18 AM
To: dkeyser@jeffersoncountywv.org
Cc: sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Subject: Letter of Recommendation - Gagan Batra

Good Morning,

I am writing to express my support of Gagan Batra to serve on the board of the Public Service District of Jefferson Count, WV. In my experience working with Bechtel Power Corporation, I have had the pleasure of working with Gagan on multiple large construction projects. In each case he has provided leadership and keen decision making skills while always displaying the utmost respect towards his colleagues. Large construction projects present what can appear to be insurmountable obstacles that must be overcome to be successful. On our projects, Gagan was a key reason why Bechtel was able to overcome those obstacles and ultimately deliver a product that our customer was happy with. The skill set Gagan has will be extremely valuable to the board of the Public Service District.

John Pearson
Bechtel Project Controls
Davis Besse SGR
419-321-7576

Jessica Carroll

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Sunday, December 01, 2013 5:16 PM
To: 'Jessica Carroll'
Subject: FW: PSD Appointment

From: Prema Nayak [<mailto:premanayak1@yahoo.com>]
Sent: Wednesday, November 27, 2013 9:18 PM
To: dkeyser@jeffersoncountywv.org
Cc: sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Subject: PSD Appointment

To the County Commission:

I would like to express my support for Mr. Gagan Batra for the upcoming open position on the Jefferson County Public Service District Board of Directors.

I believe Mr. Batra will be a great asset to the PSD Board and for all Jefferson County residents.

Thank you,

Prema Nayak

Jessica Carroll

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Sunday, December 01, 2013 5:17 PM
To: 'Jessica Carroll'
Subject: FW: Recommendation to support Gagan Batra for JCPSD position

From: Naranjan Goel [<mailto:naranjangoel@gmail.com>]
Sent: Sunday, December 01, 2013 1:50 PM
To: dkeyser@jeffersoncountywv.org
Cc: sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Subject: Recommendation to support Gagan Batra for JCPSD position

Dear Ms. Debbie Keyser,

I am writing to endorse Gagan Batra to fill the Board member position with the WV Jefferson County Public Service District.

I have worked with Gagan at Bechtel Power Corporation for several years. He has been very sincere, dedicated and hard working individual. I believe his Engineering and Management experience will be a great asset to the Board in managing some of the County basic services such as higher rising cost of water and sewer. Most importantly, I believe Gagan to be an individual of impeccable integrity and highly suited to a position of leadership and responsibility to assist the citizen of Jefferson county.

Therefore, I recommend him highly for this position and hope you give him your full consideration.

Thanks.

Naranjan Goel

naranjangoel@gmail.com

16208 Monty Court, Rockville, MD 20853

Jessica Carroll

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Sunday, December 01, 2013 5:17 PM
To: 'Jessica Carroll'
Subject: FW: Endorsement of Gagan Batra

From: atmorrow@verizon.net [<mailto:atmorrow@verizon.net>]
Sent: Sunday, December 01, 2013 8:35 AM
To: dkeyser@jeffersoncountywv.org; sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Cc: gbatra@bechtel.com
Subject: Endorsement of Gagan Batra

I understand that Mr. Gagan Batra has applied for an opening on the Board for Jefferson County Public Service District.

I have had the pleasure of working with Gagan for many years on complex projects and have the utmost respect for him both personally and professionally. Gagan brings to the position extensive experience in project management and cost & scheduling controls that I am sure will be of benefit in his role on the board. Gagan always applies himself 100% to all his endeavors and is known to develop well thought out and creative solutions to complex issues. Additionally, Gagan has the highest integrity and I know that he will apply himself to all Board endeavors from the perspective of what is best for the community as a whole.

I firmly believe that Gagan would be an excellent choice to fill the open Board member position.

Alexander Morrow
7813 Antiopi St.
Annandale VA 22003

703.641.9734



Jessica Carroll

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Sunday, December 01, 2013 5:17 PM
To: 'Jessica Carroll'
Subject: FW: Board Position Recommendation - Gagan Batra

From: Tony Brower [<mailto:ynot2820@yahoo.com>]
Sent: Friday, November 29, 2013 10:43 AM
To: dkeyser@jeffersoncountywv.org; sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Subject: Board Position Recommendation - Gagan Batra

Debbie,

I am writing you to recommend Gagan Batra for the Board Position within the Public Service District. I have come to know Gagan over the last five years through our common employer. In that time, I have know Gagan to be very intelligent, dedicated and analytical as well as an open, honest communicator. He is very conscientious in his work and I'm certain that those qualities would carry over to the position on the Board. As such, there is no doubt that Gagan would be a great asset to the Jefferson County Board.

Tony Brower
Project Controls Operations Mgr
Bechtel Corporation

Home Contact Information
106 Maroon Court
Frederick, MD 21702

301-696-5909



Jessica Carroll

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Monday, December 02, 2013 8:54 AM
To: 'Jessica Carroll'
Subject: FW: Letter of Recommendation for Gagan Batra

From: Nixon, Thomas [<mailto:tmnixon@bechtel.com>]
Sent: Monday, December 02, 2013 8:28 AM
To: dkeyser@jeffersoncountywv.org
Cc: sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; gaganbatra76@gmail.com
Subject: Letter of Recommendation for Gagan Batra

Dear Ms. Keyser:

I understand that Gagan Batra has submitted an application for an appointed position with the Jefferson County Commission in support of the local Public Service District. I am sending this Letter of Recommendation in support of Gagan's application.

I have known Gagan for over 7 years; all professionally, socially and as a friend. He is one of the few individuals that I have worked with that has my utmost confidence and trust when something has been assigned to him to complete. He knows how to get things done. He is extremely bright, inquisitive, hard-working, dependable and a leader. Gagan is a "hands-on" person who loves to get into the details to find appropriate solutions. He also keeps me very informed of changing conditions and status. I could go on and on, but I would like to provide some examples of what he has done professionally and how this could benefit the Jefferson County Commission.

The first time that I worked with Gagan and started to trust his abilities was on a complicated project that Gagan knew only the basic work scope. He had the difficult task of taking this project and creating an extremely detailed schedule for a steam generator replacement at a nuclear facility. He had to ask questions and learn the steps needed to build such a schedule. Gagan knew how to ask questions that cause one to think and he got details that forced accountability and clarity. He worked long-hard hours, much on his own time, to come up with the perfect schedule. That project completed successfully and to this day is still one of my favorite projects that I have ever worked on...much to the fact that Gagan gave the entire team clarity and a solid plan.

Gagan went on to other things and learned how to cost projects as well as lead projects with firm direction and clarity. He has taken his ability to chase down numbers to make sure that our costs and prices are real and what we intended to see. He recognizes and informs us when things are not going well, and offers corrective actions to bring the projects back on track. Gagan's success as a leader and manager of work processes and financial behavior has now placed him in a role that will develop new tools to build appropriately financially sound projects of the future. I am excited that Gagan was chosen to lead this role as his efforts will be successful and will make my life better.

There is no doubt in my mind that Gagan will be a strong asset to the Jefferson County Commission. He will dedicate his time to serve the commission in the ways that are needed and will help to make the Public Service District the best that it ever has.

Sincerely,

Jessica Carroll

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Monday, December 02, 2013 8:54 AM
To: 'Jessica Carroll'
Subject: FW: Letter of Support for Gagan Batra

From: Michael Cain [mailto:michael_cain_1@msn.com]
Sent: Sunday, December 01, 2013 9:53 PM
To: dkeyser@jeffersoncountywv.org; sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com
Subject: Letter of Support for Gagan Batra

Ladies and gentlemen;

I know Gagan Batra very well and believe he has the commitment, integrity and intellect to serve as a member of the Board for the Public Service District in Jefferson County.

Over the last four years, I have had the good fortune to work with Mr. Batra on a number of complex engineering and construction projects. In every case, Mr. Batra provided critical advice that enabled our team to balance the interests of our customer and our customer's stakeholders. Though I am not familiar with the detailed circumstances in Jefferson County, other similar agencies frequently have many stakeholders with a variety of priorities that are come before the Board seeking accommodation. The issues are complex with costs and benefits that are not always obvious. Mr. Batra's ability to listen to all sides of an issue, objectively assess benefits, analyze costs, quantify risks and work with others to find the best path is a real talent that could be very helpful to the residents in Jefferson County if he were to be selected to serve.

Please feel free to contact me if you have any questions regarding this letter or Mr. Batra's qualifications. I know Mr. Batra to be a leader and key contributor in every organization he has served in the past, and I am sure you can expect the same exceptional level of commitment to the Board for the Public Service District in Jefferson County.

Sincerely,

Michael Cain
Frederick, MD
240.215.5563

Jessica Carroll

From: Debbie Keyser [dkeyser@jeffersoncountywv.org]
Sent: Monday, December 02, 2013 9:55 AM
To: 'Jessica Carroll'
Cc: 'Sandy McDonald'
Subject: FW: Letter of Recommendation for Mr. Gagan Batra

Please add in the packet

-----Original Message-----

From: Hemant Bhade [<mailto:hemant.bhade@gmail.com>]
Sent: Sunday, December 01, 2013 12:03 PM
To: dkeyser@jeffersoncountywv.org; sandy@jeffersoncountywv.org; dmanuel@frontiernet.net; walterpellish@mac.com; commissionerpnoland@gmail.com; vinemont@frontiernet.net; lynwidmyer@gmail.com; Gagan Batra
Subject: Letter of Recommendation for Mr. Gagan Batra

To,

The County Commission,
Jefferson County, WV

Subject: Letter of Recommendation for Mr. Gagan Batra

I understand that Mr. Gagan Batra has applied for an open position with the local Public Service District. I have known Mr. Batra for several years both as a friend and as a volunteer in several local organizations. Mr. Batra not only brings with him his skills, experience and project management capabilities, but also a desire to perform in difficult circumstances and a wonderful work ethic.

Mr. Gagan Batra has always tried tirelessly to bring improvements to the community that he lives in, and I am more than sure that given the opportunity to serve alongside you, he will prove to be a very valuable asset, both, as a co-worker and for the betterment of the community.

Sincerely,
-Hemant M. Bhade-

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Jessica Carroll

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: ~~November 21, 2013~~ Dec. 5th

Date Requested – 2nd Choice: _____

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

*move to Dec. 5th
send out alerts
again*

Subject: Interviews and Appointments to the Jefferson County Parks and Recreation Commission for an unexpired term ending June 30, 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):

Attachments:

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, November 21, 2013, or as soon thereafter as the Commission may decide:

Jefferson County Parks and Recreation Commission - One unexpired term ending June 30, 2014

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, prior to the proposed date of appointment.

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

SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

November 6, 2013

November 13, 2013

THANKS - JEFFERSON COUNTY COMMISSION

10/19/13

Dear County Commission and Fellow Parks and Recreation Board Members,

It is with sadness that I must resign my position as a Parks and Recreation Board Member. Due to family obligations that must be worked through, my time needs to be spent concentrating on these issues. At this point, I do not feel my mind and heart can be in what we are doing as a Board. I feel my seat would better be served by another person who has the time to dedicate to making changes and improving the lives of Jefferson County residents. Thank you for your time and attention and for the experiences you have provided me over the past year and a half. I truly appreciate you all and wish you the best in the future.

Respectfully,

Jonathan "ADAM" Shively

Jonathan Adam Shively

Jefferson County Commission

P.O. Box 250

Charles Town, WV 25414

As a life- long resident of Jefferson County and strong advocate for the need for parks in our area, I am very much interested in serving on the **Jefferson County Parks and Recreation Commission**. I have held positions with local organizations in the past. I will bring to you enthusiasm and creative ideas for our local parks. I recently attended a meeting with Jefferson County Parks and Recreation about restoring the garden at the **Jefferson Memorial Park** in Charles Town. I am very excited about this project and think it could be better orchestrated if I were on the commission.

Respectfully,

Karen Starry Manuel-Gregoryk

1158 Old Cave Road

Charles Town, WV 25414

304-839-9961

RECEIVED

NOV 19 2013

Jefferson County Commission

Karen Starry Manuel-Gregoryk

1158 Old Cave Road Charles Town, WV 25414 (304) 725-1203 : ksmgregoryk@aol.com

Objective: To prove myself as an asset to any company or organization.

Experience: **Northwest Airlines, Inc.**

7500 Northwest Drive, Minneapolis, MN 55450-1101

May 1990 to Present

- International Lead Flight Attendant
- Responsible for aircraft safety: ART Qualified, Fire/ Ditching
- On Board Medical Emergencies: Use of defibulator / CPR
- Responsible for international paperwork/ large amounts of money/ unaccompanied minors traveling alone.
- Security Clearance: FBI/CIA/FAA
- Based in Los Angeles, New York, Boston and Detroit

United Airlines

77 Wacker Drive, Suite # 1000, Chicago, IL 60601

May 1989 to May 1990

- Domestic Flight Attendant
- Lead Flight Attendant
- Responsible for international paperwork/ Large amounts of international currency/Unaccompanied minors traveling alone
- Security Clearance: FAA
- Based in Newark, New Jersey

Continental Airlines, Inc.

Dulles International Airport, Dulles, VA

February 1987 to May 1989

- Ticket Sales
- Gate agent
- Customer Service Correspondent
- Security Clearance to IAD

Temporary Solutions, INC

10328 Battle View Parkway, Manassas, VA 20109-2338

May 1984 to October 1986

- Temporary Office Secretary/Receptionist/Customer Service Agent
- Sales/ Real Estate in the Northern Virginia and DC area

Education: **Blue Ridge Community and Technical College**
400 West Stephen Street
Martinsburg, WV 254
January 17, 2012 to May 24, 2012
Diploma: Board of Governors/AAS

Education Direct
925 Oakton Street, Scranton, PA 18515
January 25, 2003 to April 9, 2003
Diploma: Interior Decorating GPA: 4.0

Pittsburg Technical Institute
1111 McKee Road, Oakdale, PA 15071-3205
October 13, 1986 to February 6, 1987
Diploma: Business GPA: 3.56

Shepherd University
P.O. Box 5000, Shepherdstown, WV 25443-5000
January 1980 to May 1984
Cumulative: 98:00

Hagerstown Community College
11400 Robinwood Drive, Hagerstown, WV 21742-6514
September 1982 to June 1983
Cumulative: 24:00

Volunteer Work: **Old Opera House Board of Directors, Old Opera House Guild, Shenandoah Garden Club, West Virginia Adopt a Highway Volunteer (25 years), Old Opera House Annual Autumn Auction Chair 2010 and 2011, Charles Town Middle School Parent Teacher Student Organization-Vice-President, Charles Town Middle School Local School Improvement Council Committee**

References: **References are available on request.**

Karen Gregoryk

1158 Old Cave Road, Charles Town, WV 25414 304-725-1203 FAX: 304-725-1203 ksmgregoryk@aol.com

November 13, 2013

Dear Jefferson County Commission:

I am seeking an opportunity to work with the Jefferson County Parks and Recreation Commission as a committee member. My unwavering devotion to the Jefferson County community and my reputation as a "super volunteer" has led me to want to work for the Jefferson County Parks and Recreation Commission.

For 10 or more years, I have been volunteering in the surrounding schools in various capacities related to sports and community events. My efforts are always aimed towards making each event successful and enjoyable for all participants. Every week I can be found working a concession stand, running errands for coaches or preparing and serving meals to the baseball and football team. I have provided manpower for parades, organized volunteers for charities, spent many years working at festivals, and putting in many hours on planning committees for local community events for holiday celebrations. I enjoy a friendly, supportive relationship with the local police forces of both Ranson and Charles Town and I have many friends among the business owners in both townships.

Although this is a part-time activity, I will involve myself fully. It would make me very happy if the Jefferson County Parks and Recreation Committee members found a way to utilize my varied experience with working within the community and its residences. I look forward to applying my skills, energy, and enthusiasm to the position of committee member. Your consideration of my request would be greatly appreciated.

Sincerely,

Mrs. Ranale Jones
25 Cherry Hill Rd.
Ranson, WV 25438
(304) 279-5486

AGENDA REQUEST FORM

www.jeffersoncountywv.org



Name: Lynn Fields

Department or Organization: Probate

Estimation of amount of time needed for appointment: 10 minutes

Date Requested - 1st Choice: 12/5/13

Date Requested - 2nd Choice: _____

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

Next possible commission meeting.

Subject (Wording to be placed on agenda):

Set a hearing date for verified petition to compel amended appointment; accounting; and to remove the executor Daniel S. Duncan

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

info contained in the petition

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

Set a date for a hearing on the above referenced matter.

Are documents attachments? Yes No

If not, explain:

Is a projector needed? Yes No

Contact information:

Email address: lfields@jeffersoncountywv.org

Phone number: 204 728-0320

BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE: Estate of Gayle Botts Duncan, deceased

**VERIFIED PETITION TO COMPEL AMENDED APPRAISEMENT;
ACCOUNTING; AND TO REMOVE THE EXECUTOR, DANIEL D.
DUNCAN, FOR BREACHES OF FIDUCIARY DUTY AND
FAILURE TO ACCOUNT**

STATE OF WEST VIRGINIA
COUNTY OF BERKELEY, to-wit:

DAVID D. DUNCAN, Petitioner herein, by me being first duly sworn upon his oath, deposes and states as follows:

NOW COMES Petitioner, David D. Duncan, by counsel, Michael L. Scales, Esq. and the law firm of Michael L. Scales, PLLC, and for his Verified Petition to Compel Amended Appraisement; Accounting; and to Remove the Executor, Daniel D. Duncan, Respondent, for Breaches of Fiduciary Duty and Failure to Account, respectfully states as follows:

1. That Petitioner is a resident of Purcellville, Loudon County, Commonwealth of Virginia.
2. That Petitioner believes upon information that Respondent, Daniel D. Duncan, resides at 479 MacBeth Drive, Charles Town, Jefferson County, West Virginia.
3. That Petitioner and Respondent are brothers.
4. That Petitioner and the Respondent's father, Gayle Botts Duncan, died domiciled and residing in Jefferson County, West Virginia, on November 3, 2011. Gayle Botts Duncan is sometimes hereafter referred to as "the Decedent".

5. That attached hereto as Exhibit 1 is a true and accurate copy of the Last Will and Testament of Gayle Botts Duncan, which was duly admitted to probate before the Clerk of the County Commission of Jefferson County, West Virginia on June 27, 2012.

6. That Petitioner believes upon information that Respondent, Daniel D. Duncan, duly qualified to be the Executor of the Estate of the Decedent.

7. That attached hereto as Exhibit 2 is a true and accurate copy of the Appraisal of the Decedent, which Petitioner believes upon information was prepared and submitted by the Defendant to the Clerk of the County Commission of Jefferson County, West Virginia for recordation.

8. That Respondent, Daniel D. Duncan, as Executor and prior to the death of the decedent, as attorney in fact for the decedent, owed certain fiduciary duties to the Decedent as well as to the Petitioner, including the duty to account for the funds and property of the Decedent, and not to commingle Respondent's funds and property with the Decedent's property, or otherwise to act with good faith and fair dealing, which has been breached by virtue of the acts and conduct of Respondent, as hereinafter set forth.

9. That Respondent has failed to have appraised and inventoried as required by law (see Ex. 2), at least the following of the personal property of the Decedent which was not included in the Appraisal: (a) furniture and antiques; (b) antique lures, fishing equipment two boats and two motors; (c) personal effects of the Decedent; (d) a used Chrysler minivan which was acquired by the Petitioner and given to the Decedent prior to his death; (e) tools and equipment; and, (f) personal property and assets of which Petitioner is unaware because the Respondent has secreted and concealed the assets of the Decedent and has failed to list those as

part of the personal property of the Decedent on the Decedent's Appraisal of the Estate (Ex. 2).

10. Petitioner believes upon information that Respondent has commingled the funds of the estate and the Decedent with those of Respondent's personal funds in breach of his fiduciary duties to the Petitioner as well as the estate and the decedent.

11. That Petitioner believes upon information that Respondent has been renting the real estate of the decedent at 67 MacBeth Drive, Charles Town, Jefferson County, West Virginia, for his own benefit, and has not accounted for the funds from those leases and renting, and has commingled those funds with his own.

12. That Respondent has misrepresented to the Petitioner the amount of rents he was receiving from the house, and that there is a deed of trust encumbering the Decedent's real estate at 479 MacBeth Drive, Charles Town, Jefferson County, West Virginia, in favor of the Bank of Charles Town, and Petitioner has repeatedly requested to know whether or not the payments on the promissory note secured by that deed of trust are current, and whether Respondent is making the payments on the Decedent's deed of trust loan. Respondent has refused to provide that information.

13. That under the Last Will and Testament of the decedent (Ex. 1), Respondent as Executor, has authority to sell the Decedent's real estate at 67 MacBeth Drive, Charles Town, Jefferson County, West Virginia, but he has not sold said real estate even though it has been listed for sale from time to time, and Respondent has made no provision for the specific pecuniary bequests required to be made under the Will in Sections 3.5 and 3.6 of the Last Will and Testament, for a period in excess of almost two years since the date of death of the

Decedent, even though Respondent's Appraisal (Ex. 2) lists no personal estate of the Decedent.

14. That Defendant has refused to provide any annual accountings or any other interim accountings for the monies of the Decedent and those of the estate since qualifying to be the Executor of the estate on or about June 27, 2012, notwithstanding Petitioner's repeated requests for information about the disposition of the assets of the estate.

15. That Petitioner believes upon information that the house at 67 MacBeth Drive, Charles Town, Jefferson County, West Virginia, is in great disrepair and in need of repairs as follows: (a) crack in the front basement wall; (b) the radon level is extremely high in the basement; (c) the carpeting is in disrepair; and (d) the entire house needs repainting and maintenance.

16. That Petitioner believes upon information that the Respondent has not filed any federal income tax returns for the estate, and that the income taxes and filing requirements for income tax returns for the Internal Revenue Service and the West Virginia State Tax Department are seriously delinquent.

17. That the bank account at City National Bank of West Virginia, Charles Town branch for the Decedent, was a convenience type account, which should have been accounted for as an estate asset, and was not to be paid to the survivor, being the Respondent, as same was to be used to pay the Decedent's bills, and Respondent did not make any deposits to that account prior to the Decedent's death.

18. That all of the above transactions, and possibly others of which the Respondent has concealed from the Petitioner are gross breaches of fiduciary duty by the Respondent for which the Respondent must account, and be discharged as executor.

WHEREFORE, Petitioner, David D. Duncan, demands that this Honorable County Commission:

- a. That Respondent be required to file an amended appraisal for the estate with all the personal property assets of the Decedent listed;
- b. That the Respondent be compelled to account for each and every asset of the Decedent, and all rents, cash, bank accounts and all other personal property received from the Decedent; and,
- c. That Respondent, Daniel D. Duncan be removed as Executor, and replace Petitioner as Administrator CTA of the estate of the Decedent.

AND FURTHER SAITH THE AFFIANT NAUGHT.



David D. Duncan, Petitioner

Taken, subscribed and sworn to before me the undersigned authority, this 21st day of October, 2013.

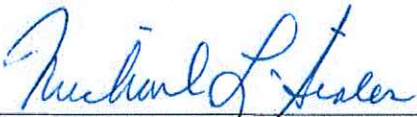




Notary Public

Nov. 5, 2013

David D. Duncan, Petitioner
By Counsel



Michael L. Scales, Attorney at Law
Counsel for Petitioner
Michael L. Scales, PLLC
314 W. John Street; P.O. Box 6097
Martinsburg, WV 25402-6097
(304) 263-0000
WV Bar No. 3277

Jennifer S Washan
JEFFERSON County 02:50:25 PM
Instrument No 2012013533
Date Recorded 06/27/2012
Document Type WILL
Pages Recorded 6
Book-Page 21-267
Recording Fee \$6.00
Additional \$6.00

LAST WILL AND TESTAMENT

OF

GAYLE BOTTS DUNCAN

I, Gayle Botts Duncan, of 67 Macbeth Drive, Charles Town, County of Jefferson, State of West Virginia, do hereby make, publish and declare this to be my last will and testament, hereby revoking all former wills and testamentary dispositions made by me.

ARTICLE 1. RECITALS

Section 1.1: Family Status. I am divorced and have two (2) children, namely: a son, Daniel Duncan and a son, David Duncan.

ARTICLE 2. DEBTS, ESTATE EXPENSES AND TAXES

Section 2.1: Payment. I direct that all my legally enforceable debts, funeral expenses, expenses of administration of my estate, and all inheritance, estate, transfer and other succession taxes or death duties that may be imposed by any taxing authority, State or Federal, or other, upon my estate, or any part thereof, arising directly or indirectly by reason of my death, upon any property which passes to my beneficiaries hereunder, or to any persons as beneficiaries of life insurance policies on my life, or by survivorship, or otherwise by reason of my death, be paid as soon as practicable by my executor hereinafter named, from my gross estate.

ARTICLE 3. DISPOSITION OF ESTATE

Section 3.1: I will, devise, and bequeath all my property, real and personal, tangible and intangible, unto my sons, Daniel Duncan and David Duncan, in equal shares, with the exception of special bequests mentioned in Section 3.5.

1

Gayle Botts Duncan

EXHIBIT #

Section 3.2: In the event that my son, David Duncan, does not survive me by more than thirty (30) days, then, in that event, the deceased David Duncan's share is to go to my surviving son, Daniel Duncan, with the exception of special bequests mentioned in Section 3.5.

Section 3.3: In the event that my son, Daniel Duncan, does not survive me by more than thirty (30) days, then, in that event, the deceased Daniel Duncan's share is to go to my surviving son, David Duncan, with the exception of special bequests mentioned in Section 3.5.

Section 3.4: In the event that neither of my sons, David Duncan or Daniel Duncan, do not survive me by more than thirty (30) days, then, in that event, the entirety of my estate to my my grandsons, Christopher Duncan and Adam Duncan, equally, with the exception of special bequests mentioned in Section 3.5.

Section 3.5: I will, devise, and bequeath as special bequests the items listed below:

1. The sum of Five Thousand Dollars (\$5,000) to my sister, Rachael Reynolds.
2. The sum of Five Thousand Dollars (\$5,000) to my sister, Alice Barna.
3. The sum of Five Thousand Dollars (\$5,000) to my grandson, Christopher Duncan.
4. The sum of Five Thousand Dollars (\$5,000) to my grandson, Adam Duncan.

Section 3.6: In the event that my sister, Rachel Reynolds, does not survive me by more than thirty (30) days, then, in that event, the deceased Rachael Reynolds' bequest of Five Thousand Dollars (\$5,000) is to go to my nephew, Larry Reynolds.

2



Section 3.7: In the event that my sister, Alice Barna, does not survive me by more than thirty (30) days, then, in that event, the deceased Alice Barna's bequest of Five Thousand Dollars (\$5,000) is to go to my nephew, Brian Barna.

Section 3.8: Notwithstanding the foregoing, I will, devise, and bequeath the sum of one dollar (\$1.00) to any and all persons who contest this, my last will and testament, and said bequests above shall be revoked to such persons.

ARTICLE 4. APPOINTMENT AND POWERS OF EXECUTOR

Section 4.1: Appointment. I appoint my son, Daniel Duncan, as executor of this my last will and testament and direct that he serve without bond.

Section 4.2: Specific Powers. In addition to all powers granted him by law, I authorize and empower my executor, Daniel Duncan, in his sole discretion:

- (a) To borrow money in such amounts and for such terms and conditions as he, in his sole discretion, may consider to be in the best interests of my estate, using any part of my estate as security for any sums so borrowed.
- (b) To sell at private sale, so much or all of my real estate as he may, in his sole discretion, consider for the best interests of my estate.
- (c) To encumber, mortgage, pledge, contract, option, sell, transfer, assign and convey any real estate, and to make, execute, acknowledge, and deliver all writings of any nature necessary or convenient to execute any sale or sales so made, or consummate any loan so made.

3



ARTICLE 5. BURIAL

Section 5.1: I hereby direct that I be buried, with my ceremony being a simple affair in accordance with my religious beliefs and that I be returned to the Earth.

IN WITNESS WHEREOF, I hereunto subscribe my name and affix my seal to this, my last will and testament, which is written without any interlineations on six (6) sheets of legal cap paper with my signature on each sheet at Charles Town, State of West Virginia, this the 20th day of February, 2007.

Gayle Botts Duncan
Gayle Botts Duncan
TESTATOR

The foregoing will was signed, sealed, acknowledged, published and declared by Gayle Botts Duncan, the above named testator, as and for his last will testament, in the presence of us, the undersigned three (3) competent witnesses, and we, at his request, in his presence, and in the presence of each other, all present at the same time, have hereunto subscribed our names as attesting witnesses to said will on this 20th day of February, 2007.

[Signature]

Residing at:

6035 Sam's St
Charles Town, W.V.

4

Gayle Botts Duncan

Nicole Comegna

Residing at: 534 Derksen Drive
Inwood WV 25118

Carol Z. Hitcho

Residing at: 112 Sleepy Hollow Cir
Charles Town, WV

STATE OF WEST VIRGINIA
COUNTY OF JEFFERSON, to-wit:

This day personally appeared before me the undersigned authority, a Notary Public in and for the state and county aforesaid, James T. Kratovil, Nicole Comegna, and Carol Hitcho , who, being first duly sworn, say that they are all adults residing at the addresses set forth above, and that they are the subscribing witnesses to the last will and testament of Gayle Botts Duncan resident of Charles Town, County of Jefferson, State of West Virginia, which will is dated this 20th day of February, 2007, and that on said date the said Gayle Botts Duncan, testator in said will, signed, sealed, acknowledged, published and declared the same as and for his last will and testament, in the presence of all of these affiants; and that these affiants, at the request of the testator, in the presence of each other, and in the presence of said testator, all present at the same time, signed their names as attesting witnesses to said will.

5

Gayle Botts Duncan

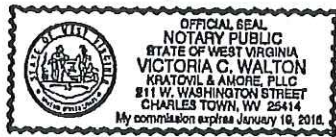
Affiants further say that this affidavit is made at the request of the said Gayle Botts Duncan, testator, and in his presence, and that the said Gayle Botts Duncan, at the time said will was executed, was, in the opinion of affiants, of sound and disposing mind and memory and over the age of twenty-one (21) years.

J. T. Kratovil
Nicole Comegna
Carol A. Hitcho

Taken, sworn to and subscribed before me by the James T. Kratovil, Nicole Comegna, and Carol Hitcho, this the 20th day of February, 2007.

Given under my hand and official notarial seal.

My commission expires: *January 19, 2016.*



Victoria C. Walton
Notary Public

This instrument prepared by:

J. T. Kratovil
James T. Kratovil, Esquire
Kratovil & Amore, PLLC
211 W. Washington
Charles Town, West Virginia 25414
(304) 728-7718

Gayle Botts Duncan

**APPRAISEMENT OF THE ESTATE
FOR DECEDENTS DYING ON OR AFTER JULY 13, 2001**

ET 6.01
Rev. 03/02

PART 1: GENERAL INFORMATION QUESTIONNAIRE

TAX DEPARTMENT
USE ONLY

A. Decedent's Name GAYLE BOTS DUNCAN		B. Social Security Number 405-14-1279	C. Date of Death 027-8-11-03-12
D. Decedent's Residence at Death 479 MACBETH DRIVE CHARLESTOWN		E. State WV	F. County Jefferson
G. Marital Status at Death Married <input type="checkbox"/> Single, Widow(er) or Divorced <input checked="" type="checkbox"/>	Name of Surviving Spouse N/A	H. West Virginia Counties Where Decedent Held Real Estate Jefferson	
I. Will this estate be required to file a Federal Estate Tax Return FORM 706 (see the instructions on page 2)?			YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
J. Will this estate be required to file the Nonprobate Inventory Form ET 6.02 (see the instructions on page 3)?			YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
K. Did the Decedent leave a WILL? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>			
L. Fiduciary's Name and Mailing Address (include zip code) Charles J. ... 479 Macbeth Dr. Charleston WV 25314		M. Preparer's Name and Address NAME	
Fiduciary's Phone Number 304-725-3100		Preparer's Phone Number	

PART 2: QUESTIONNAIRE OF NONPROBATE REAL ESTATE

Answer each of the following questions concerning the decedent's interest in NONPROBATE REAL ESTATE. If you answer "YES" to any question below, you must complete the attached Inventory of Nonprobate Real Estate provided with this form which shows:

- a. the type of transfer(s) with reference to the question number below;
- b. name(s) of the person(s) with an interest in the real estate as joint tenant or transferee;
- c. relationship to the decedent of ALL above named persons;
- d. market value at the date of death; and
- e. description of the real estate including assessed value.

	MARKET VALUE	
1. Did the decedent own an interest in any real estate as joint tenant with right of survivorship? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	1	
2. Did the decedent transfer an interest in any real estate without adequate consideration within three years prior to date of death? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	2	
3. Did the decedent own an interest in any real estate in an inter vivos trust (living trust) arrangement or in which the decedent retained the right of use and enjoyment? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	3	
4. Did the decedent own an interest in any real estate in which the decedent retained a power of appointment, whether special or general? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	4	
5. Did the decedent own an interest in any real estate as a life estate including a dower interest? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	5	
6. TOTAL VALUE OF NONPROBATE REAL ESTATE (add lines 1 through 5 above)	6	- 0 -

PART 3: SUMMARY OF PROBATE ASSETS

Complete PART 4 first. Enter the total from each schedule of PART 4 on the appropriate line below.

	MARKET VALUE	
1. Schedule A: Real estate or any interest therein	1	237,111.00 ⁰⁰
2. Schedule B: Tangible personal property of every kind	2	
3. Schedule C: Government bonds and securities of every kind	3	
4. Schedule D: Shares of corporate stock of every kind	4	
5. Schedule E: Money, certificates of deposit, notes, accounts, etc	5	
6. Schedule F: All other assets not hereinbefore mentioned	6	
7. TOTAL VALUE OF PROBATE ASSETS (add lines 1 through 6 above)	7	237,111.00 ⁰⁰

EXHIBIT #

2

PART 4: INVENTORY OF PROBATE ASSETS - TRANSFERS BY WILL OR INTESTACY

After completing PART 4, enter the total from each schedule on the appropriate line in PART 3.

SCHEDULE A: Describe any real estate or any interest in real estate. Include description and appraised value of out of state property, but do not include this amount in the total. See page 3 of the Instructions.	ASSESSED VALUE	APPRAISED VALUE
(of B. (90 AC) Ann Bend MAP 9 parcel 0020 0000 0000 book 751 page 327		
TOTAL (enter the total appraised value on line 1 of PART 3)	142,300	237,166

SCHEDULE B: Tangible personal property of every kind. See page 3 of the instructions.	APPRAISED VALUE
NONE	
TOTAL (enter the total appraised value on line 2 of PART 3)	0

SCHEDULE C: Bonds and securities of every kind. See page 3 of the instructions.	APPRAISED VALUE
NONE	
TOTAL (enter the total appraised value on line 3 of PART 3)	0

Jennifer S. Hasler
 JEFFERSON COUNTY 10:36:51 AM
 Jefferson County 10/29/2012
 Document Type APR
 Date Recorded 08/29/2012
 Pages Recorded 4
 Book Page 22-692
 Recording Fee \$5.00
 Additional \$5.00

PART 4 (continued)

SCHEDULE D: Corporate stock of any kind. See page 3 of the instructions.

NAME OF THE COMPANY	CLOSELY HELD	NUMBER OF SHARES	MARKET VALUE PER SHARE	TOTAL MARKET VALUE
NONE				
TOTAL (enter the total market value on line 4 of PART 3)				0

SCHEDULE E: Money, bank accounts, certificates of deposits, notes, accounts receivable, etc. Show dates of notes. See page 3 of the instructions.

	APPRAISED VALUE
NONE	
TOTAL (enter the total appraised value on line 5 of PART 3)	0

SCHEDULE F: All other assets, not hereinbefore mentioned, including insurance payable to the estate. See page 3 of the instructions.

	APPRAISED VALUE
NONE	
TOTAL (enter the total appraised value on line 6 of PART 3)	0

PART 5: BENEFICIARIES. List the names and relationships of all beneficiaries or heirs of the estate. Show the age of any life tenant after their name. See page 3 of the instructions.

BENEFICIARY OR HEIR	RELATIONSHIP	BENEFICIARY OR HEIR	RELATIONSHIP
David Hancock	son		
Belle Reynolds	sister		
Alice Hancock	sister		
Christopher Hancock	grandson		
William Hancock	grandson		

PART 6: OATH OF FIDUCIARY

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


I, Samuel S. Hancock fiduciary for the estate of George B. Hancock after diligent effort to ascertain the taxable property of this estate, have made answers to each of the questions and have completed, in detail, the schedules for each category of property and believe each item thereof to be correct. I thereby believe the foregoing to be the true and lawful appraisal of ALL real estate and probate property of the estate of the above named decedent.

Samuel S. Hancock Fiduciary

Samuel S. Hancock day of August, 2012

Samuel S. Hancock Notary Public

My Commission expires 8/23, 2015



PART 7: APPROVAL OF FIDUCIARY COMMISSIONER/FIDUCIARY SUPERVISOR

I, _____, Fiduciary Commissioner/Fiduciary Supervisor of _____ County, West Virginia, to whom the estate of the above named decedent was referred, do hereby approve the foregoing appraisal of such estate.

Given under my hand this _____ day of _____, 20____

Fiduciary Commissioner/Fiduciary Supervisor

By _____
Deputy

PART 8: CLERK OF THE COUNTY COMMISSION

STATE OF WEST VIRGINIA

COUNTY OF Jefferson, To-wit.

In the Clerk's office of Jefferson County on the 29 day of August, 2012, the foregoing appraisal of the above named decedent was presented and upon motion admitted to record.

Attest _____ Clerk

By Samuel S. Hancock Deputy

Name: PETER H. FRICKE

Department or Entity: MIDDLEWAY CONSERVANCY ASSOC. INC.

Estimation of amount of time needed for appointment: 15 MINUTES

Date Requested - 1st Choice: DEC. 5 2013

Date Requested - 2nd Choice: DEC 19 2013

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

Subject: R

Request for support of Middleway Conservancy's application for a BAD Buildings Program Technical Assistance Grant with a letter to accompany application and, if the grant is awarded, nomination of a county representative to the Middleway BAD Buildings Team of residents and stakeholders.

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

A condition of the grant is that the local government entity must support any application. If awarded grant will enable the BAD Buildings Team to identify abandoned and dilapidated buildings in the Middleway Historic District and, working with owners, develop plans for the buildings' re-use and/or repair.

Recommended motion (Please type out the wording of the motion that you would like the Commission

That the Jefferson County Commission resolves to send a letter supporting the Middleway Conservancy Association's application to the Brownfield, Abandoned and Dilapidated (BAD) Buildings Program for a technical assistance grant of \$10,000 and, if the grant is awarded, that the Jefferson County Commission resolves to appoint a county representative to the Middleway BAD Buildings Team of residents and stakeholders.

Are documents attached?

YES

If not, please explain:

Is a projector needed? YES

Contact information:

Email Address: PETER.FRICKE@FRONTIERNET.NET

Phone number: 304 728 6400

BAD Buildings

Brownfields, **A**bandoned, & **D**ilapidated Buildings

Program Guide

An Initiative of the

Northern West Virginia Brownfields Assistance Center

Funded by the

Claude Worthington Benedum Foundation

wvbrownfields.org

For general questions, please contact:

Patrick Kirby, Director
Northern WV Brownfields Assistance Center
304-293-6984
Patrick.Kirby@mail.wvu.edu

Luke Elser, Project Manager
Northern WV Brownfields Assistance Center
304-293-6990
Luke.Elser@mail.wvu.edu

Program Background

The BAD Buildings Program, funded through a grant from the Claude Worthington Benedum Foundation, is a statewide initiative developed by the Northern WV Brownfields Assistance Center (NBAC) which provides technical assistance and site analysis tools to develop and enhance abandoned/dilapidated buildings programs in West Virginia communities. The program addresses barriers to identifying, prioritizing, and redeveloping BAD buildings. The NBAC is a program of the West Virginia Water Research Institute at West Virginia University.

Definition of BAD Buildings

Structures and properties which are vacant, uninhabited and in a state of disrepair, whose owner is taking no active steps to bring the property back into functional use.

Abandoned and dilapidated buildings are a common sight in West Virginia communities. The NBAC developed the **B**rownfields, **A**bandoned, **D**ilapidated (**BAD**) Buildings Program in response to frequent requests from its partners to provide tools and resources to help WV communities address their BAD Buildings.

Failure to address BAD Buildings imposes severe social and economic costs on neighborhoods. BAD Buildings negatively impact communities through increased costs due to fire risks and crime as well as the costs of reduced tax revenue from depressed property values. BAD Buildings also act as a drain on local infrastructure, such as road, sidewalk, and utility maintenance, and increase costs by requiring public services such as police and fire protection. In addition, these properties demoralize communities; pose environmental, health, and safety hazards; and provide an attractive nuisance for illegal activities, including drug use. BAD Buildings slow local economic development by reducing available commercial and industrial properties as well as making a community much less attractive to entrepreneurs and developers.

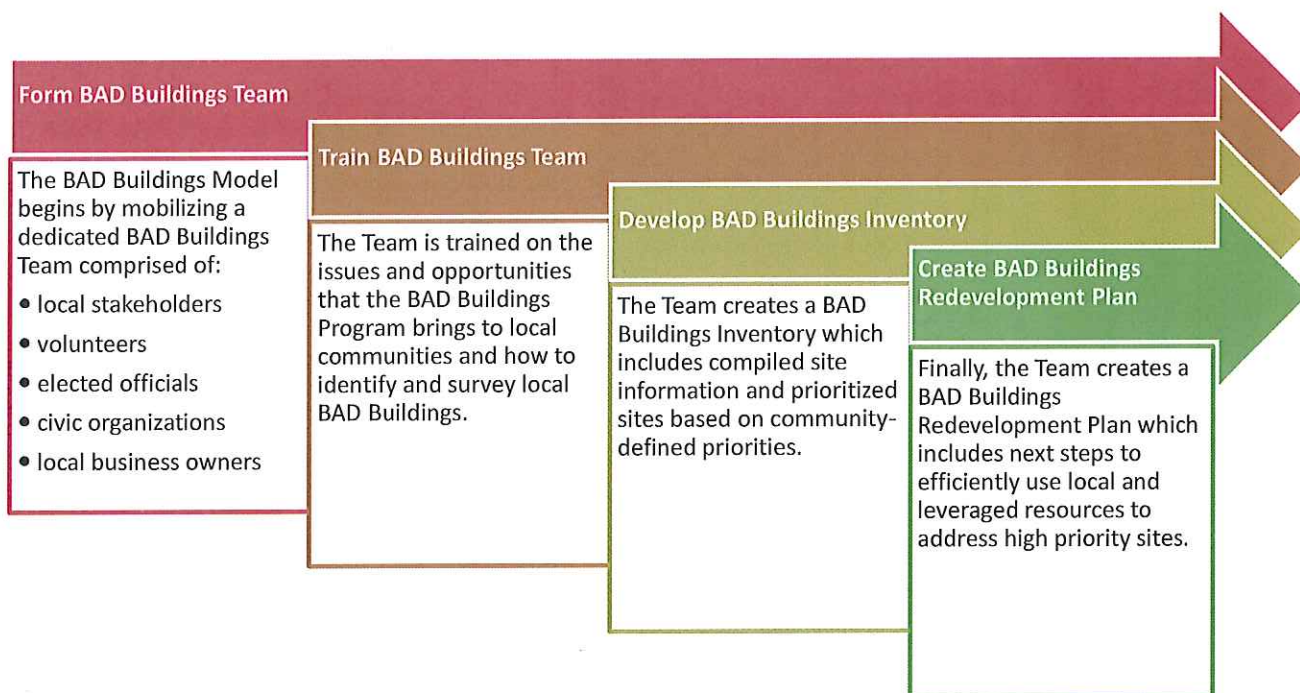


BAD Buildings in WV Communities

- McDowell County - 500+ identified BAD Buildings
- Richwood - 110+ identified BAD Buildings
- Beckley - 180 BAD residential buildings
- Huntington - 170+ buildings on demolition wait list
- Thomas - 25+ BAD Buildings
- Grafton - 100+ identified BAD Buildings

Program Overview

The BAD Buildings Model supports West Virginia communities which have limited local capacity and no abandoned/dilapidated buildings program. The model is based on the NBAC's effective approach to brownfield redevelopment throughout the state. While not all abandoned/dilapidated buildings are brownfields, all brownfields can be viewed as abandoned/dilapidated buildings. The same challenges and opportunities surrounding a brownfield project are commonly encountered when addressing BAD Buildings.



Components of a BAD Buildings Redevelopment Plan

- A prioritized BAD Buildings Inventory
- Identified high priority sites and properties with significant economic redevelopment potential
- Next step recommendations for property owners, local revitalization groups, businesses, and the municipal government to address BAD Buildings
- Redevelopment options for high priority sites including demolition, deconstruction, rehabilitation, and adaptive reuse



BAD Buildings Technical Assistance Model

Communities selected for participation in the BAD Buildings Program will receive technical assistance support to accomplish the following tasks:

1. Form a BAD Buildings Team,
2. Train the team to identify and research potential BAD Building sites,
3. Develop a BAD Buildings Inventory of sites through assessment and prioritization,
4. Research property ownership,
5. Identify next steps for the redevelopment of high value sites, and
6. Create a BAD Buildings Redevelopment Plan.

Examples of anticipated activities include: regular team meetings, community engagement, visual property assessments, site history research, and the identification of potential public funding and private investment in order to begin redevelopment of high priority properties.

Geographic Information Systems (GIS) Support

The NBAC will provide GIS support to participating communities through data collection guidance, mapping community BAD Buildings Inventories and prioritized properties, and generating preferred documents to store site information. GIS maps will be developed in tandem with BAD Buildings Team leaders so that local members can maintain and update their inventory after the completion of the BAD Buildings Program.

Tools and Resources

In addition to technical assistance, the NBAC will provide tools to communities which will enhance inventory development and site reuse planning. Economic redevelopment assessment tools (e.g., Decision Enhancer Tool) will be used to assist communities in identifying appropriate strategies for site cleanup and reuse, based on site attributes and regional market conditions. These tools will generate metrics typically used by real estate developers and investors to analyze the feasibility of specific redevelopment scenarios. Funding gaps that may be supplemented by public funding opportunities will also be identified.

Five Principles of the BAD Buildings Program

1. A BAD Buildings Program prepares property to be reused and reintroduced into the local market.
2. A local effort utilizes a transparent and efficient process for identifying, evaluating, and prioritizing buildings targeted for demolition, deconstruction, or rehabilitation.
3. Priority criteria are determined by local stakeholders in order to most efficiently use limited resources targeted toward sites that will have the highest redevelopment impact.
4. An effective local effort includes all stakeholders throughout each step of the process.
5. An engaged and supportive local municipal government plays a vital role in the success of a BAD Buildings Program.

Brownfield, Abandoned and Dilapidated (BAD) Buildings Program Grant Application:

I. Community Description.

A. Description of Community

Middleway, WV, is a rural unincorporated village in Jefferson County. A census-designated place (CDP), Middleway has a population of 441 persons and a five-block National Historic District (NHD) created in 1980. The village is located off State Route 51 mid-way between Charles Town and Inwood.

In 2010, Middleway had an aging population with 38.8 percent of residents over the age of 61 and 23.4 percent under the age of 21. Of the 173 households in the CDP, 31.2 percent had individuals 65 years or older. The majority (81.5 percent) of homes were owner-occupied. In 2010, there were 22 vacant housing units and six seasonal or occasional use homes. With a high proportion of the population supported by pensions and Social Security, median incomes are below county and state medians. The CDP does not have public water or sewer, transport or other services within its boundaries. It has four churches and a Masonic Lodge.

Commercial activities in the CDP in 2010 included: two automobile repair shops, one convenience store, two bars, a glazier, a violin maker, a cabinet maker, stone mason, two general contractors, a basket-maker, and four farms (in whole or in part). In addition several persons had small businesses in their homes. Most of the commercial activity was on Route 51. A third of the employed population works elsewhere in Jefferson or Berkeley County, while two-thirds commute to jobs in the District of Columbia, Maryland or Virginia. Prior to 2004, there was major industrial activity at a nearby plant owned by 3-M and Kodak. This plant is shuttered now and the loss of some 200 jobs has not been filled by other nearby economic activity. Local employment is in agriculture, education, tourism, and construction-related jobs.

The area of focus in this application is Middleway's five-block NHD. The NHD encompasses the remaining structures of the original village, platted in 1794 and chartered by the Virginia Legislature as Smithfield, VA in 1798. The village was re-named Middleway in 1805 when a post office was established to avoid confusion with Smithfield in southern Virginia. Both names were used locally through most of the 19th century. Many of the residents are descendants of 19th century Middleway families. Property and land ownership has been passed down through many generations. Middleway is unique in that the structure and physical character of the early village is substantially intact within its original rural setting.

The NHD lists some 60 contributing buildings, including commercial buildings, residences, barns and outbuildings. Most of these are log structures from the period 1795 to 1835. Many of these buildings are architecturally significant. Nearly all of them combined residences with

places of business, and Middleway supported significant commercial activity related to agriculture with grist and sawmills, tannery, wagon and wheel wrights, and blacksmiths. Hostelrys, a distillery, and retail shops were also present through the 1800s. Today, the NHD has fifty-two residences and 131 residents. Of these residences, five are vacant and five are seasonal or occasional use homes. Businesses in the NHD are a garage, a child-care center, a violin maker, cabinet maker, stone mason, and two general contractors. A handful of individuals work or telecommute from their homes.

The NHD was the scene of many skirmishes during the Civil War and the site of the Battle of Smithfield Crossing (August 28-29, 1864), an initial battle in Sheridan's defeat of Confederate forces in the Shenandoah Valley. The National Park Service's American Battlefields Protection Program (ABPP) has an ongoing study of the battlefield area which covers the entire NHD and CDP and some six square miles of surrounding countryside.

1. New/Ongoing Community Development Efforts

Middleway was incorporated in 1832 and last elected a town council in 1895. It has been an unincorporated village since 1900 under the jurisdiction of the Jefferson County Commission. Residents of the village initiated the designation of the NHD in 1974 and the listing became final in 1980. The community organization developed for the NHD designation was incorporated in 1982 as the Middleway Conservancy Association, Inc., (Conservancy) to provide a continuing vehicle for conservation and development of the historic district and the area around (see attached mission statement).

In addition to historic preservation, archives, education and social events, the Conservancy has been active in pursuing development and community works projects. The Conservancy worked with the State Division of Highways (WV DoH) and USDA Natural Resource Conservation Service (NRCS) to develop a plan for stormwater management. The Conservancy contributed volunteer labor and funds to clear drainage ditches to Turkey Run, while the WV DoH installed culverts. Street lighting has been provided by voluntary donations to the Middleway Street Lights Committee since 1987.

The Conservancy is working on the development of a sidewalk and drain project in the NHD with the WV DoH and the County Development Authority. The 19th century village had sidewalks with French tile drains to carry run-off. This project has the goals of pedestrian safety along a busy main road, diversion and removal of storm-water, and restoration of pedestrian access to the former commercial area in the NHD. Funding has yet to be found for this project.

Water and sewer discussions have been on-going with the Public Service District, Health Department, and Development Authority. Proposals for public water and sewer options have been made and community meetings held. While all the Middleway-area residences are on

well and septic systems, the NHD with buildings on 1/3 acre lots has a population density greater than the capacity of the septic systems used and water-pollution is seen as an issue.

B. List of Stakeholders

Stakeholders include the following:

Community residents; local business owners; visitors to the NHD and the community; the four local churches (Episcopal, Methodist, Full-Gospel Pentecostal, and International Pentecostal); Middleway Conservancy Association; Masonic Lodge; Middleway Climbers 4-H Club; County government departments (e.g. Planning; Health; Sheriff, etc); County Development Authority; County Historic Landmarks Commission; County Public Service District; County Visitors and Convention Bureau; WV DoH; WV Department of Environmental Protection; WV State Historic Preservation Office; NPS/ABPP and NRCS.

C. Current and historic level of community involvement

In Middleway's NHD, different organizations provide opportunities for community involvement.

The Conservancy has enjoyed the support of the local community for thirty-one years. The Conservancy provides opportunities for volunteers to work on NHD projects, facilitates workshops and other educational events, and organizes a community-wide street festival in the NHD annually. The Conservancy also maintains the Old English Cemetery.

The Middleway Streets Lights Committee raises some \$700 annually in donations to maintain street lights at intersections in the village. Highway trash pick-ups by Conservancy members and the congregation of the Methodist Church help to keep the village tidy. Grace Episcopal Church has renovated a former Lutheran church as a community center and focal point for many community activities. Grace Church also maintains two cemeteries in the village. The Masonic Lodge, formed in 1832, has an historic Lodge building and maintains a cemetery. The Middleway Climbers 4-H Club undertakes community projects.

D. Previous and ongoing efforts to encourage redevelopment and conservation

The Conservancy is seeking donations of properties and monitoring foreclosures in the NHD. We received a donation of an abandoned historic property scheduled for demolition by a bank in 2012. The property had conservation covenants inserted in its deeds and was sold to a business by the Conservancy in 2013, thus returning it to commercial use and ensuring its repair. The Conservancy is actively seeking other properties to handle in a similar fashion.

II. Description of Need

A. Describe the impacts of BAD buildings on the Community

All the community and stakeholders are impacted by the abandoned and dilapidated buildings. With a population aging in place, resources for building maintenance are limited. When nearby buildings are BAD, the image and effect of limited resources are accentuated. In Middleway's NHD the following negative impacts have occurred:

- Drug abusers and others have squatted in empty buildings, requiring action by law-enforcement and health department officials.
- Trash has been dumped on abandoned and/or derelict lots, requiring clean-up.
- The property values of residences in the NHD have been negatively affected.
- Properties adjacent to or near BAD buildings have been difficult to sell.
- Empty stores have not been sold or leased.
- A B&B has gone out of business.
- Potential employers have gone elsewhere.
- Persons visiting the NHD, or attending the churches or social and cultural events in the village are discouraged and disturbed by the condition of the village.
- Through traffic ignores village speed limits; average speed in the 30 mph zone is 38 mph

B. Potential reuses already identified and long-term planning

1. Potential uses:

The Conservancy has discussed potential use for a number of BAD buildings in the NHD. For example, on Queen Street in the NHD there are four abandoned buildings with absentee owners:

- The Old Hospital, which was built in 1828 as a hardware and ironmongers store, served as a hospital in the Civil War, and most recently as a village store and then apartments. The building could be renovated as professional offices or a retail store because of its corner position and space for parking. There could also be space for a NHD visitor center/museum.
- The village store, built in the early 1800's and used until 1998 as a shop with lunch counter and gas pumps. The building has two apartments on the upper level. Renovation as a store, antiques shop, or restaurant would assist local people and bring business back to that section of Queen Street. There is pollution from a storage tank.

- The old log house, built in 1806, and abandoned in 1984. Renovation for a commercial business or a craftspeople's workshop would be desirable. If renovation is not possible, then demolition and a similar in-character building erected to replace it.
- The old stone forge and adjacent house, built in 1804. The house should be renovated as a residence. The stone forge building was used as a tack shop recently and then for auto maintenance. It could be repurposed for a commercial use.

2. Long term planning:

The Conservancy is a volunteer community association interested in preservation and conservation of the NHD and its long-term sustainability. Middleway has always had a strong and diverse tradition of craftspeople and artisans and the Conservancy has fostered this tradition with transfer of a donated property to a craftsman/builder. It is hoped that more craftspeople will choose to locate to Middleway if the NHD is re-vitalized.

Jefferson County has embarked on a revision of its County Comprehensive Plan and has proposed a "preferred growth area" for Middleway and its immediate vicinity (<https://maps.google.com/maps/ms?ie=UTF&msa=0&msid=212356150672117070253.0004d31ce8dc67c67e5ed>). The intent of this designation is to concentrate rural commercial and residential growth in areas which will be served with public utilities and services. While this planning effort is still at the draft stage, it has served to focus community and county discussion on future land use and development. The Conservancy has taken an active part in these discussions and will continue to do so.

An unmet need is the provision of services to tourists in Middleway. There is considerable interest in the NHD and latent interest in the Battle of Smithfield Crossing (August 28-29, 1864). The core of the battle, described by the ABPP (www.nps.gov/hps/abpp/battles/wv015.htm), includes the NHD and its immediate surroundings. The Conservancy is engaged in a project to delineate the battlefield with signage and markers, identify military positions, and map troop movements in relation to the buildings and then-residents of the NHD. The Conservancy's purpose is to facilitate visitor interest and encourage economic investment in serving tourists.

C. Detail the significance of a BAD building program in the NHD and the anticipated results of successful redevelopment or reuse of properties

1. Significance of a BAD building program in the NHD

The BAD building program will have significance in four areas for the community: awareness of what exists; community involvement in undertaking inventory; community participation in planning for re-use and development; and community action in taking the project forward.

Community awareness: It is now 35 years since the village assessment was done for the NHD designation. The potential economic and cultural values of the NHD and its setting are little understood by residents or stakeholders. This potential is lost in the familiarity that comes from everyday life in an area of BAD buildings and little economic activity. The BAD buildings project will bring into focus the economic, historic, and community values and potential of the NHD for residents and stakeholders.

Community involvement: The BAD buildings inventory will require community and stakeholder involvement – involvement on the inventory teams and in providing access to properties. The act of an inventory or assessment will of necessity focus attention on the condition of the NHD and the roles residents and stakeholders can play in creating a sustainable neighborhood.

Community participation: The planning for re-purposing and using BAD buildings will affect all residents and stakeholders. Thus community participation in the planning/redevelopment plan will be addressed as a priority. The recommendations for property owners, local revitalization groups, businesses, and county government will require community participation and buy-in.

Community action: Community action or self-help will be needed to move the redevelopment plan to fruition. While residents and property owners can move pieces of a redevelopment plan forward, it will require action by all stakeholders, including county and state government agencies, to realize the economic value and potential of the NHD.

2 Anticipated results of successful redevelopment or reuse of priority buildings

The Conservancy foresees the following benefits from redevelopment or reuse of priority buildings:

- Provision of commercial (retail or professional) services to the NHD's residents and visitors which are currently not available
- Provision of additional housing units, either as apartments above commercial activities or as refurbished residences
- An NHD which is able to attract further economic activity through additional businesses or tourism
- Community and stakeholder agreement on the economic and community value and potential of the NHD and similar areas in Jefferson County.
- If the Conservancy receives a grant, we believe we could serve as a model for BAD Buildings Programs in other rural unincorporated communities due to our diverse area of BAD buildings.

III. Capacity for Project Implementation

A. Applicant ability to administer technical assistance activities

The Conservancy is an all-volunteer association with a diverse membership that reflects our community. Occupational skills within the membership include building contractors, stonemasons, lawyers, farmers, business-persons, educators, government employees, and other professionals. A number of these members have experience administering large and small contracts in the private and government sectors. The Conservancy has demonstrated its capacity for leadership, commitment to economic and community development, ability in community outreach, and is active in community capacity-building initiatives.

Some examples: The Conservancy has partnered with state and local agencies to improve the stormwater drainage in the lower part of the NHD. To promote knowledge of the NHD, the Conservancy has established a visitors' information kiosk and reconstructed the village pump in the lower NHD. The Conservancy has provided signage in the NHD, including welcome signs and street signs (the latter have since been replaced by DoH signs). The Conservancy has developed a visitor's walking tour brochure of the NHD with markers on buildings listed in the brochure (see www.MiddlewayConservancy.org interactive map). The Conservancy has developed and maintained an archive of historical materials and shared this with a state website (www.wvgeohistory.org). To promote and recognize the community, the Conservancy has organized an annual street festival since 1988. Held in October, Middleway Day attracts some 1,500 visitors and show cases local crafts with demonstrations and sales booths, local musicians, and with stalls raising funds for nearly all the village stakeholder organizations.

If awarded a grant by the BAD Buildings Program, the Conservancy proposes to form an administration group of three to manage the project. The duties of this group will be to:

- Establish and formalize links with the BAD Buildings Program
- Establish timelines, milestones and activity reporting and recording mechanisms
- Conduct community and stakeholder workshops to inform them of the grant and proposed work
- Recruit and establish the BAD Buildings Team
- Arrange for BAD Buildings Team training
- Facilitate the BAD Buildings inventory in the NHD with community and stakeholders
- Compile the mid-term report with the BAD Buildings Team
- Disseminate the results of the inventory through community and stakeholder workshops

- Coordinate technical assistance providers and BAD Buildings Team in developing recommendations for property owners, businesses and other stakeholders to address BAD buildings
- Coordinate technical assistance providers and BAD Buildings Team as they consider redevelopment options for high priority sites
- Compile the BAD Buildings Redevelopment Plan with the BAD Buildings Team
- Conduct community and stakeholder workshops on the BAD Buildings Redevelopment Plan
- Prepare plan for out-year activities with stakeholders and community input

B. Project activities after completion of the BAD Buildings Program grant

The Conservancy intends to implement the BAD Buildings Redevelopment Plan for out-year activities compiled by the BAD Buildings Team with community and stakeholder input. Where feasible this will be done through community actions and volunteers. For large or specialist projects, the Conservancy will partner with stakeholders to accomplish the task, if necessary seeking grants-in-aid to accomplish the work.

C. Describe how the local community and stakeholders will be involved in the project

In developing this application, the Conservancy has discussed it with stakeholders. The Conservancy's administration group, described in A above, will be responsible for ensuring that community and stakeholders are kept informed through workshops and town meetings. If awarded the grant, these outreach efforts will begin before the formation of the BAD Buildings Team. After the inventory is completed, a second round of community and stakeholder meetings will be held to present and discuss the findings. Finally, after the BAD Buildings Redevelopment Plan is drafted, a third round of meetings will be held with the community and stakeholders to discuss and refine the Plan recommendations.

Community and stakeholders will be involved in the project in a number of ways, other than the information and comment meetings. The Conservancy will call on specialist help from the community and stakeholders as needed, for example in assessing the viability of structures or assessing possible reuse options. Volunteers, other than the key members of the BAD Buildings Team, will help the Team with the inventory of the NHD. The Middleway Climbers 4-H Club has indicated that its members would wish to be part of the mapping and inventorying effort. The Historic Landmarks Commission, Planning Department, and Development Authority have agreed to provide advice and assistance as the project proceeds. As the project unfolds, the Conservancy will not hesitate to seek advice and help from stakeholders whenever necessary.

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: David R Boltson

Department or Entity: Private Individual

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: ~~At Commission's Convenience~~

December 5th

Date Requested – 2nd Choice: _____

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

Subject: County Ordinance E- 911 Addressing' 01-2001

Please provide the County Commission with a description of your request or presentation, including any background information: **As attached (Request for reconsideration to restore the residence house number as originally assigned to 393 Camelot Way**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Restoration of the originally assigned residence house number of 393 Camelot Way to the residence currently assigned to 390 Camelot Way, subject to revision to accommodate future development as needed**

Attachments: Files as attached

Request for Reconsideration and Reinstatement of the Original GIS Address for:

390 AKA 393 Camelot Way Charles Town WV 25414

Executive Brief submitted By: David R, Boltson 304-725-7378

Abstract: The residence in question was and is on Camelot Way, a private road .43 miles in length containing three "farms (homes) covering approximately 100 acres. The road terminates at the third and last residence 390 (Aka) 393

On or about Jan 2001, Camelot Way residences were in-cooperated into the GIS and assigned odd house numbers by Jefferson County.

Approximately two years later on or about Sept 2003 Jefferson County identified an error which assigned incorrect numbers to the homes and sent mail notices advising of the error to all three affected homes. The notices of the error were never received by the resident of 390/393 nor were any follow up attempts to contact the home owner received until approximately September, 2013.

When the notification of non-complacence was received (2013), the revised (new house number) was posted and documented to the E-911 addressing office in accordance with the published instructions.

The request for reconsideration and issuance of the originally assigned house number of 393 is based on five elements.

- 1. The authority to "deviate", allow an exception from the Ordinance. is granted under Section 7.2.2 and does not prejudice future house number assignments.**
- 2. The delay and failure of the county to follow up with notification and or enforcement has resulted in 11 years of accumulated legal and personal documents and therefore would constitute an unreasonable burden and expense to the property owner.**
- 3. The land adjacent to Camelot Way consists of active farms and currently no active plans for residential building or proposed development plans are on file.**
- 4. Restoring the originally assigned house number would not affect the emergency response to the area as the residence is the last residence and highest number recorded on the street and there are no other residences or structures on the left side of Camelot Way requiring "odd number assignments.**
- 5. The E- 911 database can easily be amended to reflect the original house number without affecting any other residence in the area.**

**Request for Reconsideration:
Restoration of the Originally
Assigned Resident House
Number of 393 Camelot Way ,
As Issued Sept 2001**

**Submitted By:
David R. Boltson
December, 2013**

Applicable County Authority

ARE Exceptions Possible ?

E9-1-1 Addressing Ordinance Section 1.6

In applying the guidelines specified herein, the Jefferson County Addressing Coordinator shall have the authority to interpret this Ordinance to ensure *a logical and efficient numbering and street addressing system.*

Applicable County Authority

E9-1-1 Addressing Ordinance Section 6.1

All properties or parcels of land within Jefferson County shall hereafter be identified by reference to a uniform numbering system, as shown on maps maintained in the Jefferson County GIS/ Addressing Office. **The maps and explanatory matter thereon** may be amended, modified, or changed **at the direction of the Jefferson County Addressing Coordinator, or his/her duly authorized agent.**

Applicable County Authority

E9-1-1 Addressing Ordinance

Section 7.2.2

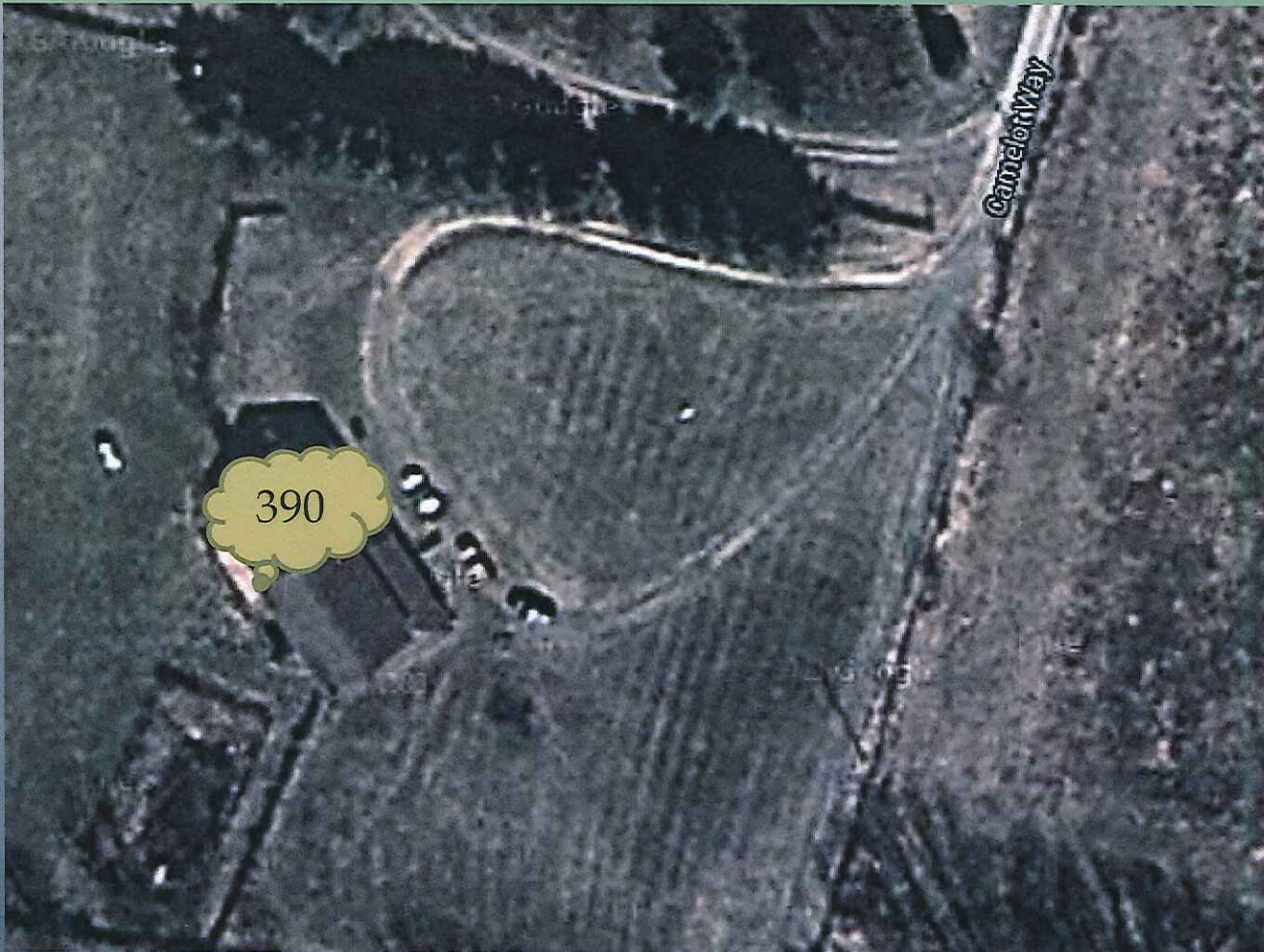
Past decisions by the Addressing Coordinator do not set precedent for future determinations in mapping, addressing or administration of this ordinance.

Why make an exception ?

393 aka 390 is the last structure



Why make an exception ?
Restoration will not adversely affect EMS

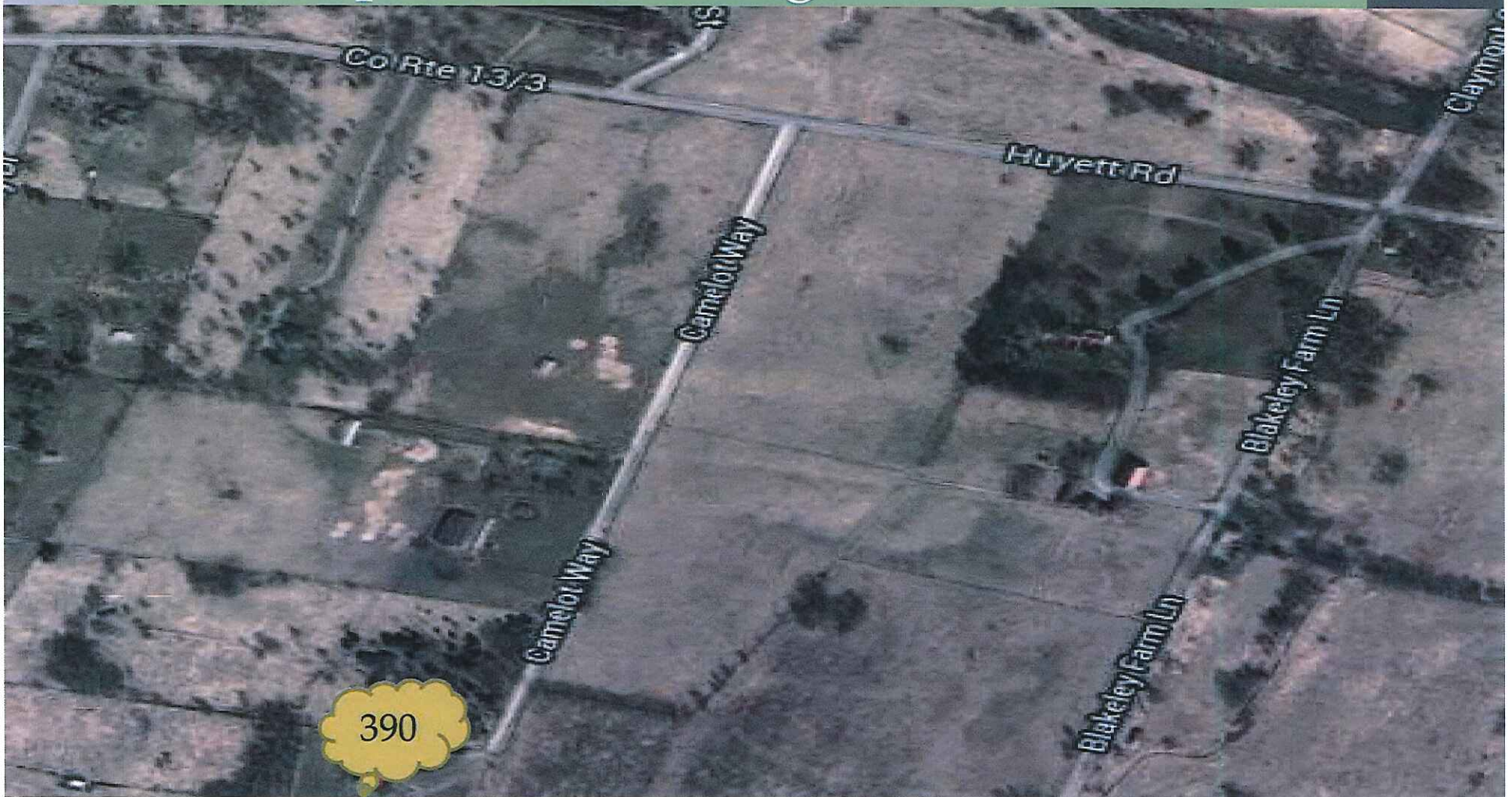


Why make an exception ?

No structures present or planned on the left side of Camelot Way

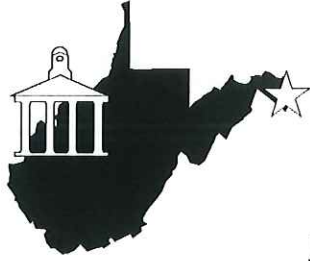


Why make an exception ?
No Present or currently planned
development affecting house numbers



REQUEST FOR RECONSIDERATION:
RESTORATION OF THE ORIGINALLY
ASSIGNED RESIDENT HOUSE NUMBER

1. Will not adversely affect EMS responses
2. Does not affect existing residence numbers
3. Can be revisited to accommodate future development



JEFFERSON COUNTY
COMMISSION

SANDY McDONALD, ACTING COUNTY ADMINISTRATOR
P.O. BOX 250, 124 E. WASHINGTON STREET, CHARLES TOWN, WV 25414
PHONE: 304/728-3284 • FAX: 304/725-7916

JEFFERSON COUNTY
WEST VIRGINIA

E9-1-1 ADDRESSING
ORDINANCE

**AN ORDINANCE TO PROVIDE ASSIGNMENT OF NAMES TO
STREETS AND ROADWAYS AND IMPLEMENTATION AND
MAINTENANCE OF THE POSTING OF STREET SIGNS AND
BUILDING NUMBERS IN JEFFERSON COUNTY, WEST VIRGINIA**

JEFFERSON COUNTY, WEST VIRGINIA

E9-1-1 Addressing Ordinance

In order to uniformly assign and maintain street addresses and provide for easy identification of those numbers for various purposes and to promote the health, safety and welfare of the citizens of the County of Jefferson, the County enacts its E9-1-1 Addressing Ordinance as follows:

WHEREAS, pursuant to W.V. Code § 7-1-3ii, § 24-6-5, and § 24-6-6, the Jefferson County Commission has the authority to provide for the elimination of hazards to public health and safety; to establish and regulate the naming or renaming of roads, ways, streets, avenues, drives and the like, in cooperation with local postal authorities, the division of highways and the directors of county emergency communications centers; and to assure uniform, non-duplicative conversion of all rural routes to city-type addressing on a permanent basis; and,

WHEREAS, the establishment of an Enhanced 9-1-1 Emergency Telephone System in Jefferson County has been approved and implemented by the Jefferson County Commission; and,

WHEREAS, the establishment of such system requires the assignment of names to all streets and roads in the county, the assignment of building numbers to all buildings having telephones and/or occupancies, and the erection of appropriate street signs at intersections; and,

WHEREAS, a professional consultant experienced in comprehensive addressing has been employed to map street and roads in Jefferson County and to assign building numbers to buildings in Jefferson County,

NOW, THEREFORE, BE IT ORDAINED this 25th day of April, 2002 by the Jefferson County Commission of Jefferson County, West Virginia, Ordinance Number 01-2002

Section 1: AUTHORIZATIONS

Section 1.1 The provisions of this Ordinance shall be applicable in all unincorporated areas of Jefferson County. The incorporated cities of Charles Town, Ranson, Harpers Ferry, Bolivar, and Shepherdstown shall have the option to adopt this Ordinance by each respective City and Town Council.

Section 1.2 The Jefferson County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to assign names to any public or private road or street in the County which provides access to three or more occupied buildings defined as an "Addressable Structure" in this Ordinance. At any time that three or more addressable structures exist or plan to exist on a right-of-way, a road name shall be applied.

Section 1.2.1 The Jefferson County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to approve, assign or change a name to any

JEFFERSON COUNTY, WEST VIRGINIA

E9-1-1 Addressing Ordinance

street, road or subdivision in the County, as defined in the Jefferson County Subdivision Ordinance, in order to eliminate duplicate names or confusing similarity. The Jefferson County GIS/Addressing Office, or the duly authorized agent, shall have the authority to refuse registration of any name already in use, confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed inappropriate by the Jefferson County GIS/Addressing Office.

Section 1.3 The Jefferson County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to negotiate with residents along streets or roads bearing duplicate or confusingly similar names in the County and to change the names of such roads or streets to eliminate such duplication or confusing similarity.

Section 1.4 The Jefferson County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to direct the placement of street signs at intersections within the County. The initial costs of such signs and installation were funded by the Jefferson County Commission for all unincorporated areas of Jefferson County only during the countywide readdressing project which ended August 2008. All sign installation, relocation or repair costs for newly created or impacted roads after the date of the third ordinance amendment, January 14th, 2010, shall be borne by the owner, resident or land development (subdivision) applicant creating the road name.

Section 1.5 The “Jefferson County Road Name Index” shall be adopted by the County Commission and filed and maintained in the Jefferson County GIS/Addressing Office. This listing shall be the official listing of names for streets and roads in Jefferson County and such streets and roads are hereby assigned the names listed therein. As used in the Ordinance, the terms “street” and “road” shall have the same meaning and shall also include but not be limited to avenues, boulevards, highways, lanes, ways, and similar street types.

Section 1.5.1 The Subdivision Name list shall be adopted by the County Commission and filed and maintained in the Jefferson County GIS/Addressing Office. This listing shall be the official listing of names for subdivisions and historic structures in Jefferson County and such subdivision names are hereby assigned the names listed therein.

Section 1.5.2 The Jefferson County Addressing Coordinator, or his/her duly authorized agent, shall review all requests for new subdivision names within thirty (30) days of receipt in the Jefferson County GIS/Addressing Office. The Jefferson County Addressing Coordinator, or his/her duly authorized agent, shall provide approval or rejection for subdivision names within thirty (30) days of receipt of the request

JEFFERSON COUNTY, WEST VIRGINIA
E9-1-1 Addressing Ordinance

- Section 1.6 In applying the guidelines specified herein, the Jefferson County Addressing Coordinator shall have the authority to interpret this Ordinance to ensure a logical and efficient numbering and street addressing system.
- Section 1.7 Whenever the Jefferson County Addressing Coordinator, or his/her duly authorized agent, has reason to believe there has been or there exists a violation of this Ordinance, he/she shall give written notice of such violation to the person failing to comply and order the person to take corrective measures within thirty (30) days from date of notification. If such person(s) fail to comply with the duly issued order, the Jefferson County Addressing Coordinator, or his/her agent, shall initiate necessary actions to terminate the violation through criminal or civil measures.

Section 2 DEFINITIONS AS USED IN THIS ORDINANCE

- Section 2.1 For the purpose of this Ordinance, the following terms, phrases, works and their derivations shall have the meaning that is provided in the National Emergency Number Association (NENA) Standard Guidelines as reference by the United States Postal Service, unless the context clearly indicates otherwise.
- Section 2.2 “Address number” shall mean the number assigned to consecutive intervals along a street or road pursuant to the Number Assignment Formula contained herein. Numbers are always whole. “Half” numbers are not valid, i.e. 515 ½ *Example Street*
- Section 2.2.1 “Physical Location Address” is defined as the full address designation of a structure based upon its physical location. It comprises a Primary Address Number, Street Name, Street Suffix, Directional Prefixes or Suffixes (if applicable), Sub-Address (if applicable), and Postal Community (zip code), i.e. *123 South Example Street, Unit 100, Ranson, WV 25438.*
- Section 2.2.2 “Primary Address Number” is defined as the principal address number of a structure preceding the Street Name in its full address designation, i.e. “123” *Example Street*. Each separate structure shall have its own separate and unique primary address number. Separate primary address numbers may be provided for units comprising a complete, contiguous structure, (i.e. townhomes or duplexes that span multiple parcels/lots, commercial centers or retail complexes, or similar types)
- Section 2.2.3 “Sub-Address” is defined as a number or letter within the main address of a structure for a unit, suite, apartment, or room number following the Street Name in its full address designation, i.e. 123 *Example Street*, “*Apartment 202*”, “*Unit 100*” or “*Suite 105.*” Structures that are sublet or

JEFFERSON COUNTY, WEST VIRGINIA

E9-1-1 Addressing Ordinance

divided into multiple, distinct units shall share a common primary address but distinguish themselves by a unit, apartment or suite sub-address. Sub-Addresses must be Alpha (“Unit A”) or Numeric (“Suite 105”), but cannot be a combination of both, i.e. (“Apartment 202A,” “Unit 100-B”, and “Suite A-2”). Sub-Addresses will replace any invalid “half” address number. Sub-Addresses are not necessary for townhomes, duplexes, or similar types of dwelling units that span multiple parcels or lots.

Section 2.3 The term “Road” or “Street” shall mean any public or private thoroughfare used for vehicular traffic and/or any easement or right-of-way that provides sole access to more than two parcels or lots. This term shall be defined as the “Street Suffix” and shall include, but is not limited to: avenue, drive, way, boulevard, highway, lane, pike or similar street types.

Section 2.3.1 “Street Suffix” is the suffix of the road or street and the only suffixes eligible for use shall be those listed on the “Jefferson County Street Suffix Definitions” document maintained in the Jefferson County GIS/Addressing Office.

Section 2.3.2 “Postal Community” is defined as a United States Postal Service (USPS) Zip Code that provides rural delivery. Access to the structure within such a USPS Zip Code will determine the “Town” portion of the physical location address, not municipal boundaries, unincorporated villages or even State jurisdiction, i.e. *123 South Example Street, Unit 100, Ranson, WV 25438*.

If a property is accessed from a Virginia zip code, that structure will have a Virginia physical location address. In such case, the Tax Map and Tax records will verify Jefferson County and West Virginia jurisdiction or citizenship.

Section 2.4 The “Number Assignment Formula” as found herein is defined as follows:

Beginning from the road’s point of origin a structure number shall be assigned for each interval, with each interval on the right side of the roadway as one leaves the point of origin being assigned an even number, and each interval on the left side as one leaves the point of origin being assigned an odd number. Left and right shall be determined from the perspective of a traveler moving away from the road point of origin in a forward motion. The southern and western intersection or entry point of each road will be the point of origin. Any road not having an intersecting road along its length, also known as a dead end road, shall be assigned the point of origin at the entry point of the road. Address numbers must be sequential relative to neighboring address numbers on both sides of the road.

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- Section 2.5 An “Interval” is defined as the distance along a roadway of 5.28 feet, there being 1000 intervals per mile (5,280 feet).
- Section 2.6 “Point of Origin” shall mean that end point of a road, which is the starting point for a numbering sequence.
- Section 2.7 As used herein, “Primary Structure” shall include but not be limited to a residential building, mobile home park, commercial building, industrial building, office building, public building, utility, or communications tower.
- Section 2.7.1 “Addressable Structure” is defined as any place a person would “live”, “work”, “worship” or “play”. The structure must be permitted, permanently anchored, and in compliance with all applicable impact fee, subdivision, and/or zoning regulations. It shall be the responsibility of the Addressing Coordinator to interpret this definition in accordance to the stipulations of this Ordinance and the Jefferson County Addressable/Non-Addressable Structure Guide.
- Section 2.8 “Display” as used herein is the manner in which the numbers are affixed to a structure or otherwise displayed when affixing to a structure.
- Section 2.9 “Non-Compliance” is any failure to comply with the provisions of this Ordinance including, but not limited to, by way of example: a number out of sequence, odd or even number on wrong side of street, rural box numbers in a 9-1-1 address area, numbers improperly affixed, numbers illegible, numbers unclear, numbers obstructed, numbers not visible, numbers not present, numbers of improper size, numbers not in contrast with immediate background, weatherworn numbers, wrong numbers, non-approved numbers, illegal or non-approved road signs, or illegal attachments to road signs.
- Section 2.10 “Occupant” is any person, firm, entity, partnership, trust, corporation, association, or other organization that is occupying or leasing a building or other property for a period exceeding thirty (30) days.
- Section 2.11 “Owner” is any and all persons, firms, entities, partnerships, trusts, corporation, associations, or other organizations that own the fee title to, or have an undivided interest in, any building or property, which is subject to the provisions of this Ordinance.
- Section 2.12 “Addressing Office”, “GIS Office”, or “Geographic Information Systems” is the County-staffed office responsible for managing and maintaining the responsibilities for addressing, road naming and mapping in Jefferson

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County. The Addressing Coordinator will work within the confines of this office or department.

Section 3 STRUCTURE AND LOCATION NUMBERING AND DISPLAY

- Section 3.1 Whenever any house, building, or addressable structure shall be erected or located after the initial establishment of the uniform numbering system as provided herein, it shall be the duty of the property owners to procure the correct number or numbers for the property and to affix these numbers to the building in accordance to this Ordinance. The owner shall place or cause to be placed upon each house or building controlled by him/her the number or numbers assigned under the uniform number system within thirty (30) days of notification of the assigned address. The cost of posting the address shall be the responsibility of the property owner.
- Section 3.1.1 Any structure situated on a “corner lot” and having roads along two sides of the structure may have two possible access points. Consequently, that structure may be addressed from the street facing the primary entry to the center of the structure, or from where the driveway leading to the structure intersects the right-of-way, whichever is more appropriate. It shall be the responsibility of the Addressing Coordinator to determine the appropriateness in this instance.
- Section 3.2 An application for a building permit for a new addressable structure shall be considered an application for an address assignment. The Jefferson County Engineering Department shall coordinate with the Jefferson County GIS/Addressing Office for the assignment of addresses. No address shall be assigned until the structure is permitted, and footer is in place and properly inspected. The address shall be issued not later than thirty (30) days following identification of address and shall be installed on the structure prior to final inspection from the Jefferson County Engineering Department.
- Section 3.2.1 An occupancy permit for any structure erected or repaired shall be withheld until the permanent and proper address numbers have been affixed to such structure in accordance with the requirements of this Ordinance.
- Section 3.3 Display of Number – Residential Structure – Each primary structure shall display the number of the address assigned to it. The street number for residences shall be in accordance with The BOCA National Property Maintenance Code, Section PM-303.3, Exterior Structure, Premises Identification. The numbers shall be in Arabic numerals at least three (3) inches in height, and of a durable and clearly visible material. The

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numbers shall be placed on, above, or at the side of the main entrance so the number is clearly visible from the public right-of-way. Whenever a residence entrance is greater than fifty (50) feet from a public right of way, or not clearly visible from the public right-of-way, a number shall also be placed along a driveway, or property entrance. Address numbers are to be a contrasting color to the background on which they are mounted.

- Section 3.4 The owner or person in charge of any house, building, mobile home, or other structure to which a number has been assigned shall affix the number as outlined in this Ordinance within thirty (30) days after the receipt or notification of such number.
- Section 3.5 Display of Number – Commercial and Industrial Structure – Address numbers for commercial and industrial structures shall follow BOCA PM 303.3 code regulations of at least six (6) inches in height. The number shall be placed above or on the main entrance to the structure when possible. If such number is not clearly visible from the public right-of-way, the number shall be placed along a driveway or on a sign visible from the same. Address numbers are to be a contrasting color to the background on which they are mounted.
- Section 3.6 Display of Number – Apartments and Similar – The address number assigned to a single building number shall be displayed on each assigned structure following the BOCA PM 303.3 code. Numbers and/or letters for individual apartments or units within these complexes shall be displayed on, above, or to the side of the main doorway of each apartment or unit.
- Section 3.6.1 Display of Number – Trailer Park and Similar – The address number assigned to a trailer within an organized trailer park shall be one address number for the trailer park with each trailer assigned a lot or space number. The lot or space number must be posted and permanently affixed to the lot identifying the lot or space number. The main address to the trailer park must be posted at the entrance of the park. Address numbers are to be a contrasting color to the background on which they are mounted.
- Section 3.7 The combination of such an address number, the road or street name, applicable sub addresses, and the postal community shall be the official address of such primary structure.
- Section 3.8 All costs to individuals or households in complying with this section of the Ordinance shall be borne by that individual or household.
- Section 3.9 Effective with amendment #3, January 14th, 2010, all sub-address numbers assigned to a unit, suite, apartment, etc. shall follow the Jefferson County Addressing Model Guidelines.

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Section 3.10 Temporary addresses will be available only for construction trailer offices and for similar purposes. Anyone desiring a temporary address shall execute an agreement with the GIS/Addressing Office that acknowledges that the address being provided is a temporary address to be used for not more than one year from the date of issuance. Temporary addresses cannot be relocated, reassigned, re-accessed or made permanent at the discretion of anyone other than the Addressing Coordinator or their duly authorized agent.

To obtain a temporary address, the applicant shall provide a small area map which contains the location of the temporary addressable structure, the nature of the structure and the vehicular path by which one accesses the temporary structure from the closest named road.

Section 4 ROAD AND SUBDIVISION NAMING

Section 4.1 The “Jefferson County Road Name Index” shall be the official listing of names for streets and roads in Jefferson County. The Jefferson County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to assign names to roads.

Section 4.1.1 Road names listed as “reserved” on the “Jefferson County Road Name Index” shall be held in reserve status for no longer than five years from the date the road name was approved and placed into reserve. After such time, the GIS/Addressing Office will review the project status for the purpose of identifying road names for removal from or retention in the official Road Name Index. The reserving entity will be notified of pending removal or retention whenever possible.

Section 4.2 No street within the County, currently shown on a recorded deed, subdivision plat or assigned to a new subdivision plat, shall be considered official until such name is registered with the Jefferson County GIS/Addressing Office, approved, and added to the Jefferson County Road Name Index. The Jefferson County GIS/Addressing Office, or the duly authorized agent, shall have the authority to refuse registration of any name already in use, confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed inappropriate by the Jefferson County GIS/Addressing Office.

Section 4.2.1 The Jefferson County GIS/Addressing Office, or the duly authorized agent, shall have final authority exclusive in the area of road naming within the entire County in order to ensure that road names are not duplicated or confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed inappropriate by the Jefferson County GIS/Addressing Office.

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- Section 4.2.2 The Jefferson County Addressing Coordinator or his/her duly authorized agent, shall review all requests for new road names within thirty (30) days of receipt in the Jefferson County GIS/Addressing Office. The Jefferson County Addressing Coordinator or his/her duly authorized agent shall provide approval or rejection for road names, within thirty (30) days from receipt of the request.
- Section 4.3 Road names shall not duplicate road names already assigned, regardless of road name prefixes or suffixes, except for roads located within different corporations and grandfathered into the road network and approved by the County Commission as inclusion in the Road Name Index at the time the Road Name Index was first approved by the County Commission, which was on February 23, 2003. The four cardinal points of the compass may be used as a prefix, but not a suffix, to designate portions of a continuous street.
- Section 4.3.1 All named roads must intersect and have defined connections to another named roadway within the road network.
- Section 4.3.2 A “court” shall be considered a road ending in a dead-end, such as a cul-de-sac, and cannot have any other roadway along its length except for the road that the court originally intersects.
- Section 4.4 Identical or confusingly similar road names shall not be differentiated simply by changing the road name suffix. (i.e., Birch Street and Birch Avenue) nor by adding a cardinal point suffix (i.e., Example Street and Example Street North)
- Section 4.5 A road shall have only one name throughout its entire length unless approved as an exception by the County Commission. A road name can only change names at defined intersections where a traffic control device exists, such as at an intersection controlled by a stop light or an intersection controlled by stop signs where the road bearing the name is controlled by the stop sign. An example of this is a 4-way stop sign controlled intersection. The Jefferson County Addressing Coordinator, or his/her duly authorized agent, shall have the authority to interpret and apply as appropriate.
- Section 4.5.1 Wherever possible, a road name shall continue directly straight across at any intersection and not turn right or left on a different path or direction as it approaches the intersection. Road names that are not continuous in a direct and straight forward path, but rather turn at intersections are opportunities for confusion when travelling along the road.

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Section 4.5.2 The third addressable structure built on a right-of-way not otherwise named causes the right-of-way to be named. The GIS/Addressing Office shall coordinate and oversee the naming of the right-of-way. The owners of any parcels accessing a right-of-way required to be named have the naming rights of the right-of-way. The GIS/Addressing Office shall provide road name petitions to all owners of parcels affected by the road name change and shall provide a specific timeframe for response. Through majority vote and within the stipulated timeframe per the petition, the owners of parcels affected by the road name change shall agree upon a road name and submit the road name for approval. The County requires proof, by official County petition form, that all parties involved have a part in the petition process. If agreement of a road name does not occur within the stipulated timeframe, the County shall have the authority to name the road.

Section 4.6 Any change to an existing, official road name in the unincorporated parts of the County must be initiated by a petition requesting the change in name and signed by owners of eighty percent (80%) of the parcels on the street whose name is proposed to be changed. The petition to change shall be filed with and reviewed by the Jefferson County GIS/Addressing Office. Such petition should not be filed until the Jefferson County Addressing Coordinator, or his/her duly authorized agent, confirms the availability of the proposed name, but not later than thirty (30) days following such confirmation.

Documentation such as a tax bill or deed, showing the ownership of each signatory to the petition must accompany the petition at the time of filing.

A non-refundable deposit in the amount of Two Hundred Fifty Dollars (\$250.00) shall accompany the petition. Upon approval of the name change, the petitioner shall be obligated to pay to the County for the actual costs incurred by the name change, including the total costs for all road signs affected by the name change.

Residents along the affected road or street shall be responsible for advising the United States Postal Service of such road or street name change.

Section 4.7 Subdivision name approval is required for all “conventional” subdivision projects as defined by the Jefferson County Subdivision Ordinance. Subdivision names are not required for “minor” or family subdivisions as defined by the Subdivision Ordinance. The Jefferson County GIS/Addressing Office, or the duly authorized agent, shall have final authority exclusive in the area of subdivision naming within the entire County in order to ensure that subdivision names are not duplicated or confusingly similar to a name already registered, deemed confusing for

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purposes of emergency response, or deemed inappropriate by the Jefferson County GIS/Addressing Office.

Section 4.7.1 No subdivision name currently shown on a subdivision plat or land development application filed with the County shall be implemented by a subdivision owner or developer until such name has been registered with the Jefferson County GIS/Addressing Office, approved, and added to the Jefferson County Subdivision Name Index. The Jefferson County GIS/Addressing Office, or the duly authorized agent, shall have the authority to refuse registration of any name already in use, confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed inappropriate by the Jefferson County GIS/Addressing Office.

Section 4.7.2 The Jefferson County Addressing Coordinator or his/her duly authorized agent, shall review all requests for new subdivision names within thirty (30) days of receipt in the Jefferson County GIS/Addressing Office. The Jefferson County Addressing Coordinator or his/her duly authorized agent shall provide approval or rejection for subdivision names, within thirty (30) days from receipt of the request.

Section 5 STREET SIGNS

Section 5.1 All new street signs erected within Jefferson County shall be in conformance with the specifications of this section. Basic dimensions are illustrated in the Jefferson County Subdivision Ordinance Standard Details. A typical street sign installation will designate two streets using four nameplates.

Section 5.2 The owner of any subdivision or other development where a street sign is required shall erect or cause to be erected street signs in conformance to the exact standards of street sign specification in this Ordinance. To ensure uniformity of street signs throughout Jefferson County, the signs shall be in conformance to the type, size, style, color, material, placement, and any other specifications mandated by the County Commission or its representatives. The owner of any subdivision, any property, or any other development where a street sign is required shall provide funds per the street sign fee schedule and the County will initiate the installation of the street sign(s). Any signs not in conformance to the specifications of this ordinance shall be removed and signs that are in conformance shall be erected, all at the expense of the owner or party responsible for the subdivision, property, or other development.

Section 5.2.1 The owner of the newly built addressable structure or newly subdivided lot shall be responsible for any and all fees to install any and all signs on

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the newly named road and shall provide the funds to the County per the street sign fee schedule. The County will initiate the installation of the street sign(s). All signs shall conform to the Manual on Uniform Traffic Control Devices and to the specifications of this Ordinance.

Section 5.2.2 Except as approved by the County Commission, no other object or sign of any type shall be attached, permanently or temporarily, to any road name signpost. At no time shall a stop sign be mounted to a road name signpost. All stop signs on state-maintained or private/subdivision roadways shall be individually mounted to its own post.

Section 5.2.3 Any sign displaying the name of a subdivision, property name, family name, or structure name (i.e. historic structure) shall not resemble a street name sign and in any way be confused with a Jefferson County street sign. Any such sign shall not have in it any street name suffix.

Section 5.3 Sign Specifications – State Maintained Roadway - All signs erected on a roadway adopted by the West Virginia Department of Transportation, Division of Highways shall be in conformance at minimum to the West Virginia Department of Transportation, Division of Highways as defined in the “Standards for the Design and Installation of Road Name Signing” published March 1999 (Appendix A). Ideally, all signs placed within Jefferson County shall be in conformance to the United States Department of Transportation, Federal Highway Administration rules as published in the current edition of the Manual of Uniform Traffic Control Devices however the State of West Virginia shall have the final authority as to the type and size of sign erected on their right-of-way.

For signs placed in conformance to the FHWA, all nameplates shall use aluminum sign blanks of .080 thickness, alloy to be 5052H38, degreased and etched, ready to accept pressure sensitive materials. Corners shall be radius and six mounting holes shall be punched prior to application of the reflective sheeting. The sheeting shall be 3M brand High Intensity Scotchlite applied using either the 3M silk screening process or the 3M ElectroCut (EC) method.

The sign size for a primary roadway shall be nine (9”) inches high x 30”, 36”, 42”, 48”, or 54”.

The sign size for a secondary roadway shall be six (6”) inches high x 24”, 30”, 36”, 42”, or 48”.

The sign color (reflective sheeting) shall consist of white lettering on a green background for any state-maintained roadway.

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The letter size and type shall conform to the FHWA “Standard Alphabets for Highway Signs”, Series C, uppercase. Should the road name not fit on the longest sign length, the Series shall be reduced to a “B” width. Should the road name still not fit on the longest sign length, the text height shall be reduced by ½” increments until the road name fits. Abbreviations may be used as a suitable alternative however the GIS/Addressing Office shall have final inspection and approval on signs that require a reduced letter size or abbreviation. The normal spacing between words shall be the width of the letter “H” in the same series and height used in the street name.

For a primary roadway, the standard text height of the road name shall be six (6”) inches for the primary road as well as for those roads intersecting the primary roadway. The standard text height of the prefix and suffix shall be three (3”) inches.

For a secondary roadway, the standard text height of the road name shall be four (4”) inches for the secondary road as well as for those roads intersecting the secondary roadway. The standard text height of the prefix and suffix shall be two (2”) inches.

Section 5.3.1 Sign Specifications – Private / Subdivision – All signs erected shall be in conformance to the United States Department of Transportation Federal Highway Administration current edition of the Manual on Uniform Traffic Control Devices. The County Commission shall have final authority for the size, style, and color of the sign to be erected.

All nameplates shall use aluminum sign blanks of .080 thickness, alloy to be 5052H38, degreased and etched, ready to accept pressure sensitive materials. Corners shall be radius and six mounting holes shall be punched prior to application of the reflective sheeting. The sheeting shall be 3M brand High Intensity Scotchlite applied using either the 3M silk screening process or the 3M ElectroCut (EC) method.

The sign size for a roadway intersecting a state-maintained primary roadway shall be nine (9”) inches high x 30”, 36”, 42”, 48”, or 54”.

The sign size for a roadway intersecting a state-maintained secondary roadway or intersecting another private/subdivision roadway shall be six (6”) inches high x 24”, 30”, 36”, 42”, or 48”.

The sign color (reflective sheeting) shall consist of white lettering on a brown background.

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The letter size and type shall conform to the FHWA “Standard Alphabets for Highway Signs”, Series C, uppercase. Should the road name not fit on the longest sign length, the Series shall be reduced to a “B” width. Should the road name still not fit on the longest sign length, the text height shall be reduced by ½” increments until the road name fits. Abbreviations may be used as a suitable alternative however the GIS/Addressing Office shall have final inspection and approval on signs that require a reduced letter size or abbreviation. The normal spacing between words shall be the width of the letter “H” in the same series and height used in the street name.

For a roadway intersecting with a primary roadway, the standard text height of the road name shall be six (6”) inches for the roadway, as well as the intersecting primary roadway. The standard text height of the prefix and suffix shall be three (3”) inches.

For a roadway intersecting with a secondary roadway or another private/subdivision roadway, the standard text height of the road name shall be four (4”) inches for the roadway, as well as the intersecting secondary road and intersecting private/subdivision road. The standard text height of the prefix and suffix shall be two (2”) inches.

Section 5.3.2 Sign Post Specifications – For both state-maintained and private/subdivision roadways, the nameplate signpost shall consist of an upper signpost and a lower base post or anchor. The upper signpost shall be a two-inch by two-inch (2” x 2”) square post ten (10’) feet in length. The signpost can either be the QUIK PUNCH post or 4-hole post as manufactured by Allied Tube and Conduit. The initial sign project signposts shall be the 4-hole post specification.

The base post shall be a thirty-six (36”) inch, 2 ¼” x 2 ¼” anchor, driven into the earth to a depth of at least thirty-two (32”) inches. The base post shall not extend more than four (4”) inches above grade.

The street name signs shall be fastened utilizing four aluminum pop-rivets, plastic washers and plastic sign spacers. One pop-rivet shall be fastened through each corner of each sign face, through the plastic sign spacer, then through the second (back to back) street name sign plate. Two 3/8” drive rivets and two plastic sign washers shall be utilized to fasten each street name sign to the 2” x 2” x 10’ signpost. The signpost shall be fastened to the base post with one 3/8” drive rivet and one special corner bolt. The corner bolt shall be utilized to secure the signpost to the base post while the drive rivet is utilized to reduce vandalism. A pyramid rain cap shall be installed at the top of the signpost.

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Section 5.3.3 Sign Post Installation – On all roadways, all street name signs shall be located on diagonally opposite corners and mounted with their faces parallel to the streets they identify. Only the sufficient amount of street name signs is needed to properly identify the roadway. The GIS/Addressing Office shall have the authority to identify and cause installation of the proper amount of signs at a given intersection as deemed necessary.

The Miss Utility locating service shall be notified to mark all locations where a street name sign is placed.

For a roadway identified as a “dead end” roadway not having any other intersection with any other road, only the name of the “dead end” roadway shall have a sign installed, commonly referred to as a one-way sign.

Street name signs shall be located to assist the motorist in locating the street name while not blocking the view of motorists exiting onto the street from which they are traveling.

Where possible, the County or its contractor shall place signs within established rights-of-way. If a sign cannot be placed within a right-of-way due to general guidelines involving safety and line of sight, the County may place a sign on private property.

Section 5.4 Signage which is damaged or destroyed shall be the responsibility of the individual(s) causing such damage or destruction, whether by negligence or otherwise. The agency or individual(s) responsible for maintenance of the damaged sign shall have the authority to recover the costs of replacing the sign from the individual(s) causing such damage or destruction.

Section 5.5 Any such person found to be responsible for damage or destruction of any road or street sign shall pay to the County all of the costs for such damage or destruction, including but not limited to, costs for sign removal and replacement. Failure to pay for damage or destruction may result in legal action against the responsible party for all costs, such as court costs and reasonable attorney fees.

Section 6 MAPS

Section 6.1 All properties or parcels of land within Jefferson County shall hereafter be identified by reference to a uniform numbering system, as shown on maps maintained in the Jefferson County GIS/Addressing Office. The maps and explanatory matter thereon may be amended, modified, or changed at the direction of the Jefferson County Addressing Coordinator, or his/her duly authorized agent.

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Section 7 APPEALS, AMENDMENT, CONFLICT WITH OTHER LAWS, VALIDITY

- Section 7.1 Any requests concerning road name changes, addressing complaints and/or general administration of this ordinance, will first be directed to the Jefferson County Addressing Coordinator within thirty (30) days from the time of road name or address assignment. If the initial contact does not satisfy the individuals concern, he or she may appeal the decision to the Jefferson County Commission for final disposition provided, however, that all such appeals must be filed no later than 10 days after the decision. The Commission may, at its discretion, hear such appeals as oral argument or may rule based upon the written appeal. All such appeals shall be decided on or before 30 days after the appeal is heard.
- Section 7.2 After implementation of the address conversion system, any concerns, problems, or complaints regarding the naming and numbering system will be handled on a case-by-case basis by the Jefferson County Addressing Coordinator.
- Section 7.2.1 Mapping accuracy and consistency in the application of this ordinance is imperative for delivery of emergency services. As the Addressing Coordinator strives to improve such accuracy and consistency, he/she or the duly authorized agent, is authorized to correct any found errors or inconsistencies.
- Section 7.2.2 Past decisions by the Addressing Coordinator do not set precedent for future determinations in mapping, addressing or administration of this ordinance.
- Section 7.3 Amendment - By legislative procedure, the Jefferson County Commission may, from time to time, amend, supplement or change the provisions of this Ordinance.
- Section 7.4 Conflict With Other Laws - Where the provisions of this Ordinance impose greater restrictions than those of any other ordinance or regulation, the provision of this Ordinance shall be controlling. Where the provision of any statute, other ordinance or regulation imposes greater restrictions than this Ordinance, the provisions of such statute, ordinance or regulations shall be controlling.
- Section 7.5 Validity – If any article, section, subsection, paragraph, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decisions shall not affect the validity of this Ordinance as a whole or any other part thereof.

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Section 7.6 Relationship between physical location address and tax map or legal Deed description – The physical location address is a label to identify an addressable structure or unit(s) within a structure. This address may function as a mailing address for onsite or rural delivery services. It does not legally designate a property, parcel or lot by itself. It may support the identity of a property in conjunction with the Tax District, Map and Parcel number of the lot as defined by the Jefferson County Assessor’s Office. The legal description of a property shall be identified by the boundary description in the Deed first and then the Tax District, Map and Parcel number second. The physical location address of any structure on said lot is non-essential to the legal description. Where a physical location address exists in any legal document that does not match the correct physical location address, the GIS/Addressing Office can provide the correct address to the proper authority.

Section 7.7 Cross References –
National Emergency Number Association (NENA) Standard Guidelines
BOCA National Property Maintenance Code, Section PM-303.3
Standards for the Design and Installation of Road Name Signing (March 1999 Appendix A).
Standard Alphabets for Highway Signs (FHWA)
Manual of Uniform Traffic Control Devices (USDOT, FHWA)
Jefferson County Subdivision Ordinance
*Jefferson County Addressable/Non-Addressable Structure Guide
*Jefferson County Addressing Model guidelines.
*Jefferson County Street Suffix Definitions
*Jefferson County Road Name Index
*Jefferson County Subdivision Name Index
* maintained as policy documents in the Jefferson County GIS/Addressing Office

Section 8 PENALTIES

Section 8.1 It is unlawful for any person to violate this Ordinance. When it appears that a violation of this Ordinance has occurred, the responsible party shall be notified by means of a written Violation Notice. The Violation Notice shall specify the nature of the violation and shall request that the violation be terminated within 30 days from the date appearing on the notice. After thirty (30) days of non-compliance from the time of written notification, the violation of any section of this Ordinance shall be deemed a misdemeanor punishable by a fine of not to exceed five hundred dollars (\$500.00). Each day a violation continues shall constitute a separate offense.

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Section 9 ADOPTION AND SIGNATURES

Section 9.1 This Ordinance shall be effective July 1, 2002.

Adopted the 25th day of April 2002

Amended on the 12th day of December 2002

Amended on the 24th day of July 2003

Amended on the 14th day of January 2010

JEFFERSON COUNTY COMMISSION

Amended this 14th day of January 2010

BY: Lynn Widmeyer
President of the Commission

ATTEST: Sandra Susan Mermal

Sandy McDonald

From: Todd Fagan [tfagan@jeffersoncountywv.org]
Sent: Wednesday, November 13, 2013 2:58 PM
To: 'BOLTSON, DAVE R'
Cc: 'Sandy McDonald'
Subject: RE: Compliance of 390 Camelot Way(Notification of appeal request)

Understood and acknowledged. We look forward to your correspondence.
Thank you,
Todd

From: BOLTSON, DAVE R [mailto:DAVE.R.BOLTSON@CBP.DHS.GOV]
Sent: Wednesday, November 13, 2013 2:35 PM
To: Todd Fagan
Subject: RE: Compliance of 390 Camelot Way(Notification of appeal request)

Thank you . In view of your recent correspondence (November 12, 2013 and your office final determination on my request for reconsideration and reinstatement of the originally assigned house number for my residence. Please accept this email as my formal notification and intent to appeal and will contact Sandy McDonald Deputy County Administrator Jefferson County Commission as instructed by your email===

David R. Boltson
Office tele: 202-344-3989-Tuesday & Thursday
Telework: 304 725 7378---Monday & Wednesday
Gov. Cell 202-497-5018

From: Todd Fagan [mailto:tfagan@jeffersoncountywv.org]
Sent: Wednesday, November 13, 2013 2:15 PM
To: BOLTSON, DAVE R
Cc: wschutz@jeffersoncountywv.org; 'Sandy McDonald'; Grove, Stephanie
Subject: RE: Compliance of 390 Camelot Way (follow up

Mr. Boltson,
The Addressing Ordinance does specify an appeal process in section 7.1.

“Any requests concerning road name changes, addressing complaints and/or general administration of this ordinance, will first be directed to the Jefferson County Addressing Coordinator within thirty (30) days from the time of road name or address assignment. If the initial contact does not satisfy the individuals concern, he or she may appeal the decision to the Jefferson County Commission for final disposition provided, however, that all such appeals must be filed no later than 10 days after the decision. The Commission may, at its discretion, hear such appeals as oral argument or may rule based upon the written appeal. All such appeals shall be decided on or before 30 days after the appeal is heard.”

Should you choose to do so, please direct your written appeal to:

Sandy McDonald
Deputy County Administrator
Jefferson County Commission
P.O Box 250
Charles Town, WV 25414

Sincerely,
Todd Fagan

Todd Fagan, GISP
GIS/Addressing Office Director
Jefferson County Commission
116 E. Washington St. Suite 201
Charles Town, WV 25414
Office: 304.728.6679
Fax: 304.724.8992
tfagan@jeffersoncountywv.org

From: BOLTSON, DAVE R [<mailto:DAVE.R.BOLTSON@CBP.DHS.GOV>]
Sent: Tuesday, November 12, 2013 3:17 PM
To: Todd Fagan
Cc: wschutz@jeffersoncountywv.org
Subject: RE: Compliance of 390 Camelot Way (follow up

Thank you for your explanation and the justification for not reinstating the original house number assigned by Jefferson County While I do understand your office constraint in granting (grandfathering) my request. I would appreciate information on the appropriate “ appeal” procedure for this decision based on the concept of an unreasonable burden due to the original house number county error assignment and untimely enforcement of the house number request for change.

Thank you again for the time expended on this issue.

David R. Boltson

Office tele: 202-344-3989-Tuesday & Thursday
Telework: 304 725 7378---Monday & Wednesday
Gov. Cell 202-497-5018

From: Todd Fagan [<mailto:tfagan@jeffersoncountywv.org>]
Sent: Saturday, November 09, 2013 4:49 PM
To: BOLTSON, DAVE R
Cc: wschutz@jeffersoncountywv.org; Jessica Gormont; Dettmer, Helen
Subject: RE: Compliance verification of 390 Camelot Way

Mr. Boltson,

Regarding your appeal to keep 393, I've attached a letter with our findings.

Our research indicates that not only does your house lie on the right (even) side of the lane, but the vacant parcels beyond your house on the existing right-of-way do have building and subdivision rights, which means further addressing can occur down Camelot Way in the future.

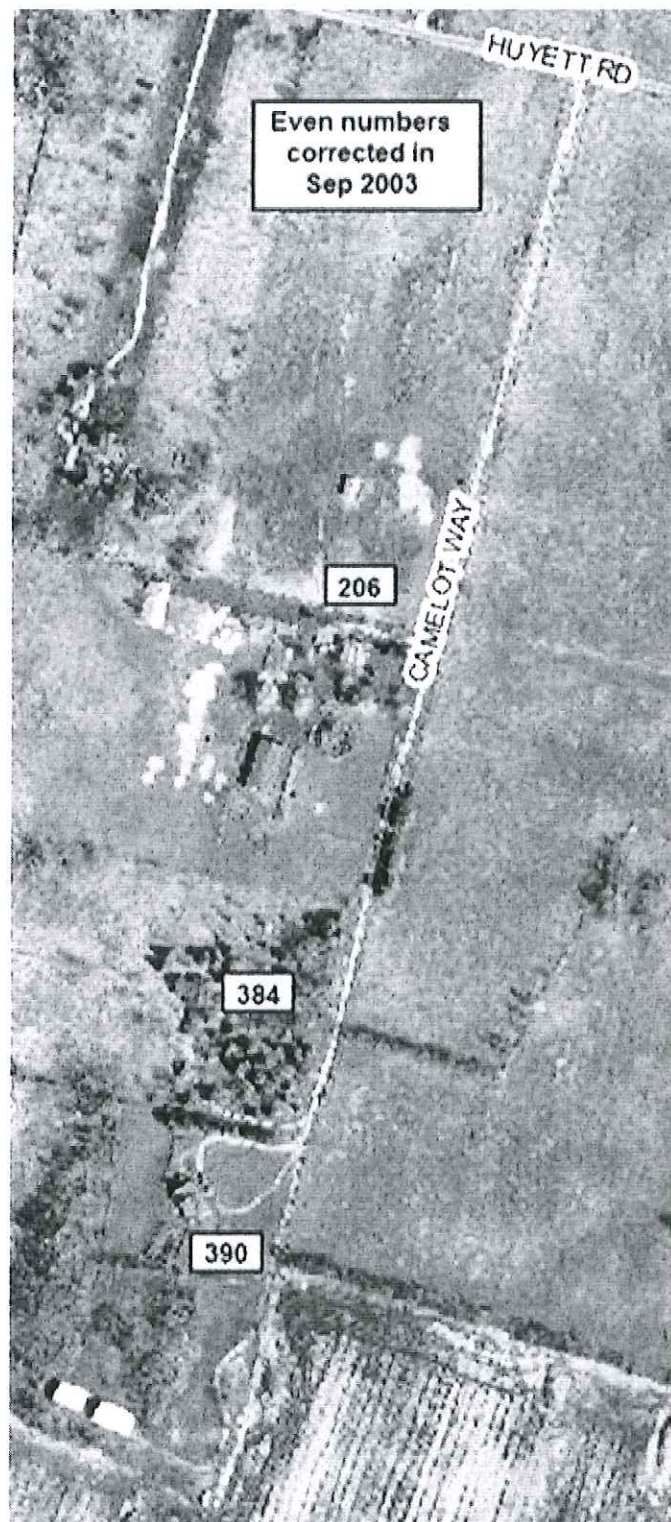
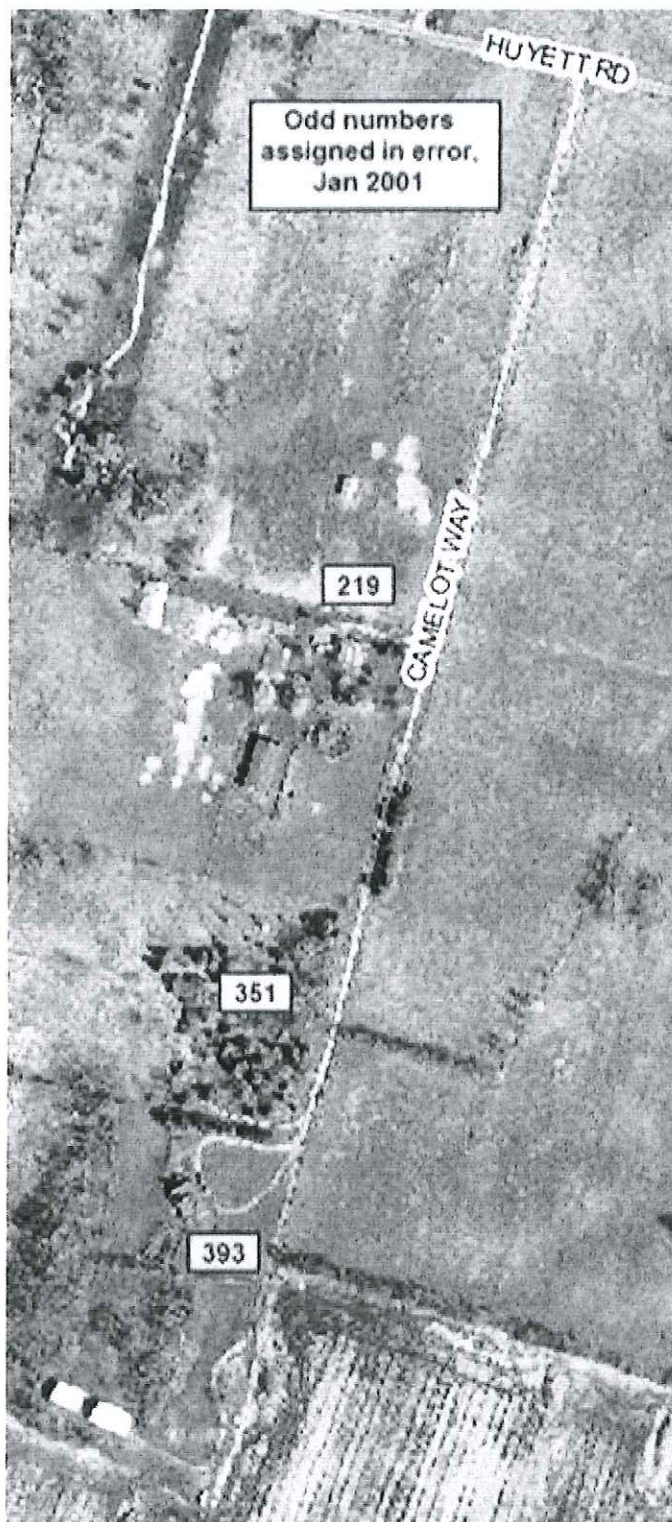
Secondly, notice of the address change to 390 was mailed to you in September of 2003. Your neighbors received similar change notices then and have since complied. Even though there was an early error during address conversion, notice of the correction was as timely as possible. Please see maps below for history of the changes.

Finally, we must maintain an address of 390 in order to comply with our County Ordinance. There is no room for exceptions in the matter of address number assignment regarding left and right side numbering.

I apologize as I am sure this is not the response you hoped to hear. I appreciate your patience, understanding in the matter, and compliance by posting the proper number at the end of your driveway.

Sincerely,
Todd Fagan

Todd Fagan, GISP
GIS/Addressing Office Director
Jefferson County Commission
116 E. Washington St. Suite 201
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From: BOLTSON, DAVE R [mailto:DAVE.R.BOLTSON@CBP.DHS.GOV]

Sent: Wednesday, October 23, 2013 4:48 PM

To: Todd Fagan

Subject: RE: Compliance verification of 390 Camelot Way (Property number identification) (follow up procedure question)

Todd, Thank you for your response. Please pardon my delay in answering your email, but I had been out of the office due to the Federal Government shutdown and have been catching up on the "other fires" that the

interruption in office activity caused. Please take as much time as you need to conduct your research on the addressing history of my residence. I hope that you can resolve the issue within your office structure. I do understand the importance of maintaining the accuracy of your database and consistency of the formulas used in calculating the proper house numbers. May I suggest that should you decide to restore the original 393 house number, one could suggest that the house is actually on the "left side" of Camelot Way in that the road actually curves to the right placing the house on the left side. Admittedly its stretching the point but the road is a private access and there is no other access beyond the residence. That interpretation could (I think) support your formula.

The bottom line is that it has been over 12 years since the original assignment of 393 and if using the above logic with a simple change in your database , it would save me a massive amount of time and paper work. Thank you for your consideration ==David

David R. Boltson

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Gov. Cell 202-497-5018

From: Todd Fagan [<mailto:tfagan@jeffersoncountywv.org>]

Sent: Monday, October 07, 2013 10:43 AM

To: BOLTSON, DAVE R

Cc: 'Wendy Schutz '

Subject: RE: Compliance verification of 390 Camelot Way (Property number identification) (follow up procedure question)

Mr. Boltson,

I've spoken with the Jefferson County Circuit Clerk's staff and it appears to be a relatively easy procedure to expunge any record of yours that may appear in the system.

First, you are encouraged to call them at 304-728-3226 to verify which forms and processes are necessary in your case. Your case may be eligible for expungement if you provide them with the right form and all of the lower court's relevant information.

The motion to expunge form may be found at <http://www.courtswv.gov/lower-courts/expungement/SCA-C903.pdf>

This is a process that should not require legal counsel on your part, but again, I urge you to call the Circuit Clerk to verify.

Regarding disposition of your physical location address, I would like a little more time to conduct further research. Will you allow me to reply to your concerns by the end of this week?

Thank you,

Todd

Todd Fagan, GISP
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From: BOLTSON, DAVE R [<mailto:DAVE.R.BOLTSON@CBP.DHS.GOV>]

Sent: Tuesday, September 24, 2013 3:57 PM

To: Wendy Schutz

Cc: TFagan@jeffersoncountywv.org

Subject: RE: Compliance verification of 390 Camelot Way (Property number identification) (follow up procedure question)

Wendy Last week I did respond to the summons. Now that the property is in compliance what is the procedure for clearing the record?==Thanks===David

David R. Boltson

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Gov. Cell 202-497-5018

From: Wendy Schutz [<mailto:wschutz@jeffersoncountywv.org>]

Sent: Tuesday, September 24, 2013 10:35 AM

To: BOLTSON, DAVE R

Subject: RE: Compliance verification of 390 Camelot Way (Property number identification)

Mr. Boltson,

I am in receipt of your email as well as the attached photograph. The address posted conforms to our regulations and therefore we will mark your address as compliant.

Mr. Fagan will be in touch with you when he returns from his vacation after October 2.

Thank you,

Wendy M. Schutz

Executive Administrative Assistant

Jefferson County GIS/ Addressing Office

116 E. Washington Street, Ste. 201

Charles Town, WV 25414

Phone: 304-724-6759

Fax: 304-724-8992

From: BOLTSON, DAVE R [<mailto:DAVE.R.BOLTSON@CBP.DHS.GOV>]

Sent: Tuesday, September 24, 2013 10:28 AM

To: Wendy Schutz

Subject: FW: Compliance verification of 390 Camelot Way (Property number identification)

Wendy, I am not sure why your address was rejected, Todd's seem to be okay but I am forwarding the actual email again. ===Thank you.===David

David R. Boltson

Office tele: 202-344-3989-Tuesday & Thursday

Telework: 304 725 7378---Monday & Wednesday

Gov. Cell 202-497-5018

From: BOLTSON, DAVE R

Sent: Tuesday, September 24, 2013 10:16 AM

To: 'TFagan@jeffersoncountywv.org'

Cc: 'Wshutz@jeffersoncountywv.org'

Subject: Compliance verification of 390 Camelot Way (Property number identification)

Please find attached the photographic confirmation of immediate compliance relating to the respective E 911 county Ordinance 01-2002 required by the first and only notification received from Jefferson county to change the number from 393 to 390 (Case #13M3075). I am preparing a request for consideration to your office to reinstate the original property identification of 393 Camelot Way as established over 12 years ago. Please notify the appropriate jurisdiction of the compliance on this issue===Thank you

David R. Boltson

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